



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 14TH DAY OF JULY A.D., 2009, 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:

Commissioner Conley gave the invocation and Commissioner Ingalsbe led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

New employees were introduced to the court.

PRESENTATION OF COUNTY SERVICE AWARDS

Presentation was made of service awards by RPTP Director Jerry Borcharding to Ernest Cordova (Road Department) with 30 years of service, by Commissioner Barton to Constable Pct. 2 James Kohler with 30 years of service, and by Judge Sumter to Ed Cooper (Juvenile Probation) with 35 years of service,

4-H PRESENTATION

Richard Parrish, County Extension Agent, gave a report of 4-H activities in 2008-2009. He spoke of the 4-H program empowering the next generation by equipping youth with positive character, effective problem-solving and decision making skills. 4-H Ambassadors Katie Dickinson and Kayla Fink spoke of their experiences and knowledge they have gained through the 4-H program.

PRESENTATION BY MIKE WEAVER OF THE MONTHLY PROGRESS REPORT FOR THE HAYS COUNTY PASS THROUGH FINANCE PROGRAM FOR JUNE 2009 [T1-383]

Mike Weaver (Prime Strategies Inc.) presented a progress report regarding the Hays County Pass Through Financing Program regarding FM1626 Phase A (FM2270 to FM967), FM1626 Phase B (FM967 to Brodie Lane), FM110 (IH35 to SH123), US290 (Nutty Brown Road to Trautwein Road), IH35 Phase I (FM2001 to FM1626 & Kyle Crossing/CR210 Overpass), IH35 Phase IIA (RM 150 realignment), IH35 Phase IIB (FM1626 to Yarrington), and FM2001 Frontage Road Connector. He explained Amendment No. 2 to the Pass-Through Agreement for Payment of Pass-Through Tolls by the Department (TxDOT Contract No. PT 2005-013-001) which will be placed on the next Commissioners Court agenda.

PUBLIC COMMENT

[T1-625] Clay Huckaby [Buda Fire Chief / Hays County Fire Chiefs Association] made public comment. Invited court members to their next meeting.

26280 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$655,084.21 as submitted by the County Auditor. All voting "Aye".
 MOTION PASSED

26281 APPROVE COMMISSIONER COURT MINUTES OF JULY 7, 2009

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve Commissioner Court Minutes of July 7, 2009 as presented by the County Clerk. All voting "Aye".
 MOTION PASSED



26282 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR UP TO \$15,619.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR THE TITLE V PRENATAL PROGRAM

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract for up to \$15,619.00 from the Texas Department of State Health Services for the Title V Prenatal program. All voting "Aye". MOTION PASSED

26283 APPROVE THE MAY 2009 TREASURER'S REPORT AND INVESTMENT REPORT

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve the May 2009 Treasurer's Report and Investment Report. All voting "Aye". MOTION PASSED

26284 APPROVE PURCHASE OF A POWERHEART AED G3 AUTOMATIC FOR THE PCT. 4 OFFICE

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve purchase of a Powerheart AED G3 Automatic for the Pct. 4 Office. All voting "Aye". MOTION PASSED

26285 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON BUTTERCUP LANE, CR 286 [T1-676]

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. RPTP Director Jerry Borcharding gave staff recommendation for 25MPH speed limit approval. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to establish traffic regulations of 25 MPH speed limit on Buttercup Lane. All voting "Aye". MOTION PASSED**

26286 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS RELEASE THE CONSTRUCTION BOND AND ACCEPT MAINTENANCE BOND FOR BIG SKY SUBDIVISION [T1-688]

RPTP Director Jerry Borcharding gave staff recommendation to release construction bond and accept maintenance bond. He also recommended accepting the private roads as county roads upon completion of two year maintenance period. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to accept road construction and drainage improvements release the construction bond and accept maintenance bond for Big Sky Subdivision. All voting "Aye". MOTION PASSED**

26287 [08-04-69 - 3 LOTS] PUBLIC HEARING ON REPLAT OF LOTS 12 AND 13, BEAR CREEK ESTATES AND APPROVE FINAL PLAT [T1-750]

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. Subdivision Coordinator Clint Garza gave staff recommendation for approval. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve final plat of Bear Creek Estates Replat of Lots 12 and 13. All voting "Aye". MOTION PASSED**

DISCUSSION REGARDING ACCEPTANCE OF OWL HOLLOW ROAD AND EAST OWL HOLLOW ROAD INTO THE COUNTY MAINTENANCE SYSTEM [T1-783]

Ron Parker and Wade Parham (President of Rocky Ranch One HOA) made public comment and requested road acceptance by the county. Commissioner Ford spoke of safety issues and need for assistance to bring the road (1.55 miles) up to county standards and into the county road maintenance system. John Celetti spoke of petition that was circulated several years ago. RPTP Director Jerry Borcharding spoke of re-building the road at its current location – it will be built to country lane standards. It will cost approximately \$54,650 in materials to bring this road up to county standards. Commissioner Conley spoke of changing county policy if action is taken as proposed on this item. Commissioner Ford spoke of neighborhoods that don't have viable options. She requested that the annual \$50 road maintenance fee be collected and paid to the county as reimbursement. Commissioner Ingalsbe spoke of process followed in Precinct 1. Special Counsel Mark Kennedy spoke of possibility of amending the subdivision restrictions to allow increase in annual maintenance fee. Commissioner Ford advised that she will work with the HOA to consider other options.



- 26288 AUTHORIZE APPROVAL OF CONTRACT WITH CLAYTONLEVYLITTLE FOR THE RFQ #2009-P07 HISTORIC PRESERVATION ARCHITECT FOR RESTORATION OF THE OLD HAYS COUNTY JAIL AND AUTHORIZE COUNTY JUDGE TO EXECUTE SAME** [T-1920]

Hays County Historical Commissioner Chair Kate Johnson gave her appreciation to building maintenance and Road Dept. A motion was made by Commissioner Conley, seconded by Commissioner Ford to authorize approval of contract with ClaytonLevyLittle for the RFQ #2009-P07 Historic Preservation Architect for restoration of the Old Hays County Jail and authorize County Judge to execute same. All voting "Aye". MOTION PASSED

- 26289 AWARD THE ENGINEERING DESIGN SERVICES FOR CR 266/OLD BASTROP HWY TO HUITT-ZOLLARS AND AUTHORIZE COMMISSIONER INGALSBE AND STAFF TO NEGOTIATE A CONTRACT AND FEE SCHEDULE** [T1-1965]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to award the engineering design services for CR 266/Old Bastrop Hwy to Huitt-Zollars and authorize Commissioner Ingalsbe and staff to negotiate a contract and fee schedule. All voting "Aye". MOTION PASSED

- 26290 DESIGNATE NAMING A PRIVATE DRIVEWAY OFF LIME KILN ROAD AS "SAHALEE" PATH** [T1-2014]

County policy was adopted in May 2005 encouraging such naming of private drives to facilitate emergency response. A motion was made by Commissioner Ford, seconded by Commissioner Conley to designate naming a private driveway off Lime Kiln Road as "Sahalee" Path. All voting "Aye". MOTION PASSED

- 26291 ALLOW THE USE OF THE HAYS COUNTY CIVIC CENTER AT NO COST FOR THE PURPOSES OF PRACTICE RIDING (BARREL RACING, ETC.) FROM NOW UNTIL AUGUST 31, 2009** [T1-2046]

Civic Center Manager Barry Nelson spoke of allowing the use of the Civic Center at no cost for the purposes of practice riding (barrel racing, etc.) from now until August 31, 2009 - limited to regular hours of 8am-5pm Monday-Friday. Organized club/event activities will not qualify for "free use" and are subject to the normal pricing structure. A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to allow the use of the Hays County Civic Center at no cost for the purposes of practice riding (barrel racing, etc.) from now until August 31, 2009. Commissioner Ingalsbe, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Barton and Commissioner Conley not present to vote. MOTION PASSED

- 26292 TRANSFER \$3,608.00 FROM THE MISC. CAPITAL IMPROVEMENTS LINE ITEM TO ARENA/OTHER SUPPLIES AND VEHICLE MAINTENANCE IN THE CIVIC CENTER BUDGET** [T1-2177]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to transfer \$3608.00 from the Misc. Capital Improvements line item - \$3108.00 into Arena/Other Supplies and \$500 into vehicle maintenance line item - in the Civic Center Budget and amend the budget accordingly. All voting "Aye". MOTION PASSED

- 26293 REDUCE THE FUEL LINE ITEM ACROSS ALL DEPARTMENTS** [T1-2265]

Judge Sumter spoke of fuel costs that were budgeted based on fuel pricing in the range of \$4.00 per gallon. There are now revenue shortfalls in the current budget. County Auditor Bill Herzog spoke of budget shortfalls in the Sheriff/Jail budgets and the Transfer Station budget. Discussed having a policy to not allow use of fuel expenses for other items. Judge Sumter suggested taking money out of individual budget fuel line items and create a new countywide line item. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to move \$225,500 from department budgets fuel line item to be placed in a new countywide fuel line item. All voting "Aye". MOTION PASSED

- 26294 APPROVE PURCHASE OF EQUIPMENT/VEHICLES NOT TO EXCEED \$86,806.00 FOR THE ROAD DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY** [T1-2617]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve purchase of three pieces of equipment/vehicles not to exceed \$86,806 for the Road Department and amend the budget accordingly. All voting "Aye". MOTION PASSED



JULY 14, 2009

VOLUME U PAGE 147

26295 AUTHORIZE THE COUNTY JUDGE TO APPROVE THE INSTALLATION OF A SIGN TO REPLACE A TEMPORARY SIGN ON THE LBJ MUSEUM LOCATED AT: 131 N. GUADALUPE ST., SAN MARCOS [T1-2731]

The Operators of the LBJ Museum are applying for a Grant that would pay for the design, construction, and installation of a new sign. They want to be sure the County has no objection. The Operators intend to consult with County staff to insure that no major alterations are made to County Property. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to approve the installation of a sign to replace a temporary sign on the LBJ Museum located at 131 N. Guadalupe St., San Marcos. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford and Judge Sumter voting "Aye". Commissioner Conley was not present for vote. MOTION PASSED**

26296 DISCUSSION AND ACTION REGARDING ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER: PRECINCT OFFICES; RESOURCE PROTECTION, TRANSPORTATION AND PLANNING DEPARTMENT OFFICES; AND SPACE NEEDS PROJECTIONS FOR THE HAYS COUNTY JAIL AND RELATED CRIMINAL JUSTICE ANALYSIS [T1-2752]

Brenda Jenkins (Broaddus & Associates) gave an update of ongoing projects. Margo Frasier (retired Sheriff & Sr. Associate with MGT) spoke. Discussion was had regarding the government center, jail facility, and various precinct offices. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to ask Broaddus and Associate to move forward with final contract negotiations with MGT to bring them on board based on the proposal that's been presented today and ask MGT to expedite their work with Hays County with funding to come out of the consultant line item. All voting "Aye". MOTION PASSED**

26297 APPROVE AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN HAYS COUNTY, THE HILL COUNTRY CONSERVANCY AND THE CITY OF AUSTIN FOR THE DAHLSTROM RANCH PROJECT, AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE MOU AND ACCOMPANYING DOCUMENT [T2-582]

Commissioner Barton spoke of amendment to MOU. Special Counsel Mark Kennedy spoke of City of Austin paying the full earnest money – county will reimburse the City of Austin \$500,000. There will be three grantees to the easement (HCC/Hill Country Conservancy, City of Austin, and Hays County) - Managing Grantee will be HCC. Amendments have already been approved by the City of Austin and the HCC. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve amended and restated Memorandum of Understanding (MOU) between Hays County, the Hill Country Conservancy and the City of Austin for the Dahlstrom Ranch Project, and authorize the County Judge to execute the MOU and accompanying document. All voting "Aye". MOTION PASSED**

Court was adjourned.

I, LINDA C. FRITSCHKE, 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 14, 2009.



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

