



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 13<sup>TH</sup> DAY OF JANUARY A.D., 2009, 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:

Human Resources Director Dee Dee Baen introduced new county employees. Pastor Paul Bunton of Abundant Life Christian 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.

#### **CEREMONIAL SWEARING IN OF ALL NEWLY ELECTED OFFICIALS TO HAYS COUNTY**

District Judge Bill Henry swore in the following newly elected officials: Sheriff Thomas E. Ratliff, Commissioner Pct. 1 Debbie Gonzales Ingalsbe, Commissioner Pct. 3 Will Conley, Tax Assessor-Collector Luanne Caraway, JP Pct. 1 Place 1 Jo Anne Prado, Constable Pct. 1 David Peterson, Constable Pct. 2 James Kohler, Constable Pct. 4 Ron Hood, and Constable Pct. 5 Matt Mancillas.

#### **25835 ADOPT A PROCLAMATION DECLARING JANUARY 19, 2009 AS DR. MARTIN LUTHER KING, JR. DAY [T1-112]**

Harvey Miller spoke of events to be held on Martin Luther King Jr. Day. **A motion was made by Judge Sumter, seconded by Commissioner Conley to adopt a Proclamation declaring January 19, 2009 as Dr. Martin Luther Kind, Jr. Day. All voting "Aye". MOTION PASSED**

#### **PRESENTATION BY CONSTABLE DAVID PETERSON, PRECINCT 1 [T1-168]**

Constable Pct. 1 David Peterson spoke of work performed by constables and he spoke of his current staff. Constable Peterson provided figures on warrants and civil process that has been served by his office (reporting period: April 1, 2008 – December 31, 2008). He spoke of other assistance provided by his department (funeral escorts, bailiff for JP court, and public/information calls).

#### **PRESENTATION BY JEFF HAUFF REGARDING THE GRANTS DEPARTMENT**

[T1-337] Grants Administrator Jeff Hauff spoke of goals for the grant department, active grant projects, (41 active grants = \$4,066,836), three pending grant applications, project management, committee participation, park bond projects (total funding commitments to date = \$21,156,836), and future direction.

#### **PUBLIC COMMENT**

[T1-605] David Glenn made public comment regarding water availability during extreme drought.

#### **25836 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve payments of county invoices as submitted by the County Auditor in the amount of \$616,852.23 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

#### **25837 APPROVE COMMISSIONER COURT MINUTES OF DECEMBER 31, 2008 AND JANUARY 6, 2009**

Commissioner Ford requested correction to Resolution #25834: add "Ford" to votes cast. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve Commissioner Court Minutes of December 31, 2008 and January 6, 2009 as presented by the County Clerk with correction to Resolution #25834. All voting "Aye". MOTION PASSED**



**25838 APPROVE RENEWAL MEMORANDUM OF UNDERSTANDING WITH THE AMERICAN RED CROSS OF CENTRAL TEXAS**

This MOU defines a working relationship with Red Cross and Hays County in preparing for and responding to certain disaster situations. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve renewal Memorandum of Understanding with the American Red Cross of Central Texas. All voting "Aye". MOTION PASSED**

**25839 APPROVE THE OCTOBER 2008 TREASURER'S REPORT & INVESTMENT REPORT**

**A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve the October 2008 Treasurer's Report & Investment Report. All voting "Aye". MOTION PASSED**

**25840 [69 LOTS] PUBLIC HEARING AND ACTION TO CANCEL A PORTION OF WOODCREEK SECTION 25 AND APPROVE PRELIMINARY PLAN FOR [08-3-48 – 146 LOTS] THE RIDGE AT WIMBERLEY SPRINGS [T1-688]**

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. Section 25 consists of 266 lots and this cancellation will vacate 69 of those lots from subdivision back to acreage. The total acreage being removed is 19.1 acres. Commissioner Conley spoke of this being an existing subdivision. Winton Porterfield appeared representing Wimberley Springs Partners Ltd. and Engineer Tracy Bratton (Loomis Partners Inc.) spoke of density issues and improvements that will be made. Winton Porterfield spoke of moving density from the creek/recharge zone, 10 acres of walking trails, and deed restrictions to encourage rainwater collection and conservation. Public comment was made by John Seib Jr. (Attorney for Hill Country Ranches POA), Susan Cook, Maurice Guimont, Steve Thurber, Janet Acord, Alex Broun (Hays Trinity Groundwater District), Jim McMeans (Citizens Alliance for Responsible Development), Jack Hollon (Hays Trinity Groundwater District & Wimberley Valley Watershed Assoc.), Jack O'Reilly, Larry Calvert, Charlott Chapman, Cheryl Fillekes (geophysicist), and Kent Acord. Commissioner Conley spoke of efforts being made to address water conservation and availability. Discussion was had by the court regarding current regulations and new subdivision regulations coming forward, property owner's rights, mandatory rainwater collection, concerns regarding Aqua Texas, and responsibilities of Hays Trinity Groundwater Conservation District. [T1-2800] **A motion was made by Commissioner Conley, seconded by Commissioner Barton to cancel a portion of Woodcreek Section 25, being Lots 1-44, 49-59, & 145-157; to approve preliminary plan for "The Ridge at Wimberley Springs"; and should the Ridge at Wimberley Springs Subdivision not be approved for final plat within thirty-six (36) months, that the cancellation of Woodcreek Section 25 Lots 1-44, 49-59, and 145-157 be rescinded. All voting "Aye". MOTION PASSED**

**25841 ACCEPT A SMACK-DOWN CHALLENGE FROM THE PCT 4 BOWLING TEAM FOR TOP TEAM SCORE AND MOST MONEY RAISED AT THE 2009 BIG BROTHERS BIG SISTER, HAYS COUNTY BOWL FOR KIDS SAKE, SATURDAY, FEBRUARY 7 FROM 11 AM TO 1 PM [T1-200]**

Aileen Hays from Big Brothers Big Sisters spoke of bowling event to be held on February 7<sup>th</sup> at Sunset Bowling Lanes in San Marcos (Marde Gras Theme) and she spoke of fundraisers being used to provide scholarships, etc. for the kids. **A motion was made by Commissioner Ford, seconded by Judge Sumter to accept a smack-down challenge from the Pct 4 bowling team for top team score and most money raised at the 2009 Big Brothers Big Sister, Hays County Bowl for Kids Sake, Saturday, February 7 from 11 AM to 1 PM. All voting "Aye". MOTION PASSED**

**PRESENTATION AND REVIEW OF CITIZENS COMMITTEE REPORT ELECTED OFFICIALS COMPENSATION SURVEY [T-355]**

Commissioner Barton gave background information regarding elected officials compensation survey. Katherine Ray (Ray Associates) spoke of members on the committee: 2 citizens, Kyle Asst. City Manager, Hays ISD Asst. Superintendent, Buda Chamber of Commerce President, Texas State University Professor, and C-Fan Human Resources Manager and counties that were used: Bastrop County, Brazoria County, Comal Count, Denton County, Ellis County, Fort Bend County, Guadalupe County, McLennan County, Montgomery County, and Williamson County. She explained the methodology and recommendations.

**DISCUSSION OF HAYS COUNTY PARTICIPATION IN TEXHEALTH CENTRAL TEXAS, NONPROFIT REGIONAL HEALTH COVERAGE PROGRAM FOR SMALL EMPLOYERS. [T2-1011]**

Ann Kitchen, Executive Director of Integrated Care Collaboration, spoke of offering a basic low-cost health plan for small employers. Would attract economic development in the area. She explained liabilities and risks. Funds are being requested from Burnet, Hays, Travis and Williamson counties for start-up funds. Hays County funding would be \$32,550 (1<sup>st</sup> year), \$36,401 (2<sup>nd</sup> year), and \$18,620 (3<sup>rd</sup> year) – a total cost of \$87,571.



**25842 [08-3-4- 1 LOT] VACATE A PORTION OF LOT 1 AND APPROVAL FINAL PLAT OF RESUBDIVISION OF EL REGALO DE LA PAZ LOT 1, CREATING LOT 1-A [T2-1900]**

Subdivision Coordinator Clint Garza gave staff recommendation for final approval. This is a 3 acre lot being replatted into a 2.5 acre lot by vacating 0.5 acre into the parent tract of 22.838 acres. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to vacate a 0.5 acre portion of Lot 1, creating Lot 1-A, and approve final plat of "Resubdivision of El Regalo De La Paz Lot 1". All voting "Aye". MOTION PASSED**

**Clerk's Note: Agenda Item #10 RE: REVIEW AND/OR MODIFY THE CITIZENS PARK ADVISORY TEAM (CPAT) CHARGE was PULLED.**

**25843 ACCEPT RESIGNATION OF RANDY VAN CAMP AND APPOINT RODNEY WHITE TO FILL THE UNEXPIRED TERM ON THE HAYS COUNTY ESD #1 BOARD [T2-1940]**

A motion was made by Commissioner Ford, seconded by Commissioner Barton to accept resignation of Randy Van Camp and appoint Rodney White to fill the unexpired term which ends December 31, 2009 on the Hays County ESD #1 Board. All voting "Aye". **MOTION PASSED**

**25844 HIRE A COMMUNICATIONS SPECIALIST ABOVE THE MINIMUM [T2-1953]**

Human Resources Director Dee Dee Baen requested permission to hire an individual for position of Communications Specialist at a salary above minimum in the amount of \$52,000 to be effective February 1, 2009 (43<sup>rd</sup> percentile). **A motion was made by Commissioner Ford, seconded by Commissioner Barton to hire a Communications Specialist above the minimum at a salary of \$52,000 with effective hire date of February 1, 2009. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED**

**DISCUSSION REGARDING ECONOMIC NEGOTIATIONS RELATED TO THE POSSIBLE LOCATION OF A DISTRIBUTION CENTER FOR U.S. FOOD SERVICE IN THE UNINCORPORATED AREA OF THE COUNTY, EAST OF BUDA [T2-2096]**

Commissioner Barton spoke of presentation previously made to the court by U.S. Food Service and issues that have come up regarding traffic concerns.

**FORMULATE AND ADOPT A POLICY AND/OR PROCEDURE TO FILL THE VACANCY OF JUSTICE OF THE PEACE, PRECINCT 5 [T2-2334]**

Commissioner Conley felt like non-countywide positions should be handled by the Commissioner of that area and countywide positions should be handled by the entire court. Commissioner Ford spoke of need for standard criteria for consideration of vacant elected official positions. Commissioner Barton spoke of heightened interest in appointed positions and he would like to lay out a process. Commissioner Ingalsbe felt like the Commissioner should take the lead in an appointment in their precinct. Commissioner Barton spoke of committee he has put together to look at applicants

**Clerk's Note: Agenda Item #18 RE: PRESENTATION FROM LEADERSHIP SAN MARCOS was PULLED.**

**Clerk's Note: Agenda Item #19 RE: PRESENTATION BY SALLY BRANNON WITH EARTHKEEPER EROSION & SEDIMENT CONTROL WITH DISCUSSION AND POSSIBLE ACTION TO FOLLOW IN COURT was PULLED.**

**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 JANUARY 13, 2009.**



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

