



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 23<sup>RD</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:

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. FRITSCH	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**Clerk's Note: Commissioner Conley was not present when the meeting was called to order.**

Commissioner Ford led the court in a moment of silence in recognition of our troops and the holiday season and led the court in the Pledge of Allegiance to the flags.

**SWEARING IN OF NEW SHERIFF**

Judge Sumter swore in new Sheriff Tommy Ratliff and he gave a brief public statement.

Judge Sumter called the meeting to order.

**PUBLIC COMMENT**

Brian Watson made public comment regarding appointment of Sheriff Tommy Ratliff.

**25802 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$711,106.42 for December 23, 2008 disbursements and in the amount of \$812,149.92 for December 30, 2008 disbursement as submitted by the County Auditor. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley was not present for vote. **MOTION PASSED**

**25803 APPROVE COMMISSIONER COURT MINUTES OF DECEMBER 16, 2008**

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve Commissioner Court Minutes of December 16, 2008 as presented by the County Clerk. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley was not present for vote. **MOTION PASSED**

**25804 AUTHORIZE COUNTY JUDGE TO EXECUTE AMENDMENT EXTENDING CONTRACT TERMINATION DATE FOR CAPCOG GRANT 08-12-G16 FOR RECYCLING CENTER**

A grant contract extension was requested from CAPCOG to allow for more time to find a suitable property for the recycling center. A contract amendment has been issued extending the expiration date to April 30, 2009. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize County Judge to execute amendment extending contract termination date for CAPCOG Grant 08-12-G16 for Recycling Center. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley was not present for vote. MOTION PASSED**

**25805 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON RICH LANE [T1-168]**

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 Borcherding gave staff recommendation to establish a stop sign on Rich Lane at Turnersville Road, CR 106, and set a speed limit of 30 MPH. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to establish traffic regulations on Rich Lane consisting of a stop sign on Rich Lane at Turnersville Road CR 106 and set a speed limit of 30 MPH. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley was not present for vote. MOTION PASSED**



**25806 HOLD A PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (STOP SIGN) ON THE NEW PARK ROAD AT THE FIVE MILE DAM SOCCER COMPLEX [T1-177]**

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 at the intersection of the new Park Road and Old Stagecoach Road as one is exiting the Five Mile Dam Park. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to establish traffic regulations of a stop sign on the new Park Road at the Five Mile Dam Soccer Complex. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley was not present for vote. MOTION PASSED**

**25807 APPROVE THE TAKINGS IMPACT ASSESSMENT PREPARED BY GRANT JACKSON/NAISMITH ENGINEERING WITH REGARD TO THE PROPOSED DEVELOPMENT REGULATIONS [T1-191]**

Grant Jackson (Naismith Engineering) spoke of action needed. **A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve the Takings Impact Assessment prepared by Grant Jackson/Naismith Engineering with regard to the proposed Development Regulations and approve for public notice. Commissioner Ingalsbe, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley not present for vote. MOTION PASSED.**

**A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize Special Counsel to work with Grant Jackson for language of public notice and to publish public notice on December 28, 2008 or January 4, 2009 in the San Marcos Daily Record and Holley Media. Commissioner Barton abstained from voting on grounds of conflict of interest. Commissioner Ingalsbe, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley not present for vote. MOTION PASSED.**

**Clerk's Note: Commissioner Conley came to the meeting at this time. He apologized to the court for being late due to family circumstances.**

**Clerk's Note: Agenda Item #12 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE A 381 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN HAYS COUNTY AND HEB GROCERY COMPANY "PROJECT MUNCH" was PULLED. No discussion and no action taken.**

**25808 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #1 TO THE CONTRACT WITH WESTAR CONSTRUCTION FOR A WATER SERVICE CONNECTION, IN THE AMOUNT OF \$5,700.00 [T1-381]**

Grants Administrator Jeff Hauff spoke. The change order is needed for a connection to an existing water line in the Blanco Vista Subdivision to run water service to the park for irrigation and public use. The point of connection was mislocated on the original plans due to discrepancies between plans on file with the subdivision and the actual termination point as verified by field investigations. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute Change Order #1 to the contract with Westar Construction for a water service connection, in the amount of \$5,700.00. All voting "Aye". MOTION PASSED**

**25809 APPOINT 10 MEMBERS TO A CITIZEN COMMITTEE TO LOOK AT DIFFERENT LOCATIONS WITHIN THE COUNTY TO HOUSE A SHOOTING SPORTS COMPLEX**

[T1-415] Stephen Marlow spoke. Commissioner Barton suggested an appointee from each member of the court. **A motion was made by Commissioner Barton, seconded by Commissioner Conley to appoint Stephen Marlow, J. B. Kolodzey, Herman Waters, Willy T. Ribbs, and Tomas Mijares to a 10 member citizen committee, with final appointments to be made at the January 13, 2009 meeting, to look at different locations within the County to house a shooting sports complex. All voting "Aye". MOTION PASSED**



**25810 ACTION REGARDING DISABILITY BENEFITS AND CONDITIONS FOR COUNTY EMPLOYEES AND GENERAL COUNTY POLICIES REGARDING MEDICAL DISABILITY, DISABILITY BENEFITS, AND DISABILITY RETIREMENT [T1-673]**

Commissioner Barton spoke of standards for county retirement and medical coverage offered to retirees. He spoke of employee Terry Johnson who qualifies for disability requirement but does not qualify for retiree medical coverage of \$150 per month under county policy. He spoke of various options and possible variance to county policy. He suggested using the Texas A&M rule of one month of coverage for every year of service. Discussion was had regarding other options available for this employee. It was agreed that the county insurance committee needs to look at possible changes for disability retirement. [T1-1191] **A motion was made by Commissioner Barton, seconded by Commissioner Conley to ask Human Resources and County Treasurer to work up guidelines based on this premise, that we allow anyone who is determined to have a medical disability, between now and the time the insurance committee takes this issue up, and who also meets at least 8 years of continuous fulltime service with Hays County to be eligible for same benefits (\$150 per month premium) as an employee eligible to retire under the Rule of 75 and based on the A&M Rule – one month of credit for each year of service – and this policy would expire as soon as the insurance committee has deliberated the issue and either confirms or amends the current policy – years of service to be rounded off, up or down, in half years. Commissioner Barton, Commissioner Ford, and Commissioner Conley voting “Aye”. Commissioner Ingalsbe and Judge Sumter voting “No”. MOTION PASSED**

**DISCUSSION REGARDING APPOINTMENT OF GLORIA WHITEHEAD, MAYOR OF THE CITY OF WOODCREEK, AS THE SMALL CITY REPRESENTATIVE TO CAMPO [T1-1324]**

Judge Sumter suggested appointment of Gloria Whitehead, Mayor of the City of Woodcreek. Commissioner Ingalsbe spoke of six other Mayors that have indicated that they would like to have Mayor Gonzales continue to serve on CAMPO. Court agreed that they would like for all eleven cities to participate in recommending a small city representative to CAMPO. No action was taken.

**25811 PARTNER WITH THE CITY OF SAN MARCOS ON A COMPREHENSIVE ECONOMIC DEVELOPMENT PLAN [T1-1512]**

Amy Madison, San Marcos Economic Development Director, spoke of putting together a comprehensive economic development plan between Austin and San Antonio. Four proposals are being considered by the SMED Board. Partners in the plan are EDSM Board, City of San Marcos, San Marcos Chamber of Commerce, Central Texas Medical Center – pending partnerships are: Gary Job Corps, Texas State University, San Marcos CISD, and Hays County. They are also seeking partnership from Caldwell County and City of Lockhart. She is requesting \$25,000 from Hays County. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to partner with the City of San Marcos on a Comprehensive Economic Development Plan with a commitment of \$25,000 from contingency funds and with Commissioner Conley and Commissioner Ingalsbe to be stakeholders in the process. All voting “Aye”. MOTION PASSED**

**25812 APPROVE FUNDS FOR CONSTRUCTION OF JP BENCH FOR NEW PRECINCT OFFICE [T1-1838]**

The bench in the courtroom at the current location is not moveable and it is proposed that the new bench will be built by the building maintenance department on site to meet ADA specifications. **A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve funds for construction of Justice of the Peace bench for new precinct office in an amount not to exceed \$3,000 from the building fund. All voting “Aye”. MOTION PASSED**

**25813 AUTHORIZE COUNTY JUDGE AND SPECIAL COUNSEL TO EXECUTE AN INTERLOCAL AGREEMENT WITH TEXAS PARKS AND WILDLIFE FOR KARST STUDY GRANT AND TO NEGOTIATE A SERVICE CONTRACT WITH ZARA ENVIRONMENTAL LLC TO FULFILL THE SCOPE OF SERVICES SET FORTH IN THE INTERLOCAL AGREEMENT [T1-1883]**

Grants Administrator Jeff Hauff explained the need for an interlocal agreement. A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize County Judge to execute an Interlocal Agreement, on approval by Special Counsel, with Texas Parks and Wildlife for karst study grant and to negotiate a service contract with Zara Environmental LLC to fulfill the scope of services set forth in the Interlocal Agreement to include a discretionary exemption. **Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting “Aye”. Commissioner Conley voting “No”. MOTION PASSED**



**25814** [08-2-54 – 2 Lots] **BLANCO RIVER ESTATES, REPLAT OF LOT 50 & 51 WAIVE PRELIMINARY PLAN AND PUBLIC HEARING AND ACCEPT FINAL PLAT** [T1-1958]

Subdivision Coordinator Clint Garza gave staff recommendation for this replat. The proposed replat will adjust the lot line between the two lots and will add .14 acres to lot 51. Because this is a simple lot line adjustment the owners would like a waiver of preliminary plan and public notification, pursuant to Hays County Subdivision Regulations Article XI, 11.3. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to waive preliminary plan and public hearing and accept final plat of Blanco River Estates Replat of Lots 50 & 51. All present voting "Aye". MOTION PASSED**

**Court was adjourned.**

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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 23, 2008.



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

