



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 12<sup>TH</sup> DAY OF AUGUST 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:

Pastor Robin Steele, Promiseland Church, gave the invocation and Commissioner Barton led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

Human Resources Director Dee Dee Baen introduced new county employees.

**EMERGENCY MANAGEMENT DEPARTMENTAL PRESENTATION TO THE COURT BY JEFF TURNER**

[T1 – 51] Emergency Management Coordinator Jeff Turner gave a powerpoint presentation.

**BOND ADVISORY COMMITTEE REPORT BY JIM HARVEY AND CHAIR CHUCK NASH**

[T1 – 410] Chuck Nash gave an overview of the Committee. Jim Harvey gave an executive summary to the Commissioners Court.

**BRIEF UPDATE ON RHCP FUNDING NEEDS. PRESENTATION BY ALAN GLEN**

[T1 – 818] Alan Glen gave a presentation on updates on RHCP. Joe Lessard gave a powerpoint presentation.

**25451 APPROVE PAYMENTS OF COUNTY INVOICES**

[T1 – 1478] A motion was made by Commissioner Barton seconded by Commissioner Ford to approve payment of county invoices in the amount of \$659,125.76 as presented by the County Auditor. All voting "Aye". MOTION PASSED

**25452 APPROVE COMMISSIONER COURT MINUTES OF AUGUST 1<sup>ST</sup> & 5<sup>TH</sup> 2008**

[T1 – 1478] A motion was made by Commissioner Barton seconded by Commissioner Ford to approve Commissioner Court Minutes of August 1<sup>st</sup> and 5<sup>th</sup>, 2008 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**25453 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT FOR UP TO \$63,535.00 FROM THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE RLSS-LOCAL PUBLIC HEALTH SERVICES GRANT**

[T1 – 1478] A motion was made by Commissioner Barton seconded by Commissioner Ford to execute a contract for up to \$63,535.00 from the Department of State Health Services for the RLSS-Local Public Health Services Grant. All voting "Aye". MOTION PASSED

**25454 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO AN AGREEMENT WITH AIG VALIC RETIREMENT ADVISORS FOR GUIDED PORTFOLIO SERVICES**

[T1 – 1478] A motion was made by Commissioner Barton seconded by Commissioner Ford to authorize the County Judge to enter into an agreement with AIG Valic Retirement Advisors for Guided Portfolio Services. All voting "Aye". MOTION PASSED



**25455 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE TERMINATION OF THE ADVANCE FUNDING AGREEMENT EXECUTED OCTOBER 20, 2006 FOR OLD STAGECOACH ROAD BIKE/PEDESTRIAN TRAIL SCJ: 0914-33-052, POST ROAD AT LOW WATER CROSSING CSJ: 0914-33-048 AND WAYSIDE DRIVE SAFETY FEATURES, CSJ: 09-14-33-051 [T1 – 1478]**

A motion was made by Commissioner Barton seconded by Commissioner Ford to authorize the County Judge to execute the termination of the Advance Funding Agreement executed October 20, 2006 for Old Stagecoach Road bike/pedestrian trail SCJ: 0914-33-052, Post Road at low water crossing CSJ: 0914-33-048 and Wayside Drive safety features, CSJ: 09-14-33-051. All voting "Aye". MOTION PASSED

**25456 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT FOR UP TO \$192,341.00 FROM THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE IMMUNIZATION PROGRAM [T1 – 1478]**

A motion was made by Commissioner Barton seconded by Commissioner Ford to authorize the County Judge to execute contract for up to \$192,341.00 from the Department of State Health Services for the immunization program. All voting "Aye". MOTION PASSED

**25457 APPROVE RENEWAL OF CONTRACT REAPPOINTING DR. CHARLES P. ANDERSON, MD AS THE LOCAL HEALTH AUTHORITY OF HAYS COUNTY PURSUANT TO CHAPTER 121, SUBCHAPTER B OF THE TEXAS HEALTH & SAFETY CODE [T1 – 1478]**

A motion was made by Commissioner Barton seconded by Commissioner Ford to approve renewal of contract reappointing Dr. Charles P. Anderson, MD as the local Health Authority of Hays County pursuant to Chapter 121, Subchapter B of the Texas Health & Safety Code. All voting "Aye". MOTION PASSED

**25458 APPROVE SPECIFICATIONS FOR BID #2008-B20 HFRS-2 AND SS-1 EMULSION OIL FOR HAYS COUNTY ROAD DEPARTMENT AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE**

Special Counsel Mark Kennedy spoke of new bid specs that were prepared. A new contract will be sent out with the bid specs and will be required to be signed in order for the court to accept the bid. A motion was made by Commissioner Barton and seconded by Commissioner Ford to approve specifications for Bid #2008-B20 HFRS-2 and SS-1 emulsion oil for Hays County Road Department and authorize purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

**25459 APPROVE A VARIANCE TO HAYS COUNTY ROAD STANDARDS FOR WIMBERLEY INDEPENDENT SCHOOL DISTRICT [T1 – 1650]**

RPTP Director Jerry Borcharding gave staff recommendation. Eric Simpson of Tejas Engineering spoke. A motion was made by Commissioner Conley seconded by Commissioner Ford to approve a variance regarding paved shoulder width, to Hays County road standards for Wimberley Independent School District. All voting "Aye". MOTION PASSED

**Clerk's Note: Agenda item #18 RE: APPROVE AN INTERLOCAL CONTRACT FOR PSAP MAINTENANCE, EQUIPMENT UPGRADE AND TRAINING WITH CAPCOG was - PULLED**

**25460 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON LEA LANE**

Judge Sumter declared the public hearing opened. No public input was received and the public hearing was closed. RPTP Director Jerry Borcharding gave staff recommendation for a stop sign on Lea Lane at its intersection with Carney Lane. A motion was made by Commissioner Conley seconded by Commissioner Barton to establish traffic regulations on Lea Lane a stop sign on Lea Lane at its intersection with Carney Lane. All voting "Aye". MOTION PASSED



**25461 HOLD A PUBLIC HEARING TO ESTABLISH A TWO-WAY STOP ON LAZY OAK COVE, IN THE COVES OF CIMARRON SUBDIVISION [T1 – 1745]**

Judge Sumter declared the public hearing opened. No public input was received and the public hearing was closed. RPTP Director Jerry Borcharding gave staff recommendation for a two-way stop on Lazy Oak Cove at its intersection with Treetop Way in the Coves of Cimarron Subdivision. **A motion was made by Commissioner Barton seconded by Commissioner Ingalsbe to establish traffic regulations of a two-way stop on Lazy Oak Cove at its intersection with Treetop Way in the Coves of Cimarron Subdivision. All voting "Aye". MOTION PASSED**

**25462 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN RUBY RANCH, A PRIVATELY MAINTAINED SUBDIVISION [T1 – 1759]**

Judge Sumter declared the public hearing opened. No public input was received and the public hearing was closed. RPTP Director Jerry Borcharding gave staff recommendation for various stop signs and speed limit signs in Ruby Ranch a privately maintained subdivision. **A motion was made by Commissioner Barton seconded by Commissioner Ingalsbe to establish traffic regulations in Ruby Ranch a privately maintained subdivision; a stop sign on Ruby Ranch Road at FM 967, a stop sign on Montgomery Court at Ruby Ranch Road, a stop sign on Walter Circle at Ruby Ranch Road, a stop sign on Matzig Cove at Ruby Ranch Road, a 4-way stop at Armstrong Cove, Ruby Ranch Road and Humphreys Drive, a stop sign on Clark Cove at Humphreys Drive, a stop sign on McCoy Drive at Humphreys Drive, a stop sign on McCoy Drive at Clark Cove, a stop sign on East Bartlett Drive at Ruby Ranch Road, a stop sign on West Bartlett Drive (north end) at Ruby Ranch Road, a 3-way stop at West Bartlett Drive and Richards Road, a stop sign on Richards Road at Ruby Ranch Road, a stop sign on Labenski Drive at Ruby Ranch Road, a stop sign on Carey Drive at Ruby Ranch Road, a stop sign on West Bartlett Drive (south end) at Ruby Ranch Road, a speed limit of 35 MPH on Ruby Ranch Road and a speed limit of 30 MPH on all other roads; a two-way stop on Lazy Oak Cove at the intersection of Treetop Way in the Coves of Cimarron Subdivision. All voting "Aye". MOTION PASSED**

**25463 CALL FOR A PUBLIC HEARING ON AUGUST 26, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON ELLA LANE [T1 – 1786]**

The proposed regulation is a stop sign at the end of Ella Lane at Barton Valley Circle to stop southbound traffic. **A motion was made by Commissioner Ford seconded by Judge Sumter to call for a public hearing on August 26, 2008 to establish traffic regulations on Ella Lane. All voting "Aye". MOTION PASSED**

**25464 [07-4-042 96 lots] BELTERRA PHASE 5 SECTION 10 – ACCEPT AFFIDAVIT OF PLAT CORRECTION [T1 – 1800]**

Interim Subdivision Coordinator Clint Garza gave staff recommendation. This final plat for Belterra Phase 5 Section 10 in Pct 4 consists of 96 lots, in which 92 are residential. Final Plat was approved on December 4, 2007. At the time of recording the plat was still not complete. On page 3 the building line setback table was left blank. The affidavit provides these values. **A motion was made by Commissioner Ford seconded by Judge Sumter to accept affidavit of plat correction in Belterra Phase 5 Section 10. All voting "Aye". MOTION PASSED**

**25465 APPROVE CONTRACT WITH KLOTZ AND ASSOCIATES TO PERFORM DRAINAGE STUDIES IN PRECINCTS 2 & 3 [T1 – 1818]**

**A motion was made by Commissioner Ford seconded by Commissioner Barton to approve Contract with Klotz and Associates to perform drainage studies in precincts 2 & 3. All voting "Aye". MOTION PASSED**

**25466 APPROVE BUDGET AMENDMENT 08-21 [T1 – 1919]**

Charlie Johnson made public comment. **A motion was made by Judge Sumter seconded by Commissioner Ford to approve Budget Amendment 08-21. All voting "Aye". MOTION PASSED**



**25467 INCREASE FUNDING ON THE COUNTY'S FIVE MILE DAM PARK PROJECT BY \$485,000 FROM NEW PARK BOND AND BOND INTEREST FUNDS TO COMPLETE PHASE I OF THE PROJECT [T1 – 2139]**

Grants Director Jeff Hauff gave staff recommendation. A motion was made by Commissioner Ingalsbe seconded by Commissioner Barton to allocate \$485,000 from new park bonds, \$134,495 from the interest income of the 2007 bond sales and the remainder to come out of the 2007 bond proceeds for the County's Five Mile Dam Park Project. All voting "Aye". MOTION PASSED

**25468 APPROVE AWARD OF BID #2008-B12R "RE-BID FOR CONSTRUCTION OF FIVE MILE DAM PARK" TO WESTAR CONSTRUCTION INC. PENDING APPROVAL OF ADDITIONAL FUNDS NEEDED [T1 – 2490]**

Purchasing received five bids with Westar Construction being lowest bidder. References were checked and received positive responses. Award is pending, contingent on approval of additional funds needed for project. A motion was made by Commissioner Ingalsbe seconded by Commissioner Conley to approve award of bid #2008-B12R "Re-Bid for construction of Five Mile Dam Park" to Westar Construction Inc. pending approval of additional funds. All voting "Aye". MOTION PASSED

**25469 APPOINT ELECTION JUDGES AND ALTERNATE JUDGES FOR THE PERIOD OF AUGUST 1, 2008 THROUGH JULY 31, 2010 [T1 – 2570]**

Election Administrator Joyce Cowan spoke. A motion was made by Judge Sumter seconded by Commissioner Conley to appoint Election Judges and Alternate Judges for the period of August 1, 2008 through July 31, 2010. All voting "Aye". MOTION PASSED

**25470 ADOPT THE EARLY VOTING SCHEDULE FOR THE NOVEMBER 4, 2008. GENERAL ELECTION [T1 – 2656]**

Election Administrator Joyce Cowan spoke. A motion was made by Judge Sumter seconded by Commissioner Ingalsbe to adopt the Early Voting Schedule for the November 4, 2008, General Election All voting "Aye". MOTION PASSED

**25471 APPROVE AWARD OF BID #2008-B-20 BUCKING/ROPING/STEER STRIPPING CHUTES FOR THE HAYS COUNTY CIVIC CENTER TO MCCOY'S IN THE AMOUNT OF \$26,147.99 [T1 – 3251]**

Several weeks ago, the court asked that we move forward with advertising for bid on these chutes. That was done and only one bid was received from McCoys. A motion was made by Commissioner Ingalsbe seconded by Commissioner Conley to approve award of bid #2008-B20 bucking/roping/steer stripping chutes for the Hays County Civic Center to McCoy's in the amount of \$26,147.99. All voting "Aye". MOTION PASSED

**25472 AWARD THE HAYS COUNTY AUDIT PROPOSAL TO HOLTMAN, WAGNER AND COMPANY [T2 – 7]**

A motion was made by Judge Sumter seconded by Commissioner Conley to award the Hays County audit proposal to Holtman, Wagner and Company. All voting "Aye". MOTION PASSED

**25473 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A HAYS COUNTY PURCHASE CONTRACT TO THE EDMUND JASTER HAYS COUNTY PARTNERSHIP FOR RIGHT-OF-WAY ACQUISITION ON MCCARTY LANE [T2 – 1896]**

A motion was made by Commissioner Ingalsbe seconded by Ford to authorize the County Judge to execute a Hays County Purchase Contract to the Edmund Jaster Hays County Partnership for Right-of-Way acquisition on McCarty Lane contingent to the two additional signatures on the contract from the Jaster Partnership. All voting "Aye". MOTION PASSED



**25474 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A COOPERATIVE AGREEMENT WITH THE OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF TEXAS**

[T2 – 22] A motion was made by Commissioner Ingalsbe seconded by Judge Sumter to authorize the County Judge to execute a Cooperative Agreement with the Office of the Attorney General of the State of Texas. All voting "Aye". MOTION PASSED

**DISCUSSION REGARDING "EVALUATION CHARRETTE" FOR THE PROPOSED NEW DEVELOPMENT STANDARDS [T2 – 30]**

Under additional services from Naismith Engineering approved by the court on May 13, 2008, was an evaluation charrette for our new development regulations. Date for charrette will involve County personnel, the consulting team, and invited members of the public and affected parties.

**25475 DISCUSSION AND ACTION ON PARTICULAR FY09 BUDGET LINE ITEMS.**

**Commissioners Court [T2 – 853]**

Auditor Bill Herzog spoke of \$300,000 needed to fund: Court appointed attorney fees; indigent/jail medical fees; Civic Center Utilities; public notices. A motion was made by Commissioner Barton seconded by Judge Sumter to ask auditor's office to amend the budget to reflect the changes that he's presented today and take the money out of savings in County-wide Insurance. All voting "Aye". MOTION PASSED

**Building Fund [T2 – 1030]**

A motion was made by Judge Sumter seconded by Commissioner Barton to approve rollovers in bond interest of \$1.4; Pct 4 construction/architect fees \$850,000; Office Complex architect \$2.4 million; park project \$8 million. All voting "Aye". MOTION PASSED

**Social Services [T2 – 1534]**

A motion was made by Commissioner Barton seconded by Commissioner Ford to move \$19,800 into the discretionary funds for social services. All voting "Aye". MOTION PASSED

**Membership Dues [T2 – 1556]**

Austin/San Antonio Intermunicipal \$49,500, NACO \$1,687, Clean Air Force \$6,500, Austin/San Antonio Corridor Council \$7,000, Envision Central Tx \$15,000, CAPCO \$6,897, CAPCO ENS Fee \$1,498, County Judge Association of Tx \$1,200, South Tx County Judges \$225, Tx Conference on Urban Counties \$5,867. A motion was made by Judge Sumter seconded by Commissioner Barton to fund items presented by staff. All voting "Aye". MOTION PASSED

**25476 ADOPT PROPOSED FY09 BUDGET [T2 – 1612]**

A motion was made by Judge Sumter seconded by Commissioner Barton to adopt the FY09 Proposed Budget for Hays County. All voting "Aye". MOTION PASSED

**25477 SET PUBLIC HEARING ON PROPOSED TAX RATE [T2 – 1626]**

A motion was made by Judge Sumter seconded by Commissioner Ford to set a public hearing on proposed tax rate on Tuesday August 26, 2008 at 6:00 p.m. and Wednesday September 3, 2008 at 9:00 a.m. All voting "Aye". MOTION PASSED

**25478 SET PUBLIC HEARING ON PROPOSED BUDGET [T2 – 1799]**

A motion was made by Judge Sumter seconded by Commissioner Ingalsbe to set public hearing on Wednesday September 10, 2008 at 9:00 a.m. for the proposed FY09 Budget. All voting "Aye". MOTION PASSED

**25479 ADOPT PROPOSED TAX RATE [T2 – 1870]**

A motion was made by Judge Sumter seconded by Commissioner Barton to adopt the proposed tax rate of 45.50 cents. All voting "Aye". MOTION PASSED



**Court was adjourned.**

---

**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 AUGUST 12, 2008.**



---

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

