



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 9<sup>TH</sup> DAY OF DECEMBER A.D., 2008, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<b>ELIZABETH "LIZ" SUMTER</b>	<b>COUNTY JUDGE</b>
<b>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</b>
<b>JEFFERSON W. BARTON</b>	<b>COMMISSIONER, PCT. 2</b>
<b>WILL CONLEY</b>	<b>COMMISSIONER, PCT. 3</b>
<b>KAREN FORD</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LINDA C. FRITSCH</b>	<b>COUNTY CLERK</b>

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ford spoke of loss of Sheriff Allen Bridges and she led the court in a moment of silence and recognition of Sheriff Bridges. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

**Clerk's Note:** Agenda Item #1 RE: MAINTENANCE DEPARTMENT PRESENTATION TO THE COURT BY RON KNOTT was PULLED

**25755 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve payment of county invoices in the amount of \$650,984.12 for week ending December 2,2008 and in the amount of \$345,070.00 for week ending December 9,2008 as recommended by the County Auditor. All voting "Aye". MOTION PASSED

**25756 APPROVE COMMISSIONER COURT MINUTES OF NOVEMBER 25, 2008**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve Commissioner Court Minutes of November 25, 2008 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**25757 APPROVE AWARD OF BID #2009-B04 "METAL PIPE" TO WILSON CULVERTS AND CONTECH CONSTRUCTION PRODUCTS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve award of bid #2009-B04 "Metal Pipe" to Wilson Culverts and Contech Construction Products. All voting "Aye". MOTION PASSED

**25758 AUTHORIZE COMMERCIAL OSSF PERMIT FOR ALBERT WOLF III FOR A WELDING SUPPLY SHOP LOCATED AT 127 TRADEMARK DRIVE, BUDA, IN PRECINCT 2**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to authorize commercial OSSF Permit for Albert Wolf III for a welding supply shop located at 127 Trademark Drive, Buda, in Precinct 2. All voting "Aye". MOTION PASSED

**25759 REJECT THE BIDS FOR BID #2009-B05 "LIGHT-BARS FOR THE SHERIFF'S DEPT. POLICE VEHICLES" AND AUTHORIZE PURCHASING TO RE-BID DUE TO THE FACT THAT THE WRONG ITEM WAS BID**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to reject the bids for Bid #2009-B05 "Light-Bars for the Sheriff's Dept. Police Vehicles" and authorize Purchasing to re-bid the fact that the wrong item was bid. All voting "Aye". MOTION PASSED

**25760 APPROVE SPECIFICATIONS FOR BID #2009-B07 "ANNUAL CONTRACT FOR CARPET AND FLOOR CARE" AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve specifications for Bid #2009-B07 "Annual Contract for carpet and floor care" and authorize Purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED



**25761 APPROVE EXPENDITURES FOR VEHICLE COMPUTER STAND & REPLACEMENT CAMERA FOR FIRE MARSHAL TOTALING \$1,743.00 FROM CURRENTLY BUDGETED FUNDS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve expenditures for vehicle computer stand & replacement camera for Fire Marshal totaling \$1,743.00 from currently budgeted funds. All voting "Aye". MOTION PASSED

**25762 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve utility permits #01999 issued to PEC on Manchaca Springs Road, #02000 issued to Goforth Venture on CR 157/Goforth Road, #01998 issued to LCRA on Sentinel Hill; as presented by the Hays County Road Department. All voting "Aye". MOTION PASSED

**25763 RE-APPOINT KATE JOHNSON AS CHAIRPERSON OF THE HAYS COUNTY HISTORICAL COMMISSION**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to re-appoint Kate Johnson as Chairperson of the Hays County Historical Commission. All voting "Aye". MOTION PASSED

**UPDATE ON PARK BOND SALE SET FOR DECEMBER 16, 2008 BY DAN WEGMILLER. POSSIBLE ACTION MAY FOLLOW PRESENTATION [T1-102]**

Financial Advisor Dan Wegmiller gave an update on Park Bond sale set for December 16, 2008. Sale is in the amount of \$9,985,000.

**25764 CALL FOR A PUBLIC HEARING ON DECEMBER 23, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON RICH LANE [T1-188]**

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to call for a public hearing on December 23, 2008 to establish traffic regulations on Rich Lane. All voting "Aye". MOTION PASSED

**25765 CALL FOR A PUBLIC HEARING ON DECEMBER 23, 2008 TO ESTABLISH TRAFFIC REGULATIONS (STOP SIGN) ON THE NEW PARK ROAD AT THE FIVE MILE DAM SOCCER COMPLEX [T1-195]**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to call for a public hearing on December 23, 2008 to establish traffic regulations (Stop Sign) on the new park road at the Five Mile Dam Soccer Complex. All voting "Aye". MOTION PASSED

**PUBLIC HEARING REGARDING ESTABLISHING TRAFFIC REGULATIONS ON FISCHER STORE RD, CR 181 [T1-202]**

Judge Sumter declared the public hearing open. David Jones made public comment in opposition to increasing the speed limit. Commissioner Conley and RTP Director Jerry Borcharding spoke of road improvements. Judge Sumter closed the public hearing. Commissioner Conley postponed action at this time

**25766 ESTABLISH TRAFFIC REGULATIONS IN MOUNT OLIVE RANCH SUBDIVISION**

[T1-425] Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. Resource Protection and Transportation Planning Director Jerry Borcharding gave staff recommendation to establish a stop sign on Red Sky Road at Mount Olive School Road and set a speed limit of 25 MPH on Red Sky Road. A motion was made by Commissioner Conley, seconded by Commissioner Ford to establish a STOP sign on Red Sky Road at Mount Olive School Road and set a speed limit of 25 MPH on Red Sky Road. All voting "Aye". MOTION PASSED

**25767 ESTABLISH TRAFFIC REGULATIONS IN RIM ROCK SUBDIVISION PHASE 1, SECTION 4. POSSIBLE ACTION MAY FOLLOW [T1-436]**

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. Resource Protection and Transportation Planning Director Jerry Borcharding gave staff recommendation to establish a stop sign on Rutherford Drive at Hawthorne Loop, a stop sign on Pine Post cove at Hawthorne Loop, set a speed limit of 25 MPH on Black Stone Cove, Shallow Water Cove and Pine Post Cove, and set a speed limit of 35 MPH on Rutherford Drive and the remaining section of Hawthorne Loop. **A motion was made by Commissioner Ford, seconded by Judge Sumter to establish a STOP sign on Rutherford Drive at Hawthorne Loop, on Black Stone Cove at Hawthorne Loop, and on Pine Post cove at Hawthorne Loop; set a speed limit of 25 MPH on Black Stone Cove, Shallow Water Cove and Pine Post Cove, and set a speed limit of 35 MPH on Rutherford Drive and the remaining section of Hawthorne Loop. All voting "Aye". MOTION PASSED**

**25768 CALL FOR A PUBLIC HEARING ON JANUARY 13, 2009 TO DISCUSS POSSIBLE CANCELLATION OF A PORTION OF WOODCREEK SECTION 25 [T1-452]**

A motion was made by Commissioner Conley, seconded by Commissioner Ford to call for a public hearing on January 13, 2009 to discuss possible cancellation of a portion of Woodcreek Section 25. All voting "Aye". MOTION PASSED

**ACCEPT THE RESIGNATION OF BRYAN DAVIS, HAYS COUNTY AGRICULTURAL AND NATURAL RESOURCE AGENT [T1-480]**

Members of the court gave their appreciation to Bryan Davis for the service he has provided to Hays County. No action was necessary.

**DISCUSSION OF INTERNAL AND EXTERNAL PROCEDURES AND POLICIES FOR ADMINISTERING THE ROAD BOND PACKAGE [T1-536]**

Mike Weaver (Prime Strategies Inc.) spoke of process, procedures and policies for the Hays County Road Bond Program: #1- Master Project/Program Budget, #2 - Overall Program Schedule, and #3 - Process & Procedures. His presentation included a handout that included the following: professional service agreement (PSA), road bond budget, oracle, cash flow example, account/tracking tables, construction monthly report, project bi-weekly report, construction change order/invoice example, and utility agreement templates. Commissioner Barton spoke of moving forward with all road projects at the same time, fast track software, utilizing project managers, and policies that are needed. Commissioner Conley spoke of consolidating some tasks. Commissioner Ingalsbe spoke of importance of consistency. Commissioner Ford spoke in support of moving forward with all the projects at the same time.

**25769 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT FOR FUNDING OF THE BLUE HOLE PARK PROJECT IN WIMBERLEY, TEXAS**

[T1-1497] Special Counsel Mark Kennedy addressed questions asked by Commissioner Ford. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to authorize the County Judge to execute an Interlocal Agreement for funding of the Blue Hole Park project in Wimberley, Texas. All voting "Aye". MOTION PASSED**

**25770 AUTHORIZE THE COUNTY JUDGE TO SUBMIT AN EMPG GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, DIVISION OF EMERGENCY MANAGEMENT FOR UP TO \$22,000 [T1-1609]**

Grants Administrator Jeff Hauff explained the grant. **A motion was made by Judge Sumter, seconded by Commissioner Ford to authorize the County Judge to submit an EMPG Grant application to the office of the Governor, Division of Emergency Management for up to \$22,000. All voting "Aye". MOTION PASSED**

**25771 APPROVE PURCHASE OF RADAR EQUIPMENT AND VIDEO FOR NEW CONSTABLE VEHICLES IN PCT. 4 [T1-1640]**

A motion was made by Commissioner Ford, seconded by Judge Sumter to approve purchase of radar equipment and video for new Constable vehicles in Pct. 4. All voting "Aye". MOTION PASSED



**25772 APPROVE TRANSFER OF VEHICLE FROM THE CONSTABLE'S OFFICE, PCT. 4  
BACK TO THE SHERIFF'S OFFICE [T1-1666]**

Commissioner Conley requested postponement of this action until new Constable takes office in January 2009. [T1-1959] Constable Debbie Brown advised that they have four cars (2 current vehicles plus 2 new vehicles) and this car is not needed. **A motion was made by Commissioner Ford, seconded by Judge Sumter to approve transfer of vehicle from the Constable's Office Pct. 4 back to the Sheriff's Office. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED**

**25773 AMEND CONTRACT WITH LAND DESIGN PARTNERS, INC. FOR THE DESIGN OF  
THE WINTERS MILL PARKWAY TRAIL PROJECT TO INCLUDE ADDITIONAL  
SERVICES FOR SURVEY WORK IN AN AMOUNT NOT TO EXCEED \$19,690 [T1-1743]**

Grants Administrator Jeff Hauff explained the need to amend the contract with Land Design Partners Inc. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to amend contract with Land Design partners Inc. for the design of the Winters Mill Parkway Trail Project to include additional services for survey work in an amount not to exceed \$19,690. All voting "Aye". MOTION PASSED**

**25774 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE  
GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT, HOMELAND SECURITY  
GRANT PROGRAM FOR \$8,759.95 FOR SUPPORT OF THE COMMUNITY  
EMERGENCY RESPONSE TEAM (CERT) [T1-1786]**

Emergency Management Coordinator Jeff Turner requested authorization for this grant. **A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize the County Judge to accept a grant award from the Governor's Division of Emergency Management, Homeland Security Grant program for \$8,759.95 for support of the Community Emergency Response Team (CERT). All voting "Aye". MOTION PASSED**

**25775 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT  
FOR FUNDING OF MULTIPLE PARKS PROJECTS IN SAN MARCOS, TEXAS [T1-1808]**

Special Counsel Mark Kennedy spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to execute an Interlocal Agreement for funding of multiple parks projects in San Marcos, Texas, contingent on edits by Special Counsel and approval by Precinct 1 Commissioner. All voting "Aye". MOTION PASSED**

**25776 PROHIBIT THE SALE AND USE OF SKYROCKETS WITH STICKS AND MISSILES  
WITH FINS WITHIN THE UNINCORPORATED AREAS OF HAYS COUNTY [T1-2028]**

Hays County Fire Marshal Mark Chambers spoke of need to prohibit the sale and use of skyrockets with sticks and missiles with fins. He gave the current drought index and future outlook indicating an extreme fire danger. **A motion was made by Judge Sumter, seconded by Commissioner Conley to prohibit the sale and use of skyrockets with sticks and missiles with fins within the unincorporated areas of Hays County due to current drought conditions. All voting "Aye". MOTION PASSED**

**25777 ACTION TO APPOINT A WORK GROUP TO RESEARCH AND DEVELOP A WATER  
CONSERVATION INCENTIVES PROGRAM TO BENEFIT COUNTY RESIDENTS [T1-  
2243]**

Grants Administrator Jeff Hauff spoke of staff that has been looking at various incentives. Special Counsel Mark Kennedy spoke of problem with payment of rebates. Recommended group: Margaret Buentello (Grants Dept), Grants Administrator Jeff Hauff, Special Counsel Mark Kennedy and his designee, Betty Landbright, Hays Trinity Groundwater Conservation District representative, Michele Tuttle, new Hays County Public Information Officer, Commissioner Ford, Hays County Master Naturalist Program representative, David Patterson, Barton Springs Edwards Aquifer District representative, and a water provider representative. **A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize Jeff Hauff and Commissioner Ford to put together a work group to research and develop a water conservation incentives program to benefit County Residents. All voting "Aye". MOTION PASSED**



**25778 APPROVE AND PROVIDE GUIDANCE TO THE HEALTH DEPARTMENT ON NURSING STAFF POSITIONS [T1-2646]**

Director of Nursing Priscilla Hargraves spoke of losing her OBGYN Nurse by resignation. She has had no other applicants for the position of Women's Health Nurse Practitioner. Average salary range in San Marcos is \$60,000 - \$80,000. She is requesting a posted salary of \$72,000 for this position in order to get an experienced Nurse. Shari Miller spoke of research done by Human Resources which agrees with the requested salary. Priscilla Hargraves spoke of possibly using a volunteer without liability insurance. The Health Dept. currently has 105 maternity clients (95% are high risk pregnancy) and 60 family planning clients. Commissioner Conley spoke of need to evaluate these positions and better educate the community and look for partnerships. Human Resources Director Dee Dee Baen spoke of this being a very specialized occupation. **A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to approve advertising the position of Nurse Practitioner up to the 55<sup>th</sup> percentile to be paid out of salary savings. All voting "Aye". MOTION PASSED. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to allow chosen candidate to parallel with current Nurse Practitioner for 4 weeks versus 2 weeks. All voting "Aye". MOTION PASSED.**

**25779 ADVERTISE FOR REQUESTS FOR PROPOSAL FOR A PROGRAM MANAGER FOR COUNTY ROAD PROJECTS AND TO CONSIDER OTHER PROFESSIONAL SERVICES RELATED TO THE COUNTY'S ROAD BOND PACKAGE [T1-3767]**

Commissioner Barton spoke of changes made to the proposed RFP for Program Manager. RPTP Director Jerry Borcharding requested change in wording on Item #15. [T1-3955] **A motion was made by Commissioner Barton, seconded by Commissioner Conley to authorize Purchasing to advertise for Requests for Proposal for a Program Manager for County Road Projects and to consider other professional services related to the County's Road Bond Package and to furthermore work out language with RPTP Director Jerry Borcharding on RFP item #15. All voting "Aye". MOTION PASSED**

**Clerk's Note: Agenda Item#32 RE: PRESENTATION BY SALLY BRANNON WITH EARTHKEEPER EROSION & SEDIMENT CONTROL WITH DISCUSSION AND POSSIBLE ACTION TO FOLLOW IN COURT was PULLED.**

**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**

Court convened into closed executive session at 1:35 p.m. and reconvened into open meeting at 2:35 p.m. No discussion and no action taken.

**PRESENTATION OF FINAL RHCP BY CONSULTANTS REGARDING THE REGIONAL HABITAT CONSERVATION PLAN [T2-60]**

Commissioner Ford thanked everyone for appearing today regarding the regional habitat conservation plan. A presentation was given of the final Regional Habitat Conservation Plan. Major Concepts of the draft plan: Purpose and Need, Basic Elements of the Draft, Participation Process, and Funding Plan.

**25780 ACTION TO FORM A LEGISLATIVE COMMITTEE [T2-1214]**

Judge Sumter suggested the following people for a Legislative Committee: Cecilia Adare, Linda Fritsche, Joyce Cowan, Luanne Caraway, Jeff Hauff, Priscilla Hargraves, Mark Kennedy, Commissioner Ford, and Commissioner Conley. **A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to form a Legislative Committee of Cecilia Adare, Linda Fritsche, Joyce Cowan, Luanne Caraway, Jeff Hauff, Priscilla Hargraves, Mark Kennedy with Co-Chairs being Commissioner Ford and Commissioner Conley. All voting "Aye". MOTION PASSED**

**Court was adjourned.**

**I, LINDA C. FRITSCHÉ, 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 DECEMBER 9, 2008.**

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

