



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 8th DAY OF JULY 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:

Nick Iccosipentarhos 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.

RESOURCE PROTECTION, TRANSPORTATION AND PLANNING (RPTP) DEPARTMENT PRESENTATION

RPTP Director Jerry Borcharding gave a powerpoint presentation to the court. He provided a breakdown of road mileage/cost comparison (non-bond) for FY1996-FY2010 for each precinct, projected completed capital improvement distribution for FY2008 and cumulative completed capital improvement distribution for FY2004-FY2008 by precincts, current organizational chart, FY09 organizational chart, and future organizational chart.

25343 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve payment of county invoices as presented by the County Auditor for July 1, 2008 in the amount of \$628,515.26 and July 8, 2008 in the amount of \$974,734.21. All voting "Aye". MOTION PASSED

25344 APPROVE COMMISSIONER COURT MINUTES OF JUNE 11, JUNE 17, JUNE 24 AND JUNE 27, 2008

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Commissioners Court Minutes of June 11, June 17, June 24 and June 27, 2008 as presented by the County Clerk. All voting "Aye". MOTION PASSED

25345 APPROVE INSTITUTIONAL OSSF PERMIT FOR DAN BALBOA, LOCATED AT 240 COLE SPRINGS ROAD, BUDA

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Institutional OSSF Permit for Dan Balboa located at 240 Cole Springs Road in Buda. All voting "Aye". MOTION PASSED

25346 AUTHORIZE THE COUNTY JUDGE TO RENEW THE TITLE V MCH CONTRACT FOR HAYS COUNTY PERSONAL HEALTH DEPARTMENT WITH TEXAS DEPARTMENT OF HEALTH SERVICES FOR \$44,865.00

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to renew the Title V MCH Contract for Hays County Personal Health Department with the Texas Department of Health Services for \$44,865.00. All voting "Aye". MOTION PASSED

25347 ACCEPT ANNUAL AUDITED FINANCIAL REPORT FOR YEARS ENDED SEPTEMBER 30, 2007 AND 2006 FROM HAYS COUNTY ESD #6

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to accept annual audited financial report for years ended September 30, 2007 and 2006 from Hays ESD#6. All voting "Aye". MOTION PASSED

25348 APPROVE THE MAY 2008 TREASURERS REPORT AND INVESTMENT REPORT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve the May 2008 Treasurers Report and Investment Report. All voting "Aye". MOTION PASSED



25349 APPROVE SPECIFICATIONS FOR BID #2008-B18 "REGULATORY, WARNING & OTHER ROAD SIGNS" AND AUTHORIZE PURCHASING TO SOLICIT FOR AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve specifications for Bid #2008-B18 "Regulatory, Warning & Other Road Signs" and authorize Purchasing to solicit and advertise. All voting "Aye". MOTION PASSED

25350 APPROVE AWARD OF BID #2008-B15 DUMPSTERS COUNTYWIDE TO TEXAS DISPOSAL SYSTEMS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve award of Bid #2008-B15 Dumpsters Countywide to Texas Disposal Systems. All voting "Aye". MOTION PASSED

25351 APPROVE RENEWAL OF BID FOR EQUIPMENT W/OPERATOR TO CENTRAL TEXAS ROAD, INC. FOR ONE (1) ADDITIONAL YEAR AS PROVIDED FOR IN ORIGINAL BID

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve renewal of bid for equipment with operator to Central Texas Road Inc. for one (1) additional year as provided for in the original bid. All voting "Aye". MOTION PASSED

25352 APPROVE RENEWAL OF BID TO FURNISH & INSTALL GUARDRAILS FOR ONE ADDITIONAL YEAR AS PROVIDED FOR IN THE ORIGINAL BID WITH ROADWAY SPECIALTIES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve renewal of bid to furnish and install guardrails for one additional year as provided for in the original bid with Roadway Specialties. All voting "Aye". MOTION PASSED

25353 APPROVE SPECIFICATIONS FOR BID #2008-B17 BUCKING/ROPING/STEER STRIPPING CHUTES FOR THE HAYS COUNTY CIVIC CENTER AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve specifications for Bid #2008-B17 Bucking/Roping/Steer Stripping Chutes for the Hays County Civic Center and authorize Purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

25354 APPROVE RECOMMENDATIONS FROM THE INVESTMENT COMMITTEE

The Hays County Investment Committee recommends no changes to the current investment policy or strategies. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve recommendations from the Investment Committee as presented. All voting "Aye". MOTION PASSED

25355 APPROVE UTILITY PERMIT #01962

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Utility Permit #01962 on Booth Drive issued to City of San Marcos as presented by the Road Department. All voting "Aye". MOTION PASSED

25356 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO AGREEMENT FOR THE DEVELOPMENT OF PARK FACILITIES AND AMENDMENT TO A GRANT DEED OF CONSERVATION EASEMENT

This amendment adds property description inadvertently left off original agreement making the total area 18.287 acres. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute an Amendment to Agreement for the Development of Park Facilities and Amendment to a grant deed of Conservation Easement. All voting "Aye". MOTION PASSED

[T1-612] Andrew Backus (Hays Trinity Groundwater Conservation District) made public comment regarding the Belterra settlement and lot sizing issues.



25357 CALL FOR A PUBLIC HEARING ON JULY 22, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON MCGREGOR LANE (CR 187) [T1 -644]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on July 22, 2008 to establish traffic regulations on McGregor Lane (CR 187). All voting "Aye". MOTION PASSED

25358 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) ON BUNTON LANE [T1 -649]

Judge Sumter declared the public hearing open. No public comment was received and the public hearing was closed. [T1-1386] A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to hold a public hearing to establish traffic regulations 35 MPH speed limit on Bunton Lane. All voting "Aye". MOTION PASSED

25359 APPROVE 1 YEAR EXTENSION OF MAINTENANCE BOND FOR HIGHPOINTE PHASE 3 SECTION 1 [T1 - 670]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to consider approval of 1 year extension of maintenance bond for Highpointe Phase 3 Section 1. All voting "Aye". MOTION PASSED

25360 [#08-4-10, 2 LOTS] HIGHLANDS EAST RESUBDIVISION OF LOT 5 - APPROVE FINAL PLAT [T1 - 678]

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 "Highlands East Resubdivision of Lot 5". All voting "Aye". MOTION PASSED

25361 [#08-4-32, 2 LOTS] HIGHLANDS SECTION A RESUBDIVISION OF LOT 39 - CALL FOR A PUBLIC HEARING ON JULY 22, 2008 AND APPROVE PRELIMINARY PLAN [T1-687]

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 July 22, 2008 and approve preliminary plan of "Highlands Section A Resubdivision of Lot 39". All voting "Aye". MOTION PASSED

25362 [#08-4-14, 2 LOTS] DEER CREEK BLOCK A RESUBDIVISION OF LOT 11-AR - APPROVE PRELIMINARY PLAN [T1 - 698]

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 of "Deer Creek Resubdivision of Lot 11-AR". All voting "Aye". MOTION PASSED

25363 ORDER THE EXTENSION OF ALL TRAFFIC RULES THAT APPLY TO COUNTY ROADS IN HAYS COUNTY TO THE ROADS OF RUBY RANCH, A SUBDIVISION IN HAYS COUNTY [T1 - 740]

Thomas Doebner made public comment. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe that pursuant to Chapter 542.007 of the Texas Transportation Code the court hereby authorizes and requests the Hays County Sheriff's Department to enforce all traffic regulations that apply to Hays County roads to the private roads of Ruby Ranch with a finding by the Commissioners Court that it is a benefit to the general welfare of Hays County. All voting "Aye". MOTION PASSED

25364 APPROVE DUES DEDUCTION FOR CLEAT/HAYS COUNTY LAW ENFORCEMENT ASSOCIATION MEMBERS [T1 - 864]

Tom Barbee (representing the Combined Law Enforcement Association of Texas) appeared before the court regarding this request. A motion was made by Commissioner Conley, seconded by Commissioner Barton to make an exception to county policy regarding payroll deductions and approve dues deduction for CLEAT/Hays County Law Enforcement Association Members for any law enforcement officer in Hays County. All voting "Aye". MOTION PASSED



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25365 APPROVE THE EXPENDITURE OF \$520,427.71 FOR THE OAK BRANCH DRIVE REALIGNMENT PROJECT AND TO UTILIZE THE REMAINING BALANCE ON LEFT TURN LANES ON HWY 21 FROM THE 2001 BOND INTEREST MONEY [T1 - 1000]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve expenditure of \$520,427.71 for the Oak Branch Drive realignment project and to utilize the remaining balance on left turn lanes/safety improvements on Hwy 21 at CR127 and Yarrington Road from the 2001 Bond Interest Money. All voting "Aye". MOTION PASSED

25366 AUTHORIZE COUNTY JUDGE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HNTB TO PROVIDE SURVEY, ENGINEERING AND DESIGN SERVICES ON THE NUTTY BROWN ROAD/OAK BRANCH DRIVE RE-ALIGNMENT PROJECT [T1-1344]

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to authorize the County Judge to enter into a professional services agreement with HNTB to provide survey, engineering and design services on the Nutty Brown Road/Oak Branch Drive re-alignment project. All voting "Aye". MOTION PASSED

25367 CONSIDER THE 'VISION STATEMENT' AGREED UPON BY CPAT AND SET ASIDE PARK BOND FUNDS FOR IMPLEMENTING THE 'VISION' [T 1-1397]

A motion was made by Commissioner Conley, seconded by Judge Sumter to reserve a minimum of \$13 million to go towards recharge lands, habitat for endangered species, open space and access to major water ways. All voting "Aye". MOTION PASSED

25368 APPROVE CHANGE ORDER #5 FOR THE HAYS COUNTY JUVENILE DETENTION CENTER PROJECT IN THE AMOUNT OF \$11,651 [T-2086]

Brett Littlejohn appeared before the court. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to approve change order #5 for the Hays County Juvenile Detention Center Project in the amount of \$11,651. All voting "Aye". MOTION PASSED

25369 AMEND THE CONTRACT WITH SMITH ROBERTSON IN CONNECTION WITH COMPLETION OF THE HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN [T1-2153]

Melinda Taylor with Smith Robertson spoke. A motion was made by Commissioner Conley, seconded by Commissioner Ford to amend the contract with Smith Robertson in connection with completion of the Hays County Regional Habitat Conservation Plan. All voting "Aye". MOTION PASSED

25370 AUTHORIZE ADVERTISING EXPENDITURES OF THE PUBLIC NOTICE FOR DEVELOPMENT REGULATIONS [T1-2333]

Two informational public meetings will be held: Monday July 21, 2008 @ 6:30 p.m. at the City of Kyle Council Chambers and Wednesday July 23, 2008 at 6:30 p.m. at the Village of Wimberley Community Center. Commissioners Conley and Ford suggested public notices be put in the San Marcos Record, Wimberley View, Free Press, and Dripping Springs Dispatch to publicize countywide. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to authorize advertising expenditures of the public notice for Development Regulations. All voting "Aye". MOTION PASSED

25371 AUTHORIZE THE COUNTY JUDGE TO EXECUTE TWO HAYS COUNTY PURCHASE CONTRACTS WITH THOMAS PEREZ AND JUDITH M. TELFORD FOR R-O-W ACQUISITION ON MCCARTY LANE [T1-2526]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute two Hays County purchase contracts with Thomas Perez and Judith M. Telford for Right-Of-Way acquisition on McCarty Lane. All voting "Aye". MOTION PASSED



25372 ADOPT A RESOLUTION CONTINUING THE LOCAL DISASTER DECLARATION

[T1-2540] Judge Sumter advised that she is requesting the Governor declare Hays County a primary disaster-affected county due to drought conditions and request any and all assistance available to our farmers and ranchers for the actual and/or potential loss to their livestock and agricultural crops through the U.S. Dept. of Agriculture or any other assistance source. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to adopt a resolution continuing the Local Disaster Declaration. All voting "Aye". MOTION PASSED**

25373 APPROVE BUDGET AMENDMENT 08-19 [T1-2567]

A motion was made by Judge Sumter, seconded by Commissioner Barton to approve Budget Amendment 08-19 as proposed by the County Auditor. All voting "Aye". MOTION PASSED

25374 APPROVE SPECIFICATIONS FOR RFQ-2008-P "REQUEST FOR QUALIFICATIONS FOR PASS-THROUGH FINANCING PROGRAM" AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE [T1-2580]

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve specifications for RFQ-2008-P "Request for Qualifications for Pass-Through Financing Program" and authorize Purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

25375 APPROVE PURCHASE OF TWO (2) 5.5 HP GAS ENGINE - POWERED AIR COMPRESSORS FOR THE ROAD AND BRIDGE DEPARTMENT IN THE AMOUNT OF \$1,400 FROM LOWE'S TO BE FUNDED FROM AUCTIONED EQUIPMENT

[T1-2683] A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve the purchase of two (2) 5.5 HP gas engine powered air compressors for the Road and Bridge Department in the amount of \$1,400 from Lowe's to be funded from auctioned equipment. All voting "Aye". MOTION PASSED

DISCUSS FUEL CONSUMPTION THROUGHOUT THE COUNTY AND STRATEGY OR POLICY TO CURB COSTS [T1-2703]

Judge Sumter spoke of discussions at conferences/meetings regarding going to four day workweek and vehicles that are taken home to save money on utilities and fuel.

The court convened into closed executive sessions at 12:50 p.m. and reconvened into open meeting at 5:40 p.m.

EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE TO DISCUSS EMPLOYMENT, EVALUATION AND/OR DUTIES OF ALL INDIVIDUAL DEPARTMENT HEADS. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE TO DISCUSS PERFORMANCE REVIEW OF HEALTH DIRECTOR. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE REGARDING CIV. NO. SA-08-CA-0379-XR, DAVID SIMKINS V. ALLEN BRIDGES AND PENDING LITIGATION RELATED THERETO. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

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

No action was taken.



Clerks Note: Agenda Item #38 RE: EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE TO DISCUSS PERFORMANCE REVIEW OF RPTP DIRECTOR. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT was **PULLED**. No discussion and no action taken.

Court was adjourned this the 8TH day of JULY, 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 JULY 8, 2008.



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

