



1999

**STATE OF TEXAS  
COUNTY OF HAYS**

**ON THIS THE 26<sup>TH</sup> DAY OF OCTOBER A.D., 1999, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

<b>JAMES L. POWERS</b>	<b>COUNTY JUDGE</b>
<b>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</b>
<b>H. S. "SUSIE" CARTER</b>	<b>COMMISSIONER, PCT. 2</b>
<b>WILLIAM "BILL" BURNETT</b>	<b>COMMISSIONER, PCT. 3</b>
<b>RUSS G. MOLENAAR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LEE CARLISLE</b>	<b>COUNTY CLERK</b>

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Judge Powers called the meeting to order and gave the invocation. Commissioner Burnett led the Court in the Pledge of Allegiance to the American Flag and the Texas Flag.

**EMPLOYEE RECOGNITION AND NEW EMPLOYEE INTRODUCTION**

Justice of the Peace Pct. 1 Place 1 Macel Sullivan presented a 15 year service pin to Virginia Ibarra. Britney Richey presented Joyce Koch (County Extension Agent Office employee) with a 5 year service pin. Tax Assessor-Collector Luanne Caraway presented a 15 year service pin to Paulette Wallington. Maintenance Supervisor Ron Knott presented a 15 year service pin to Fidela Lopez. Justice of the Peace Pct. 2 Beth Smith presented a 10 year service pin to Sylvia Varela. Health Department Director Gay Helmly presented a 5 year service pin to Nancy Marmolejo. Judge Powers presented a 15 year service pin to Ernest Garcia and a 5 year service pin to Lorraine Cheeseman. Chief Juvenile Probation Officer Ed Cooper introduced new employee (drill instructor) Jackie Jones. Fire Marshal Mark Chambers introduced new employee Agapita Lopez who will be working for the Veterans Service Officer and the Fire Marshall. Environmental Health Director Allen Walther introduced new employee Dora Fogle.

**18191 ADOPT PROCLAMATION DECLARING OCTOBER 23-29 AS "RED RIBBON WEEK" IN HAYS COUNTY**

District Attorney DARE Officer John Roppilo and Hays-Caldwell Council on Alcohol & Drug Abuse Representative Sue Cohen appeared with 5 students from Hernandez Intermediate School to present t-shirts and ribbons to members of the court. Commissioner Molenaar read the proclamation. Sue Cohen explained the creation of Red Ribbon Week. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to adopt proclamation declaring October 23-29, 1999 as "Red Ribbon Week: in Hays County. All voting "Aye".

**PROCLAMATION**

**WHEREAS**, alcohol and drug abuse continues to damage the lives of many in our country, both through their abuse and through associated problems such as crime, automobile wrecks, domestic violence, school dropouts and HIV infection; and

**WHEREAS**, many surveys and studies indicate that alcohol and drug abuse is on the rise in many segments of society, with the use of drugs by students in grades six through 12 at a ten-year high; and

**WHEREAS**, studies show that addictions to drugs, cigarettes and alcohol account for approximately one-third of all hospital admissions in the United States, and that the combined medical and social costs of drug abuse in the United States exceeds \$240 billion; and

**WHEREAS**, the Hays county Commissioners' Court is sponsoring the 1999 Red Ribbon Week as part of a national campaign of drug-awareness and a commitment to community involvement in issues related to drug and alcohol abuse;

**NOW, THEREFORE, BE IT PROCLAIMED** by the Commissioners' Court of Hays County, Texas that October 23-29, 1999 be recognized as

**"RED RIBBON WEEK IN HAYS COUNTY"**

**AND BE IT FURTHER PROCLAIMED** that the citizens and officials of Hays County be encouraged to observe this occasion and participate in related activities.

**ADOPTED THIS THE 26<sup>TH</sup> DAY OF OCTOBER, 1999**



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**PRESENTATION BY COMMISSIONER RUSS MOLENAAR REGARDING PROPOSED 2025 TRANSPORTATION PLAN**

Commissioner Molenaar spoke of being pro-active instead of re-active. He spoke of areas in the county where developers have bought property to be developed. He stated that he had suggested connecting SH45 to FM150 & FM967 because of the possible development in this area and he wanted the developers to help pay for road improvements. He never suggested connecting the proposed roadways to Mopac (Loop 1). He spoke of some of the brochures being distributed that are incorrect and misleading. The object of the plan was to accommodate the CAMPOS plan. Some of the proposed roadways will not happen if development does not occur in the area. He spoke of need to upgrade some of the existing roadways. He wants to be pro-active and not re-active to the situation. The Commissioners' Court has to make tough decisions like this. He stated that he does not do "sweet heart deals" and "backdoor deals". He spoke of statements that our employees, department heads, and elected officials are sorry. He commended those employees, department heads, and elected officials. Some employees or leaving because they are being offered more for employment elsewhere. He stated that we have some of the finest elected officials, dept. heads, and employees and they work hard for this county. He spoke of area to be serviced by the proposed LCRA water line. He spoke of meeting with various officials and entities to see what could be done to have quality development. He spoke of conversations with Texas Parks & Wildlife and they indicated that a plan was needed. We have 2 years to get this water into Hays County or it will be gone. (to be run down FM290). He spoke of TNRCC regulations that will allow acreage less than 5 acres. He spoke of the court working on creating greenbelt areas in new developments. He spoke of efforts to get water service to subdivisions in the Dripping Springs area. He spoke of number of roads that were improved for \$20 million with 75% of the road projects completed. He spoke of his commitment to pave the roads in his precinct.

**PUBLIC COMMENTS**

Bill Johnson (citizen of Wimberley) congratulated the Commissioners' Court in having enough money to consider giving money to Dripping Springs for a visitors center. He stated that Wimberley is not incorporated but they have a visitors center that was built by the senior citizens of that community. They need a community center.

**18192 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$142,853.32 as presented by the County Auditor. All voting "Aye".

Treasurers Office	\$ 171.07	Extension Office	\$ 408.99	Grants Admin Office	\$ 363.67
Juvenile Probation	\$ 2,784.83	Election Admin	\$ 111.42	Transfer Station	\$ 212.65
Bldg Mtc Dept.	\$ 9,807.89	Environ Health	\$ 3,311.01	Civic Center	\$ 488.57
Countywide Oper	\$ 12,124.58	Tax A/C	\$ 9,069.70	County Clerk	\$86.03
Sheriffs Office	\$ 9,783.88	Jail Operations	\$ 30,005.08	Human Resources	\$ 42.78
District Attorney	\$ 914.80	J.P. 1-1	\$ 71.58	J.P. 2	\$ 58.92
J.P. 3	\$ 44.00	J.P. 5	\$ 22.50	Constable 1	\$ 83.09
Constable 4	\$ 23.95	Constable 5	\$ 14.99	Dist Court Oper	\$ 1,746.60
Co & JP Crt Oper	\$ 743.96	Computer Svcs	\$ 1,331.25	TJPC Salaries	\$ 572.18
TJPC CCAP Grant	\$ 5,693.20	Comm Crt Exp	\$ 20.00	Gen Fund Credit	<\$158.67>
Road & Bridge Oper	\$ 26,197.97	Road Reconstr	\$ 6,206.10	R&G Gen Credit	<\$67.64>
Rec Mng/Co Clk	\$ 717.67	Health Svcs Grants	\$ 8,713.81	Law Library Fund	\$ 219.24
Hays Co I&S	\$ 1,470.48	Sheriffs Drug Forf	\$ 849.60	Family Health Svcs	\$ 8,033.33
Certif of Oblig	\$ 373.49	Ace in the Hills Grant	\$ 184.77		

**Clerk's Note:** There were no utility permits submitted for approval.  
There were no applications for refund of double payments on taxes submitted for approval.

**18193 APPROVE THE COMMISSIONERS' COURT MINUTES OF OCTOBER 19, 1999**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of October 19, 1999 as presented by the County Clerk. All voting "Aye".

**18194 APPROVE COMPASS BANK AS NEW DEPOSITORY BANK**

County Treasurer Michele Tuttle explained that Compass Bank has purchased Hartland Bank and will assume the responsibility of our depository bank. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Compass Bank as new Depository Bank. All voting "Aye".

**18195 AUTHORIZE PURCHASE OF RADIO FOR ROAD DEPARTMENT**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to authorize purchase of a radio to be mounted in the Road Department water truck. All voting "Aye".


**18196 SYCAMORE CREEK REPLAT OF LOTS 20 & 21 \* FINAL PLAT APPROVAL [T1-510]**

Property owners Julio Duran Vasquez and Trude Peterson Vasquez propose to divide a 20.19 acre parcel (aka Sycamore Creek Lots 20 & 21) into 5 parcels. Environmental Health Director Allen Walther advised that this resubdivision meets county requirements and he gave staff recommendation for approval of final plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "Sycamore Creek Replat of Lots 20 & 21". All voting "Aye".

**18197 SOUTH RIVER BUSINESS PARK \* FINAL PLAT APPROVAL [T1-528]**

Property owner Tracey Dean proposes to divide a 7.818 acre parcel into 6 lots. Environmental Health Director Allen Walther advised that this resubdivision meets county requirements and he gave staff recommendation for approval of final plat. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve final plat of "South River Business Park". All voting "Aye".

**C & J SUBDIVISION** \* This subdivision was pulled from the agenda. No action taken.

**18198 SPRINGLAKE REPLAT LOT 76A \* FINAL PLAT APPROVAL [T1-542]**

Environmental Health Director Allen Walther advised that this is the first time the court has seen this subdivision. It is a realignment of 2 existing parcels to create two lots with access on existing roadways. It has met the public notification requirements with the City of Dripping Springs and he gave staff recommendation for approval of final plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "Springlake Replat of Lot 76A". All voting "Aye".

**Clerk's note:** Commissioner Carter left the meeting at this time.

**18199 ILA CREEK ESTATES \* FINAL PLAT APPROVAL [T1-557]**

Robert Kleeman, Attorney appeared representing property owner Constance Austin. He advised that 36 acres are being divided into 5 lots and he spoke of subdivision regulations offering incentives. The Engineer has submitted a plan classifying the road as a "country lane". He advised that they are willing to sign documents that specify that the road will not be extended and he stated that it is a continuation of an existing road (Concord Road) and there is no intent to extend it further. They want approval to construct the road as a country lane (private road). He spoke of plat note #5 restricting resubdivision of property to less than 5 acre lots. They are willing to create restrictive covenants that would not allow construction of another road. Allen Walther, Environmental Health Director, spoke of section 7.3 of the county subdivision regulations and the continuity of improvements, the safety issues must be addressed, and this is a continuation of an existing development. The first 500 ft. of Concord Road is county maintained and there is substantial development in this area. Allowing this road to be built to country lane specifications would be a substantial reduction in driving surface compared to the existing roadway. Constance Austin, developer, stated that this is not a continuation of Concord Circle and she does not feel like the adjoining property (Rutherford Ranch which is thousands of acres) would want to access this roadway and she feels like the plat notes would prevent further development. Allen Walther spoke of need to consider adjacent properties (5 duplexes) that might try to utilize this new roadway. He spoke of preliminary plat indicating this as a country lane, however, it was not caught in the preliminary stages. Dale Pound, Engineer on the tract spoke of adjacent properties having no development on them. Allen Walther advised that the engineer has submitted plans for both a country lane and local street classification and staff will recommend a local street standard. Commissioner Burnett spoke of setting a bad precedent to allow the narrowing down of pavement at the end of an existing road. He feels like it is not unreasonable to expect a subdivision that goes in at the end of an existing road should be built to the same standards as that road. Dale Pound spoke of other subdivisions in the area that have country lanes. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final Plat of "Ila Creek Estates" with provision that road meet "local street" standards. Commissioner Ingalsbe, Commissioner Burnett, and Commissioner Molenaar voting "Aye". Judge Powers voting "No". Commissioner Carter was not present to vote.

**18200 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A \$20,000 GRANT FROM THE BURDINE JOHNSON FOUNDATION FOR DUDLEY JOHNSON PARK IMPROVEMENTS [T1-900]**

Grants Administrator Richard Salmon advised that there is a grant of \$20,000 from the Burdine Johnson Foundation that will be used to make improvements to Dudley Johnson Park. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to accept a \$20,000 grant from the Burdine Foundation for Dudley Johnson Park and to place these funds in the park improvement fund. All present voting "Aye".



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**18201 APPROVE INTERLOCAL ASSISTANCE AGREEMENT FROM THE REGIONAL AUTO THEFT ENFORCEMENT TASK FORCE AND TO EXECUTE A CONTRACT UP TO \$43,520**

[T1-925] Grants Administrator Richard Salmon advised that the Commissioners' Court has already accepted this grant on October 15<sup>th</sup>, however, the amount was incorrect and it is being re-submitted to the court. A motion was made by Commissioner Ingalsbe, seconded by Burnett to approve interlocal assistance agreement from the Regional Auto Theft Enforcement Task Force and to execute a contract for up to \$43,520. All present voting "Aye".

**18202 AUTHORIZE THE COUNTY JUDGE TO ACCEPT MITIGATION GRANT FROM FEMA AND TO EXECUTE A CONTRACT FOR UP TO \$1,110,100 [T1-935]**

Grants Administrator Richard Salmon spoke of adding up all the grants received for this project equals \$1.5 million. The FEMA grant request has been approved for up to \$1,110,100 to buyout, abate, and demolish properties repeatedly flooded in Wimberley along Cypress Creek. The properties in question are (1) eighteen single family units at Cypress Fairway Village – units 19-36, (2) four single family residences in Woodcreek Phase II – units 1-4, and (3) four of five single family residences in the Village of Woodcreek – units 14-18. None of these units are in the incorporated city limits of Woodcreek, therefore, Hays County has to be the applicant. A grant for the matching funds (\$350,000) from Texas Dept. of Housing & Community Affairs has already been approved. The County will not be providing any matching funds in this entire project. Commissioner Burnett spoke of this being the actual receiving of the FEMA grant for removal of the 28 units in Wimberley. Allen Walther spoke of this being one of the few tools we have to help improve flooding in the county and he congratulated the efforts of Richard Salmon and Commissioner Bill Burnett. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the County Judge to accept mitigation grant from FEMA and to execute a contract for up to \$1,110,000.00. All present voting "Aye".

**18203 ACCEPT BID OFFER FOR PROPERTY HELD IN TRUST (DELINQUENT TAX PROPERTY)**

[T1-987] Luanne Caraway, Tax Assessor-Collector, spoke of bid offer of \$2,864.67 (99% recovery) for Lot 1 Block H Green Pastures Section 2 being held in trust (delinquent tax property). The Hays CISD has approved this offer. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept bid offer of \$2,864.67 for property held in trust – Lot 1 Block H Green Pastures Section 2. All present voting "Aye".

**18204 AMEND THE HAYS COUNTY PURCHASING MANUAL [T1-1006]**

County Auditor Bill Herzog spoke of need for changes in the county purchasing manual to reflect new laws: Bid limit changed to \$25,000, require a purchase order on all items over \$300, and PO must be acquired prior to the purchase, move the legal ramification to the front of the manual, and there will be changes to correspond with previous actions of the court. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to adopt the Amended County Purchasing Manual as proposed. All present voting "Aye".

**18204 AMEND THE TRAVEL POLICY TO ALLOW FOR A \$25 PER DIEM FOR MEALS AT ANY EXTENDED TRIPS [T1-1121]**

Commissioner Molenaar spoke of discussion last week regarding requirement for receipts for meals before reimbursement. He feels like we should be able to trust county employees and supports the \$25 per diem for meals. County Auditor Bill Herzog advised that they have been allowing \$25 per day. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to amend the travel policy to allow for a \$25 per diem (\$5 for breakfast, \$9 for lunch, and \$11 for dinner) for meals at any extended trips without providing receipts effective immediately. All present voting "Aye".

**Clerk's Note:** The item Re: DRIPPING SPRINGS VISITORS CENTER/TRIANGLE PROJECT was pulled.

**18205 AMEND THE HAYS COUNTY INFRASTRUCTURE COMMITTEE ORGANIZATION POLICIES**

[T1-1189] Commissioner Molenaar spoke of recycling removed in Dripping Springs. He would like to see the creation of a Recycling and Solid Waste Oversight Committee as part of the Hays County Infrastructure Committee. A motion was made by Commissioner Molenaar, seconded by Judge Powers to create a Recycling and Solid Waste Oversight Committee as part of the Hays County Infrastructure Committee. Commissioner Burnett spoke of subcommittees within the infrastructure committee. He would like to see citizen committees run themselves and have them bring their recommendations to the court and no Commissioner would run any particular committee. He would like for the citizens committee to make citizen recommendations. Commissioner Molenaar stated that he feels the same way about citizen committees. The Infrastructure Committee is an information body to advise the court. All present voting "Aye". Brad Bailey advised that the By-Laws do not mention the Commissioners as being over any committee. Commissioners will not chair committees or be involved directly. The court will provide charges/direction to the committee. A motion was made by Judge Powers, seconded by Commissioner Burnett to authorize the Hays County Infrastructure

Committee to operate independently of the Commissioners Court, each Chair to call and set the meetings for their individual committees and not the individual commissioners. All present voting "Aye". Judge Powers asked Special Counsel to notify Commissioner Carter in writing of action taken this date.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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**OCTOBER 26,**

**EXECUTIVE SESSION TO REVIEW AND CONSIDER APPLICATIONS FOR THE POSITION OF COUNTY ENGINEER**

The court convened into closed execution session to review and consider applications for the position of County Engineer. Upon completion of the closed session, the court reconvened into open meeting. No action was taken.

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**

