



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 17<sup>TH</sup> 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
GINA ISLAS MENDOZA	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Jeff Barton gave the invocation and Commissioner Karen Ford led the court in the Pledge of Allegiance to the American and Texas flags. Judge Sumter called the meeting to order.

**PRESENTATION BY RICHARD PARRISH ON 4-H UPDATE**

Richard Parrish, County Extension Agent – 4H and Youth Development, gave a presentation on how many students have participated and benefited from the 4-H. 4356 students participated in 4-H, this included students around Hays County that join through participation of classroom activities, and 431 students are actually enrolled in one of the 4-H programs in Hays County.

**25319 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve payment of County Invoices in the amount of \$660,732.33 as presented by the County Auditor. All voting "Aye".  
MOTION PASSED

**25320 APPROVE COMMISSIONER COURT MINUTES OF JUNE 10, 2008**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to Approve Commissioner Court Minutes of June 10, 2008 as presented by the County Clerk. All voting "Aye".  
MOTION PASSED

**25321 AUTHORIZE THE COUNTY JUDGE TO SIGN AN AGREEMENT TO RE-CREDENTIAL THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT WITH THE SUPERIOR HEALTH PLAN**

This is a Medicaid insurance processing company. Hays County Personal Health Department has to file Medicaid claims through this company. Every three years we have to be recredentialed by them, and telling them we are still a Governmental entity and we are still operating out of two facilities, one in San Marcos and the other in Kyle. A motion was made by Commissioner Ingalsbe, seconded by Barton to Authorize the County Judge to sign an Agreement to Re-Credential the Hays County Personal Health Department with Superior Health Plan. All voting "Aye". MOTION PASSED

**25322 APPROVE AWARD OF BID #B2008-B12 ROAD IMPROVEMENTS – HOT MIX OVERLAYS TO ASPHALT PAVING COMPANY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve award of BID #B2008-B12 Road Improvements – hot mix overlays to Asphalt Paving Company. All voting "Aye".  
MOTION PASSED

**25323 APPROVE CANCELLATION OF COMMISSIONERS COURT ON JULY 1 AND 15, 2008**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to Approve cancellation of Commissioners Court of July 1 and 15, 2008. All voting "Aye". MOTION PASSED

**25324 RELEASE OF THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROADS AND DRAINAGE IMPROVEMENTS WITHIN COUNTY RIGHT OF WAY FOR BELTERRA SUBDIVISION PHASE 2 SECTIONS 4, 5B, 5C, 5D AND 9B**

[T1-215] The Road Department has inspected and recommends its acceptance for maintenance. A motion was made by Commissioner Ford, seconded by Commissioner Conley to release the maintenance bond and accept for maintenance all roads and drainage improvements within county right of way for Belterra Subdivision Phase 2 Sections 4, 5B, 5C, 5D, and 9B. All voting "Aye". MOTION PASSED



**Clerk's Note: Agenda Item #8** RE: CONSIDER APPROVAL OF 1 YEAR EXTENSION OF CONSTRUCTION BOND FOR HIGHPOINTE PHASE 4 SECTION 1 AND PHASE 3 SECTION 1 was **PULLED**. No discussion and no action taken.

**Clerk's Note: Agenda Item #15** RE: DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN LOCKWOOD, ANDREWS & NEWMAN, INC. (LAN) AND HAYS COUNTY was **PULLED**. No discussion and no action taken.

**25325** [#08-4-22] **GLENN KOTHMANN RESUBDIVISION OF LOT 49 - APPROVE PRELIMINARY PLAN**

[T1-226] A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve preliminary plan for "Glenn Kothmann Resubdivision of Lot 49". All voting "Aye". MOTION PASSED

**25326** **APPROVE INVOICES FROM MAINTENANCE DEPARTMENT IN WHICH A PURCHASING ORDER WAS NOT OBTAINED FOR ELECTRICAL WORK**

[T1-249] A motion was made by Commissioner Barton, seconded by Judge Sumter to authorize payment to Ted Breihan Electric Co. in amount not to exceed \$6,550 with approximately \$5,650 coming out of line item 01-414-5740 and the remainder coming from the contract building maintenance and repair line item. All voting "Aye". MOTION PASSED

**25327** **AUTHORIZE PURCHASING TO PREPARE SPECIFICATIONS FOR BIDS FOR BUCKING CHUTES AT THE HAYS COUNTY CIVIC CENTER**

[T1-390] A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to authorize Purchasing to prepare specifications for bids for bucking chutes at the Hays County Civic Center. All voting "Aye". MOTION PASSED

**DISCUSSION REGARDING BOND ISSUANCE TIMELINE FOR PARKS AND PASS-THROUGH PROJECTS**

[T1-950] Dan Wegmiller with First Southwest Company spoke. Discussion was held but no action was taken.

**25328** **ALLOW ROAD DEPARTMENT EMPLOYEES TO EXCEED THE COMP TIME LIMIT NOT TO EXCEED 80 HOURS**

[T1-1562] A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to allow Road Department employees to exceed the comp time limit of 60 hours but not to exceed 80 hours. All voting "Aye". MOTION PASSED

**DISCUSSION REGARDING STUDIO ESTATES**

[T1-1635] Commissioner Barton spoke of concerns regarding Studio Estates. This issue will be brought back in a few weeks. Discussion was held but no action taken.

**25329** **AMEND ROAD DEPARTMENT BUDGET FOR CAPITAL IMPROVEMENT PROJECTS TO PAVE FITZHUGH ROAD AND FISCHER STORE ROAD**

[T1-2021] & [T3-1880] Balance of \$260,000 is needed for road projects (Fitzhugh Road & Fischer Store Road). Proposed budget amendment will transfer needed funds from personnel savings and misc. capital improvements. A motion was made by Judge Sumter seconded by Commissioner Ingalsbe to amend Road Department budget for Capital Improvement Projects to pave Fitzhugh Road and Fischer Store Road. All present voting "Aye" MOTION PASSED. Commissioner Conley was not present for vote.

**25330** **ADOPT A RESOLUTION AND NOMINATE COMMISSIONER CONLEY TO REPRESENT HAYS COUNTY ON THE REGION L SOUTH CENTRAL TEXAS REGIONAL WATER PLANNING GROUP**

[T1-2605] Commissioner Conley gave a brief description of what the group consists of and advised that there is no representation for Hays County on the board. A motion was made by Commissioner Barton, and seconded by Commissioner Ford to elect Commissioner Conley to represent Hays County on the Region L South Central Texas Regional Water Planning Group. All voting "Aye". MOTION PASSED



### **DISCUSSION OF COUNTY-WIDE PLANNING STRATEGIES**

[T1-2745] Judge Sumter discussed the different strategies that the court should be looking at. No action was taken on this item.

### **WORKSHOP REGARDING HEALTH CARE ISSUES AND HEALTH CARE FACILITIES IN HAYS COUNTY**

[T1-3382] Nick Iccosipentarhos, Personal Health Director, spoke about new clients. He also spoke of the total amount of vaccines administered by Hays County. Dr. Janet Lawson MD., Assistant Commissioner for Regional Health Services, spoke of some of the issues with emergency diseases. Dr Tom Betz MD., Region 7 Director, spoke regarding prevention tactics for the current problems and diseases. Dr. Betz serves the TD clinics free of charge. Pat Collins, Director of Communicable Disease for Region 7, spoke (specialized in researching diseases). Pat Collins spoke of the report that shows uninsured services and their expenses. Mikey Waters Assistant General Counsel and Dan Smith (local liaison for Regional/Local Health Dept) were present but did not speak. [T2- 1160] Herb Diar introduced speakers Erica Swanholm from Texas Home Health Care, FQHC provides care to everyone of all ages. Angelica Padron, Communicare Health Center from San Antonio was present. Debra Thompson CEO of the organization spoke of the application being submitted (coming into San Marcos and then into Kyle). Discussion was had on how long it would take to set up an FQHC in our area. They see approximately 4,000 patients and 14,000 visits in a year.

### **WORKSHOP REGARDING WAGE AND SALARY STUDY**

[T2-2690] Dee Dee Baen, Human Resources Director, started the presentation and explained the different counties that were included on the salary report. Her office will speak to all the department heads concerning their employees.

### **EXECUTIVE SESSION PURSUANT TO SECTION 551.074 TEXAS GOVERNMENT CODE TO DISCUSS AND DELIBERATE THE APPOINTMENT OF A FIRE MARSHAL. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT**

[T3-1040] & [T3-2480] Court convened into Executive Session at 6:00 pm to 6:30 pm. And then again at 8:15 pm to 8:35 pm at which time they reconvened into open court. No discussion and no action taken.

**Clerk's Note:** Commissioner Conley left the meeting during Executive Session.

#### **25331 AMEND THE BUDGET AND PAY ALLIANCE TRANSPORTATION GROUP INC. CONSULTING FEE**

[T3-1052] A motion was made by Judge Sumter seconded by Commissioner Barton to amend the budget and pay Alliance Transportation Group Inc. a consulting fee of \$123,014.00 (budget amendment will transfer \$123,014.00 from Road & Bridge ROW line item #03-460-5386 into Consulting line item #03-438-5443). All present voting "Aye" MOTION PASSED

#### **25332 APPROVE THE OAK BRANCH DRIVE/NUTTY BROWN ROAD ALIGNMENT PROJECT, FUNDING IT THROUGH SAVINGS ANTICIPATED FROM THE TXDOT HWY 290 CONSTRUCTION PROJECT, AND AUTHORIZE COUNTY JUDGE TO FINALIZE NEGOTIATIONS AND ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HNTB TO PROVIDE ENGINEERING, DESIGN AND ENVIRONMENTAL SERVICES AS REQUIRED**

[T3-1110] Commissioner Ford explained that the County has the opportunity to make a substantial public safety improvement through the alignment of Oak Branch Drive and Nutty Brown Road which was initially part of the Nutty Brown reconstruction project from the 2001 Bond Program, but never completed. This un-aligned intersection presents a real safety hazard for traffic entering and exiting Oak Branch Drive. Current landowners of property at Hwy 290 and Oak Branch Drive are willing to "swap" land for the realignment of Oak Branch Drive. A motion was made by Commissioner Ford seconded by Commissioner Barton to expand the motion made on February 12, 2008 regarding financing of the revenue bonds and to approve the Oak Branch Drive/Nutty Brown Road alignment project, funding it through saving anticipated from the TXDOT Hwy 290 construction project, and authorize County Judge to finalize negotiations and enter into a professional services agreement with HNTB to provide engineering, design and environmental services as required, contingent upon special counsel confirming that it is appropriate with our financial advisor. All present voting "Aye". MOTION PASSED



**25333 APPROVE BUDGET AMENDMENT 08-18**

[T3-1905] A motion was made by Judge Sumter seconded by Commissioner Ford to approve Budget Amendment 08-18. All present voting "Aye". MOTION PASSED

**DISCUSSION REGARDING COMMISSIONERS COURT SCHEDULES, FUTURE MEETINGS AND WORKSHOPS**

[T3-2014] Discussion was had regarding court schedules, future meetings, and workshops. No action was taken.

**25334 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN EXTENSION OF THE OPTION FOR PURCHASE OF THE BAPTIST CHURCH PROPERTY IN WIMBERLEY TEXAS**

[T3-2020] A motion was made by Judge Sumter seconded by Commissioner Ford to authorize the County Judge to execute an Extension of the Option for purchase of the Baptist Church property in Wimberley for Pct 3 Offices. All present voting "Aye". MOTION PASSED

Court was adjourned this the 17<sup>th</sup> day of JUNE, 2008.

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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 JUNE 17, 2008.



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

