



OCTOBER 12, 1999

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**STATE OF TEXAS
COUNTY OF HAYS**

ON THIS THE 12TH DAY OF OCTOBER 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
WILLIAM "BILL" BURNETT
RUSS G. MOLENAAR
LEE CARLISLE**

**COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK**

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order. Commissioner Carter led the Court in the Pledge of Allegiance to the American Flag and the Texas Flag. Judge Powers gave the invocation which included a prayer for the family of Michael Flores who worked in the County's Special Counsel office and was killed in an accident over the weekend.

PRESENTATION BY HAYS COUNTY 4-H IN RECOGNITION OF NATIONAL 4-H WEEK AND TEXAS 4-H MONTH

County Extension Agent Marilyn Prouse stated that in recognition of National 4-H Week and Texas 4-H Month some of the up and rising potential Gold Star Recepients are here to make a presentation to the Commissioners' Court. Travis Glasscock (Dripping Springs 4-H Club) spoke of the number of kids in the Hays County 4-H program. Joshua Norris (West San Marcos Branch 4-H Club) spoke of activities held during the year. Anna & Sophie from the Dripping Springs 4-H Club spoke of meals and gift packages provided for needy families. Ashley & Hannah Urbach (Kyle 4-H Club) spoke of nutrition projects. Marilyn Prouse spoke of plans for a multi-county youth water camp to teach them responsible use of our resources. The kids presented members of the court with a 4-H cup hugger and pens.

PUBLIC COMMENTS

[T1-153] Lila Ethridge advised that Hays County received one of three heritage awards given annually by the San Marcos Heritage Association in recognition of outstanding restoration projects (Courthouse Restoration). She advised that a bronze plaque will be presented to the Court and she asked that the contractor American Restoration and architect Ford, Powell, & Carson be advised of the award so that they can add that recognition to their resumes.

[T1-185] Robert Schearer (Wimberley Hills HOA Board Member) spoke of CR 1492 road improvement project. He spoke of having been informed that the low water crossing near Ranch Road 12 will not be improved to prevent flooding. He stated that the roads in Wimberley Hills subdivision are maintained by the homeowners and they are spending \$65,000 to improve those roads and their members will vote to not open the gate to allow access to adjoining property owners during flooding of the low water crossing. Commissioner Burnett advised that the low water crossing will be improved but not to the original design because the Court decided to not obtain additional right-of-way. There will be drainage improvements and it will be able to handle some flooding.

[T1-233] T. J. Higginbotham advised that there was a meeting yesterday of several Hays County residents and the consultant for the South Central Texas Regional Water Planning Group under Senate Bill 1 (21 county area). They will put together a 50 year water plan. Over the next several months there will be six plans put together and by Dec 2000 that will be narrowed down to one plan to be presented to the Texas Water Development Board. Twelve people were invited and only four showed up and the consultant taped the meeting which will be provided to the court.

[T1-261] Erin Foster (resident of Pct. 4) read a fairy tale story to the court (The Tale of the People Who Could Not be Heard). She spoke in opposition to the transportation plan precinct meetings not being posted as Commissioners' Court meetings and not being documented as such and to the written public comments being submitted to the Consultants rather than to the Commissioners' Court.

[T1-305] Keith Thornsberry (President of the North Hays County Planning Partnership) read a statement passed by resolution of the NHCPP board to the Hays County Water Planning Partnership formally requesting them to immediately change the name of their organization. He stated that in March 1995 the North Hays County Planning Partnership was organized, after a community-wide strategic planning session, and more than 125 citizens established an inclusive broad-based planning organization to work in conjunction with the Hays CISD. The name "North Hays County Planning Partnership" was chosen by this group. Membership is growing and they are working in partnership with area leaders on growth issues related to all Hays CISD communities. By encouraging regional unity and cooperation, the organization has been successful in forming seven active committees, including economic development, infrastructure, tourism, beautification, heritage, land use and youth education & recreation. With by-laws completed and a 5013c non-profit status in the works, the NHCPP has already enjoyed extensive positive media coverage to the spirit of volunteerism its members have exhibited. He spoke of public confusion regarding the two groups (North Hays County Planning Partnership/NHCPP and the Hays County Water Planning Partnership/HCWPP) and what they represent. The NHCPP wants the HCWPP to immediately change their name and develop an identity of their own.



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18173 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$145,412.59 as presented by the County Auditor. All voting "Aye".

Ad Valorem Tax	\$ 3,769.13	State Shared Revenue	\$ 9.77	Fines	\$ 550.00
Auditors Office	\$ 502.45	Treasurers Office	\$ 213.88	Extension Office	\$ 759.22
Grants Admin	\$ 410.75	Juvenile Probation	\$ 509.22	Election Admin	\$ 95.50
Comm & Social Services	\$ 10,347.63	Indigent Care	\$ 478.34	Transfer Station	\$ 4,809.82
Bldg Mtc. Department	\$ 7,390.22	Environmental Health	\$ 42.64	Civic Center	\$ 281.90
Countywide Operating	\$ 20,048.16	Tax Assessor-Collector	\$ 899.13	District Clerks Office	\$ 902.28
Sheriff's Office	\$ 13,072.05	Jail Operations	\$ 24,242.04	County Judges Office	\$ 296.72
Human Resources Dept	\$ 169.22	Co Court at Law 1	\$ 200.00	District Attorney	\$ 309.34
J.P. 1-1	\$ 21.94	J.P. 2	\$ 29.56	J.P. 3	\$ 19.91
J.P. 4	\$ 568.14	J.P. 5	\$ 110.89	DPS	\$ 786.85
Constable 1	\$ 924.60	Constable 2	\$ 223.64	Constable 3	\$ 15.47
Constable 4	\$ 153.82	Constable 5	\$ 62.39	District Court Oper	\$ 1,390.70
Co & JP Court Oper	\$ 1,185.00	Veterans Admin	\$ 558.73	Computer Svcs	\$ 9,526.79
TJPC Salaries Grant	\$ 131.90	DPS/L&W	\$ 213.54	Fire Marshal/EMC	\$ 206.52
TABC Office	\$ 381.28	TJPC CCAP Grant	\$ 2,046.20	Assoc Judge/Family Law	\$ 92.90
Animal Control	\$ 9.40	Comm Court Expenses	\$ 195.75	Gen Fund Credit	<\$47.82>
Ad Valorem Tax/R&B	\$ 1,053.95	R&B Operations	\$ 28,793.68	Precinct 1	\$ 651.04
Precinct 2	\$ 22.73	Precinct 3	\$ 46.89	Precinct 4	\$ 286.26
Sheriff Abandoned Veh	\$ 119.20	Anticip Notes '95	\$ 2,772.46	Rec Mng/County Clerk	\$ 118.69
Health Services Grants	\$ 152.37	Law Library Fund	\$ 166.26	Hays County I&S Fund	\$ 1,295.54
Sheriffs Spec Projects	\$ 16.60	Court Security Fund	\$ 52.65	Sheriffs Drug Forf Fund	\$ 375.00
Family Health Svcs	\$ 246.76	Tobacco Settlement	\$ 125.00		

Clerk's Note: There were no Utility Permits submitted for approval.

18174 APPROVE REFUND OF DOUBLE PAYMENTS AND/OR OVERPAYMENTS ON TAXES

The County Tax Assessor-Collector submitted the following request for refund of double payment on taxes: Lot 25 Goldenwood Section 1= \$934.42. A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve refund of double payments and/or overpayments on taxes as submitted by the County Tax Assessor-Collector. All voting "Aye".

18175 APPROVE THE COMMISSIONERS' COURT MINUTES OF SEPT 28, 1999

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of September 28, 1999 as presented by the County Clerk. All voting "Aye".

18176 APPROVE REAPPOINTMENT OF LUANNE CARAWAY TO THE HAYS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS TO SERVE A TWO (2) YEAR TERM BEGINNING JANUARY 1, 2000

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve re-appointment of Luanne Caraway to the Hays County Appraisal District Board of Directors to serve a two year term beginning January 1, 2000. All voting "Aye".

18177 DRIPPING SPRINGS RANCH SECTION 2 REPLAT TRACTS 1 & 2 * PUBLIC HEARING AND FINAL PLAT APPROVAL [T1-352]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Environmental Health Director Allen Walther advised that road construction security has been submitted and he gave staff recommendation for approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the final plat of "Dripping Springs Ranch Section 2 Replat of Tracts 1 & 2". All voting "Aye".

18178 STAGECOACH RANCH SECTION 1 REPLAT OF LOT 17 * PUBLIC HEARING AND FINAL PLAT APPROVAL [T1-368]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Environmental Health Director Allen Walther gave staff recommendation for approval of final plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Stagecoach Ranch Section 1 Replat of Lot 17". All voting "Aye".



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Clerk's Note: ILA CREEK ESTATES was pulled from the agenda – No action was taken.

18179 WIMBERLEY RANCH ESTATES * RELEASE ROAD CONSTRUCTION SECURITY [T1-385]

Allen Walther, Environmental Health Director, advised that roads in Wimberley Ranch Estates are Private and the Road Department has recommended release of road construction security. A motion was made by Commissioner Burnett, Seconded by Commissioner Molenaar to release road construction security (Letter of Credit No. 1266 – Document #9921530) for Wimberley Ranch Estates subdivision. All voting "Aye".

PRESENTATION REGARDING PROPOSED DEVELOPMENT OF SKY RANCH ON FM150 AT ONION CREEK [T1-397]

Environmental Health Director Allen Walther advised that this development will be presented in two phases. George Jones with Sultemeier Surveying spoke of six (6) large tracts of land (50 acre lots) which will be platted as Section 1 of Sky Ranch. He advised that across Onion Creek behind Phase I there is 1200 acres that will be developed at a later date. The 50 acre lots will be restricted and there will be no additional roads or utilities. Allen Walther advised that there will be discussions regarding roads to future development. The second phase will have a greater density (4 acre lots). He spoke of need for adequate planning to accommodate possible road extension to future development north of the proposed subdivision. Commissioner Carter asked that the developer and surveyors meet with residents of the adjoining subdivision "Crosshouse Estates" regarding this development. 100 ft. will be set aside on the east side of Phase I for an arterial road off FM150. They are currently undergoing a water availability study and Phase 1 will have individual water wells and septic systems. Phase 2 will have a central water system if water availability study proves up by Aqua Source. Lee Grote (resident of adjoining subdivision Crosshouse Estates) spoke of living here approximately 9 years and they will be directly affected by this development and the multi-corridor plan. The proposed road accessing Phase 2 will tie into Road Proposition 1 of the Multi-Corridor Plan (Mopac extension). They are concerned because they just found out about this development and they have not had any public input into this development. He feels like this is a pretty good plan but their problem is with the road that will run along his property line. He asked that the Court take a close look at this development because of the impact it will have on their subdivision. Lee Crawford (Crosshouse Estates resident) advised that they are not against progress. He would like for the road to be moved over into the proposed development and let prospective buyers decide if they want to live on the proposed roadway and not put the road up against existing properties in another subdivision. It was stated that the Crosshouse Estates Subdivision was developed in 1985. Judge Powers advised that he would do what he can to help this situation. No action required or taken.

18180 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH GOVERNMENT RECORDS FOR THE RECORDS MANAGEMENT SYSTEM IN THE COUNTY CLERK'S OFFICE [T1-637]

Computer Services Director Jeff McGill advised that this contract was presented last week and there were some questions. It is his understanding that everything is in line. County Clerk Lee Carlisle advised that his office needs this system as soon as possible. He stated that Government Records is the leader in the industry and they have pre-approved state contract status. Mr. Carlisle advised that there are budgeted funds to pay for this system. He also advised that the current system is down every day on a regular basis. Commissioner Molenaar spoke of current vendor not having fulfilled their obligation to Hays County. Special Counsel Jacquelyn Collum Murphy advised that she has looked over the contract and has confirmed that Government Records is on the pre-approved list of General Services. A motion was made by Commissioner Burnett, seconded by Commissioner Carter to authorize the County Judge to execute an agreement with Government Records for the Records Management System in the County Clerk's Office. All voting "Aye".

EQUIPMENT: 2 Scan Stations with Laser Scanner, 4 21" Public Retrieval Stations, 5 17" PC Stations, 3 Cashiering Stations with Stamp/Receipt Printers and Cash Drawers, 2 Laser Printers, 1 Modem, 1 UPS, 1 Jaz Drive, and 1 File Server

PRICING: First 2,000 instruments per month = \$2.94 per instrument; next 1,000 instruments per month = \$2.74 per instrument; Over 3,000 instruments per month - \$2.44 per instrument * Based on an average of 2,333 instruments per month the monthly cost would be \$6,792.42

GRS is assuming the lease payments on the existing equipment combined with the software maintenance currently being paid to the current vendor which will cease aggregates to approximately \$5,400.

COST INCLUDES: Installation, Training, Toll-Free Support, Data/Image Conversion, Hardware Maintenance, Software Maintenance, Hardware Upgrades, Software Upgrades, Index Merging and Printing, and On-site Support

18181 ACCEPT/REJECT BID OFFERS ON DELINQUENT TAX PROPERTIES [T1-704]

Tax Assessor-Collector Luanne Caraway advised that bids were received on two delinquent tax properties:

Pt Lot 4 Block 8 D.S. Combs Addition - assessed property value = \$ 3,770.00 BID = \$ 500 (2% recovery)

Lot 22 Block 11 C.D. Wallace Addition – assessed property value = \$5,000.00 BID = \$4,000 (89% recovery)

A motion was made by Judge Powers, seconded by Commissioner Molenaar to reject bid of \$500 for delinquent tax property known as part of Lot 4 Block 8 in the D.S. Combs Addition. Commissioner Ingalsbe, Commissioner Carter, Judge Powers, and Commissioner Molenaar voting "Aye". Commissioner Burnett was not present to vote.

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept bid of \$4,000 for delinquent tax property known as Lot 22 Block 11 C. D. Wallace Addition. All voting "Aye".

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REMOVAL OF CATTLE GUARDS ON NUTTY BROWN ROAD AND SAWYER RANCH ROAD [T1-778]

Commissioner Molenaar advised that since he has been in office (1995), there has not been any livestock in the area along Nutty Brown Road and Sawyer Ranch Road. He is not in favor of building a fence as requested by one property owners (on east side of the roadway). He stated that cattle guards are a traffic hazard and Hays County is not an open range county (a 1936 election voted in favor of the Stock Law which does not allow animals to run at large). Commissioner Molenaar stated that he is not willing to put in new cattle guards and he is not willing to put up any fences. Commissioner Molenaar advised that these are arterial roads with 40MPH speed limits and a significant amount of traffic. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize removal of cattle guards on Nutty Brown Road and Sawyer Ranch Road. Motions were withdrawn for further investigation. Special Counsel Jacquelyn Collum Murphy stated that she will check on the legality of removing the cattle guards.

18182 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE BURDINE JOHNSON FOUNDATION FOR DUDLEY JOHNSON PARK IMPROVEMENTS [T1-960]

Brad Bailey, Administrative Assistant to the County Judge, spoke of money that could be use for improvements at Dudley Johnson Park from the Burdine Johnson Foundation (\$20,000). A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant application to the Burdine Johnson Foundation and to accept a donation for up to \$20,000.00. All voting "Aye".

Court was adjourned.

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

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

LEE CARLISLE, COUNTY CLERK
H A Y S COUNTY, TEXAS

