



VOLUME R PAGE 406
JUNE 22, 1999

HAYS COUNTY BURN BAN

Judge Powers advised that he has lifted the burn ban (Disaster Declaration/Threat of Wildfires) as of June 21, 1999.

ADJOURNMENT

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to adjourn on this the 22nd day of June, 1999.

MINUTES APPROVED IN OPEN COURT ON THE _____ DAY OF _____, 1999.

JAMES L. POWERS, COUNTY JUDGE
COUNTY CLERK
H A Y S COUNTY, TEXAS

LEE CARLISLE,
H A Y S COUNTY, TEXAS



**STATE OF TEXAS
COUNTY OF HAYS**

ON THIS THE 29th DAY OF JUNE A.D., 1999, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

**JAMES L. POWERS
DEBBIE GONZALES INGALSBE
H. S. "SUSIE" CARTER
RUSS G. MOLENAAR
LEE CARLISLE**

**COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 4
COUNTY CLERK**

WITH THE FOLLOWING MEMBER ABSENT: WILLIAM "BILL" BURNETT, COMMISSIONER, PCT. 3

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order, County Clerk Lee Carlisle called the roll. Judge Powers gave the invocation and Commissioner Ingalsbe led the Court in the Pledge of Allegiance to the American Flag and the Texas Flag.

PRESENTATION OF EMPLOYEE SERVICE PINS

Employee Service Pins were presented to the following:

- 15 year pin to Don Amerson, Constable Pct. 3
- 10 year pin to Virginia Sierra, Computer Services
- 5 year pins to Suzanne Metz, Trudy Williams, and Laurel Hall [Sheriff's Dept.]

HOLD A PUBLIC HEARING TO CONSIDER ESTABLISHING MINIMUM INFRASTRUCTURE STANDARDS FOR MOBILE HOME RENTAL COMMUNITIES

Judge Powers declared the public hearing open. Vickie Gandy (single mother) stated that she is buying property in North Forty subdivision and she feels like this will be a great financial hardship on many people. She does not feel like people will be able to afford this. Commissioner Molenaar advised that the rules will affect only rental communities. It will make sure that the infrastructure in the park will address drainage and roads inside the community (mobile home park). Jack Reed (River Oaks Ranch HOA/a mobile home community) stated that he is here to understand what is going on - he lives in a mobile home. Ronnie Dillard spoke of wanting to keep property at a cost that is the same as rental park. He spoke of horror stories and sad situations that people are facing and they are forced to live where they can and not where they want. He feels

like people should be able to own their own property but some cannot afford it. Jerry Faskas felt like this rule targets the blue collar, low income, minority and poor and it forces their land up by forcing their infrastructure up.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JUNE 29, 1999
PAGE 407

VOLUME R

Jerry Faskas stated that he feels like it is legally wrong (requires stronger rules than subdivisions). He feels like it is morally wrong and biblically wrong. He spoke of taking care of your people and urged the court to vote against this. Phill Savoy (Take Back Texas) spoke in opposition to these rules. He spoke of one bad developer causing everyone to suffer. He spoke of high cost for surveys and studies. He spoke of having lived in a mobile home while attending SWTSU and he did not mind living in a park with low rent hat did not have good roads and drainage. He felt like this law is new and will probably have constitutional challenges. Environmental Health Director Allen Walther advised that this has been to the legislature before and it was a bill that we studied and looked at as a commissioners court and we supported it. There are currently two sets of standards for developments of this sort: developer of individual lots have standards and rental property has no standards. People moving into these parks have the same moving expense as someone moving onto their own property. This order makes sure that the minimum standards will be the same whether renting or owning your own land. These rules cannot be more stringent than the subdivision rules. The internal road necessary for emergency access is the standard for all. It provides for adequate water and wastewater. We have had situations where people are living on property that is not hooked up to water. He spoke of flexibility in the rules. These rules mirror what the statute authorizes. Allen Walther spoke of roads in a mobile home park being private roads that will never be public roadways. Commissioner Molenaar supports the rules to protect renters. Allen Walther spoke of areas that are flooded because of poor drainage and not because they are in the floodplain. Commissioner Molenaar spoke of drainage problems in the past and new subdivision rules that addressed these problems. Allen Walther advised that these rules address safety and sanitation in rental communities. Commissioner Molenaar spoke of need for protection for renters. Commissioner Ingalsbe felt like this would be welcomed in the county, however, the concerns presented today need to be addressed. She asked for time to review the rules. Judge Powers felt like there is merit to the rules but he would like more time for review. Commissioner Molenaar advised that the legislation addresses concerns that have come up over the years. Public hearing was closed. No action taken.

17919 APPROVE PAYMENT OF COUNTY INVOICES. [POWERS/HERZOG]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$726,902.19 as presented by the County Auditor. All present voting "Aye".

License & Permits	\$ 122.40	Fines	\$ 35.00	Extension Office	\$ 434.21
Juvenile Probation	\$ 30,087.45	Election Admin.	\$ 299.60	Transfer Station	\$ 552.22
Bldg. Maint.	\$ 8,056.92	Envrion Health	\$ 476.95	Personal Health	\$ 8,128.33
Civic Center	\$ 2,392.68	Countywide Oper	\$ 297,036.28	Tax A/C	\$ 31.70
District clerk	\$ 332.40	County Clerk	\$ 203.00	Sheriffs Office	\$ 5,027.44
Jail Operations	\$ 11,135.52	District Attorney	\$ 1,778.19	J.P. 1-1	\$ 18.93
J.P. 5	\$ 120.80	DPS	\$ 65.62	Constable 1	\$ 130.80
Constable 2	\$ 73.40	Constable 3	\$ 52.80	Constable 4	\$76.69
Constable 5	\$ 425.76	District Crt Oper	\$ 5,883.51	Co & JP Crt Oper	\$ 2,002.06
Veterans Admin	\$ 96.58	Computer Svcs	\$ 1,942.57	DPS/L&W	\$ 75.93
Fire Marshal/EMC	\$ 257.70	TABC Office	\$ 118.18	Animal control	\$ 4,002.00
CJD/VOCA Grant	\$ 1,686.96	DA DARE Grant	\$ 27.07	VAWA Grant	\$ 42.91
911 Addrs Mtc Grant	\$ 7,422.30	Gen Fund Credit	<\$34.29>	R&B Operations	\$ 172,741.08
Precinct 2	\$ 497.38	Precinct 3	\$ 116.88	Road Reconstruction	\$ 94,585.90
R&B Gen Credit	<\$3,163.53>	Anticip Notes '95	\$ 55,500.00	Rec Mng/Co Clerk	\$ 3,902.51
Health Svcs Grants	\$ 178.86	Law Library Fund	\$ 219.24	Courthouse Security	\$ 291.00
Certif of Oblig '97	\$ 7,935.85	Equip & Tech '99	\$ 3,478.45		

17920 APPROVE UTILITY PERMITS

The Road Department submitted the following Utility Permits for approval:

PERMIT #	ROAD NAME/NUMBER	UTILITY COMPANY
99-217	COUNTY ROAD 157	GTE
99-218	COUNTY ROAD 157 & 205	HEYL CONSTRUCTION LTD
99-219	651 ROLAND LANE	CITY OF KYLE WATER DEPT.
99-220	COUNTY ROAD 158	CITY OF KYLE WATER DEPT.
99-221	OLD STAGECOACH ROAD	CITY OF KYLE WATER DEPT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Utility Permits #99-217, #99-218, #99-219, #99-220, and #99-221 as presented by the Hays County Road Department. All present voting "Aye".

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Budget Amendment No. 99-024 as proposed by the County Auditor. All present voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME R PAGE 408
 JUNE 29, 1999

					NO. 99-024 FY 99 BUDGET 06-29-99
FUND NO. 01 FUND TITLE GENERAL					
APPROPRIATION LINE ITEM - EXPENDITURES	APPROPRIATION		AMENDMENT		AS AMENDED
	BEFORE AMENDMENT		INCREASES	DECREASES	
AUDITOR (401):					
01-401-5449 Temp personnel	2,150		1,500		3,650
01-401-5160 Insurance	22,380			(1,500)	20,880
Transfer from personnel savings					
GRANTS ADMINISTRATION (404):					
01-404-5311 Travel	200		100		300
01-404-5331 Cont Ed	455		200		655
01-404-5160 Insurance	4,276			(300)	3,976
Transfer for seminar expense from personnel savings					
BUILDING MAINTENANCE (410):					
01-410-5456 Pest Control		1,000	900		
1,900					
01-410-5101 FICA/RET	33,073			(500)	32,573
01-410-5160 Insurance	22,880			(400)	22,480
Transfer for needed expense					
JUSTICE OF THE PEACE 3 (427):					
01-427-5331 Cont Ed	250		50		300
01-427-5489 Telephone	900		350		1,250
01-427-5449 Temp Personnel	500			(400)	100
Transfer for balance of training					
DISTRICT ATTORNEY (423):					
01-423-5211 Office supply		5,000	1,300		
6,300					
01-423-5311 Travel	300		100		400
01-423-5321 Dues & bonds	900		750		1,650
01-423-5331 Cont Ed	4,500		600		5,100
01-423-5461 Printing	1,600		225		1,825
01-423-5489 Telephone	10,000		1,170		11,170
01-423-5711 Office Eqpt		600		(70)	
530					
01-423-5101 FICA/RET	73,688			(1,500)	72,188
01-423-5160 Insurance	38,208			(2,575)	35,633
Transfer for needed expense from personnel and equipment savings					
CJD/JUVENILE ACCOUNTABILITY GRANTS (742):					
01-742-5719 Equipment		33,386	7,988		
41,374					
01-742-5331 Cont Ed	4,931			(3,731)	1,200
01-742-5399 Project Admin	4,257			(4,257)	-0-
Transfer for balance of computer equipment per agency					
VETERANS OFFICE (455):					
01-455-5413 Veh Maint	2,000		400		2,400
01-455-5311 Travel	-0-		220		220
01-455-5271 Fuel		3,500		(620)	2,880
Transfer for van repair					
COMPUTER SERVICES (456):					
01-456-5421 Comp Maint/Co-wide		19,375	4,500		
23,875					
01-456-5213 Books	4,000			(2,500)	1,500
01-456-5221 Supplies	7,000			(2,000)	5,000
Transfer for needed repairs expense					

17922 APPROVE REFUND OF DOUBLE PAYMENTS AND/OR OVERPAYMENTS ON TAXES

The following were submitted by the Tax Assessor-Collector for refund of double payments and/or overpayments on taxes:

Lot 45A Cypress Point Section 1A	\$ 2,460.61
Lot 6 Blk 1 Bonita Vista Unit 2	\$ 1,266.91
Lot 15 Hills of Spring Lake	\$ 1,360.87

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve refund of double payments and/or overpayments on taxes as submitted by the County Tax Assessor-Collector. All present voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JUNE 29, 1999
PAGE 409

VOLUME R

17923 APPROVE MERIT INCREASES FOR DEPARTMENT HEADS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve a one step merit increase for each of the following department heads based on evaluations: Allen Walther (Environmental Health Director), Joyce Cowan (Elections Administrator), Jeff McGill (Computer Services Director), Gay Helmly (Personal Health Director), Tom Tvrdik (Veterans Service Officer), and Richard Salmon (Grants Administrator). All present voting "Aye".

17924 REPLAT OF LOTS 2A & 2B OF RESUBDIVISION OF TRACT 2 RIVER CREEK SUBDIVISION * WAIVE PUBLIC HEARING REQUIREMENT AND APPROVE FINAL PLAT [T1-798]

Environmental Health Director Allen Walther advised that Tract 2 has already been divided and this plat is being filed to relocate the common lot line between Lots 2A & 2B. He gave staff recommendation for approval to waive the public hearing requirement and to approve the final plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to waive the public hearing requirement and approve the final plat of "Replat of Lots 2A & 2B of the Resubdivision of Tract 2 River Creek Subdivision". All present voting "Aye".

17925 HENK ADDITION LOT 1 * APPROVE FINAL PLAT [T1-826]

Allen Walther, Environmental Health Director, advised that a minor change has been made to accommodate additional R-O-W on CR265/Francis Harris Road. He gave staff recommendation for approval of final plat. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve final plat of "Henk Addition Lot 1". All present voting "Aye".

17926 EVANS ACRES * APPROVE FINAL PLAT [T1-842]

This is a three lot subdivision located on CR 211 and located in the City of Niederwald ETJ. Environmental Health Director Allen Walther gave staff recommendation for approval of final plat. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Evans Acres". All present voting "Aye".

17927 WATKINS SUBDIVISION NO. 1 * GRANT A VARIANCE TO LENGTH OF SHARED ACCESS DRIVEWAY AND APPROVE PRELIMINARY PLAT [T1-851]

Allen Walther, Environmental Health Director spoke of variance request to length of shared access driveway (SAD). There is a very narrow access road to this property off of Cooley Ranch Road. It is the only access to the property and there cannot be any further resubdivision without obtaining additional right of way. The Developer will retain ownership of Lot 2. He gave staff recommendation for approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to grant a variance to the length of the shared access driveway and approve the preliminary plat of "Watkins Subdivision No. 1". All present voting "Aye".

17928 LANIER RANCH ADDITION RESUB TRACT 2B * APPROVE PRELIMINARY PLAT [T1-915]

Environmental Health Director Allen Walther gave staff recommendation for approval of preliminary plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve preliminary plat of "Lanier Ranch Addition Resub of Tract 2B". All present voting "Aye".

17929 ADOPT RESOLUTION AUTHORIZING PARTICIPATION IN THE GENERAL SERVICE COMMISSION'S COOPERATIVE PURCHASING PROGRAM

Purchasing Agent Debbie Bilbrey advised that the county pays \$210 per year for the participation of this program to purchase off the State Contract. A resolution is needed to change from prior Purchasing Agent Cindy Casparis to the current Purchasing Agent Debbie Bilbrey. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to adopt resolution authorizing participation in the General Service Commissions' Cooperative Purchasing Program. All present voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME R PAGE 410
JUNE 29, 1999

**RESOLUTION OF THE HAYS COUNTY COMMISSIONERS COURT
AUTHORIZING PARTICIPATION IN THE GENERAL SERVICE
COMMISSIONERS' COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the General Services Commission is authorized to provide purchasing services for local governments pursuant to Title 8, Subtitle C, Chapter 271, Subchapter D, sections 271.082 and 271.083 of the Texas Local Government Code; and

WHEREAS, Hays County is a "local government" as defined by Section 271.081, Texas Local Government Code, and qualified to participate in the Cooperative Purchasing Program of the General Services Commission; and

WHEREAS, in accordance with the requirements of section 113.85(a) of the General Services Commission administrative rules, the Agent of Record, Hays County Purchasing Agent Debbie Bilbrey is authorized to execute any and all documentation for Hays County pertaining to its participation in the General Services Commission Cooperative Purchasing Program; and

WHEREAS, Hays County acknowledges its obligation to pay participation fees established by the General Services Commission,

NOW, THEREFORE, BE IT RESOLVED that request be made to the General Services Commission to approve Hays County for participation in the General Services Commission Cooperative Purchasing Program.

ADOPTED THIS THE 29th DAY OF JUNE, 1999.

17930 DENY REQUEST FOR AMENDMENT TO THE TAX COLLECTION CONTRACT BETWEEN THE CITY OF SAN MARCOS AND HAYS COUNTY AS REQUESTED BY THE CITY OF SAN MARCOS [T1-990]

Luanne Caraway, Tax Assessor-Collector, spoke of letter received from the City of San Marcos requesting an amendment to the tax collection contract to allow them to select their own attorney or law firm to perform collection services for delinquent property taxes. She spoke of selection process for the current delinquent tax attorney which involved a committee composed of City of San Marcos City Manager Larry Gilley, representatives from the various School Districts (Hays CISD, San Marcos CISD, and Wimberley ISD), a taxpayer representative, Judge Powers, Commissioner Molenaar, Purchasing Agent Debbie Bilbrey and Tax A/C Luanne Caraway. She feels like changing the contract would be unfair to the county's tax attorney and she spoke in opposition to making changes to the contract. A motion was made by Commissioner Molenaar, seconded by Judge Powers to deny request to change the tax collection contract between the City of San Marcos and Hays County. All voting "Aye".

17931 ACTION TABLED REGARDING PROPOSED AMENDMENTS TO THE COUNTY'S PARKS ORDINANCE [T1-1034]

Commissioner Carter spoke of need to enforce the park regulations in regards to "No Parking" areas. Special Counsel Jacquelyn Collum-Murphy stated that the ordinance does not specify the no parking areas, therefore, the Sheriff's Dept. is unable to enforce these rules. Commissioner Carter spoke of cleaning and painting curbs to indicate parking and no parking areas, and the installation of signs. Commissioner Molenaar spoke of need for "no parking" signs along Old Stagecoach Road. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to table action regarding proposed amendments to the County's Parks Ordinance. All present voting "Aye".

17932 EXECUTIVE SESSION REGARDING LEASE OF REAL PROPERTY (OFFICE SPACE) IN KYLE/PRECINCT 2 AND ACTION

The Court convened into closed executive session to discuss lease of real property pursuant to Section 551.072 of the Government Code. On completion of closed session, the court reconvened into open meeting. A motion

was made by Commissioner Molenaar, seconded by Commissioner Carter to authorize Jacquelyn Collum-Murphy, Commissioner Carter, and Judge Powers to negotiate on behalf of the Court for lease and/or purchase of office space in Kyle. All voting "Aye".

ADJOURNMENT

MINUTES APPROVED IN OPEN COURT ON THE _____ DAY OF
_____, 1999.

JAMES L. POWERS, COUNTY JUDGE
COUNTY CLERK
H A Y S COUNTY, TEXAS

LEE CARLISLE,
H A Y S COUNTY, TEXAS

