



STATE OF TEXAS □
 COUNTY OF HAYS □

ON THIS THE 16TH DAY OF MAY A.D., 2000, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

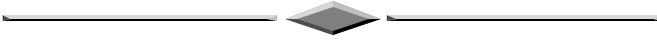
JAMES L. POWERS	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
H. S. "SUSIE" CARTER	COMMISSIONER, PCT. 2
WILLIAM "BILL" BURNETT	COMMISSIONER, PCT. 3
RUSS G. MOLENAAR	COMMISSIONER, PCT. 4
LEE CARLISLE	COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order and gave the invocation and Commissioner Carter led the Court in the Pledge of Allegiance to the Flags.

18663 ADOPT PROCLAMATION DECLARING MAY 21-27, 2000, AS "HOME EDUCATION WEEK"

[T1-31] County Clerk Lee Carlisle read the proclamation. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to adopt Proclamation declaring May 21-27, 2000 as "Home Education Week". All voting "Aye".



PROCLAMATION OF THE COMMISSIONERS' COURT

Declaring May 21-27, 2000 as "Home Education Week" in Hays County

WHEREAS, since the earliest days of Texas history, parents have sought to teach moral, academic and social skills to their progeny in the home. Today, an estimated 2 million families nationwide choose this time-honored tradition of home education. These parents take full responsibility for their children's education by providing individual attention in the learning process; and

WHEREAS, home schooling allows parents to develop an educational program according to the family's own values. Students study curriculum designed around five subjects: math, reading, spelling, grammar and good citizenship. The home teachers are able to tailor this educational program to optimally fit their students' needs. According to *The Wall Street Journal*, research has shown that the key elements in effective education are small class size, individual instruction, and a disciplined, nurturing environment – all characteristics of home schooling; and

WHEREAS, legally considered private schools, home schools have more than doubled over the past decade due to their proven educational success. Colleges are now actively recruiting home-educated seniors due to their higher-than-average SAT and ACT scores and their exemplary GPA's as college freshmen. Stanford University's senior director of admissions concludes that "Homeschoolers bring certain skills – motivation, curiosity, the capacity to be responsible for their education – that high schools don't induce very well;" and

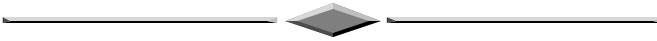
WHEREAS, Texas leads the nation in the number of home school students with an estimated 175,000 future world leaders learning by the tutorial method of education.

NOW, THEREFORE, BE IT RESOLVED that the Hays County Commissioners' Court proclaims the week of May 21 – 27, 2000, as:

HOME EDUCATION WEEK

in Hays County and urges all citizens to join us in recognizing the importance of home schooling of Texas' children - our most precious resource.

Adopted this the 16th day of May, 2000





PRESENTATION BY CRAIG ALTER OF CENTRAL TEXAS MUTUAL HOUSING ASSOCIATION REGARDING THE COMMONS AT PLUM CREEK

Craig Alter spoke of proposed development in the Kyle area,. The Central Texas Mutual Housing Association is a nonprofit organization directed by a volunteer board of directors. Their mission is to reach out to working families (with \$20,000-\$40,000 income) so that they can have affordable living. This programs saves them a million dollars in rent. The revenue generated from the property is kept for maintenance. He spoke of a dedicated building for youth education (tutoring, reading, & activities). They also have an evening adult education program. They will meet with resident, local entities, etc. He spoke of income tax credits for developers. The Commons at Plum Creek is located at Kohlers Crossing and FM1626 which is close to schools, employment, etc. He spoke of Trails of the Park development located @ 815 Slaughter Lane West and he invited the court to come to that open house to see what their development looks like. Commissioner Carter asked about competition with other affordable housing organizations and she asked if programs are free to the residents. Mr.Alter advised that they will be competing for funds and they do provide the youth and adult programs free to residents. Commissioner Carter advised that she is impressed with this development..

18664 ACTION REGARDING RECOMMENDATIONS FOR THE 2025 TRANSPORTATION PLAN BY THE HAYS COUNTY BLUE RIBBON COMMITTEE [T1-267]

Judy Carr, Chair of Blue Ribbon Committee for the transportation plan appeared before the court. She stated that the committee was appointed in November 1999 and got started in mid January 2000. They toured the county one Saturday and then they met every Wednesday night (except during spring break) since January. They heard from a wide variety of people. They have come up with a revised plan from the one created by Prime Strategies. She spoke of there always going to be people who do not agree with the plan. She spoke of CAMPO needing all this information by May 19, 2000 in order to compile their plan for approval by July 12th. Changes made to Revised Map was to eliminate the possible corridor #1, Bliss Spillar Road #5 (because of Bradley tract), and the Wimberley Loop. Roads that have been added was the possible north/south Corridor #1 and/or possible north/south Corridor #2 as described in BRC recommendation #9, Wimberley Square By-pass, and SH45 (#4) B (west of RR1826 connecting to US290 at Nutty Brown Road), Road that have been realigned are Section A of the San Marcos Loop from Hilliard to Post Road to IH35, Section B of the San Marcos Loop from IH35 to SH80, and Elder Hill Road at Driftwood (by-pass was created to FM1826). Other changes were the western section of the Edwards Aquifer north of FM150 which has been shaded on the map to reference special road improvement recommendation #9 in the BRC Recommendation Section. Judy Carr spoke of disclaimer that this map is not of survey quality and should be used only for general planning purposes – no warranty is expressed or implied regarding accuracy or completeness. This map does not show property lines and the committee was not aware that their proposal would go through any subdivisions and the road can be moved to get it out of the subdivision. These are only suggestions and recommendations. Several options: Mr. Lloyd and Mr. Rutherford are proposing a development and they want a road through their property and this will need to be taken into consideration – recommendations from Prime Strategies must be another consideration. No matter what is submitted it will not be unanimously agreed to. Some people on the committee would not sign off on the recommendation for various reasons (Eileen Trainer & Jackie Shafer resigned from the committee for personal reasons). [T1-510] Joyce "Tommy" Poer (member of the Blue Ribbon Committee) commended Judy Carr for being a fine leader and advised that she could not sign off on the recommendation because she felt like they should not get into environmental issues big time, which they did. She stated that two members controlled several meeting with their environmental issues, they were not experts. [T1-533] Terri Wimmer (HOA of Ruby Ranch) stated that she is here to represent the Ruby Ranch Homeowners Association. She presented a petition signed by 55 property owners stating *"The undersigned property owners of Ruby Ranch Subdivision, hereby object to and strongly oppose the Blue Ribbon Committee, Hays County multi-corridor 2025 transportation plan as it pertains to Ruby Ranch and the use of Ruby Ranch Road"*. [T1-553] Michael Thames (President of TWC Enterprises Inc., the company that developed Ruby Ranch subdivision) stated that this subdivision was never intended for a highway to go through it. This would create too many driveways onto a highway and a lot of people have made a major investment buying land in Ruby Ranch and they will have to decide if they are going to build a house on a major highway. He suggested putting the road to the west where development is going to happen and you can develop around it. They are not opposed to a north/south corridor, but they want one that does not go through a subdivision. [T1-587] Jim Green (San Marcos resident) spoke of being interested in transportation plans coming before the court. He stated that there are no copies of the report made available to the public so he is unable to make comments today - he requested that any action be postponed today. [T1-600] David Eiland spoke in opposition to this road going through Ruby Ranch subdivision. He spoke of his neighborhood and the activity that occurs on Ruby Ranch Road and of the need to protect the integrity of neighborhoods. [T1-622] Jeff Simmons (Ruby Ranch Resident) asked if this proposal is still on the table since the Blue Ribbon Committee did not know that this highway went through this subdivision? Commissioner Burnett spoke of the committee's charge to make recommendations to an original plan and the court's charge is to evaluate their recommendations and make judgments on recommendations as a whole or individually. Mr. Simmons spoke of division in the community over environmental issues and he suggested two alternatives: ➤ work in conjunction with the City of Austin in purchasing conservation land to the west of this subdivision and construct a road north/south, thereby having a road for traffic but having an entity (ie Austin, Hays County, or Nature Conservancy) under control of this conservation land having control on both sides of the roadway and they could limit development or whatever they see fit ✂ or let developers (Rutherford Ranch) construct road north to south. 99% of the people who own land in the Ruby Ranch Subdivision are irate about putting this arterial through their subdivision. [T1-682] Dr. Tom Mijares (Professor of Criminal Justice Studies and a Retired Police

Officer) spoke in opposition to the recommendation. He spoke of creating a rise in criminal activity if a highway is put through this subdivision.



[T1-714] Kyle Wood (Ruby Ranch property owner) spoke in opposition to the recommendation. He is concerned about the safety factor of residents coming in and out of their driveways and with kids riding bicycles. [T1-731] Grayden Meyer (Ruby Ranch resident) spoke in opposition to road going through Ruby Ranch because of safety and economic reasons - he suggested moving the highway west of their subdivision. [T1-744] Robert O. Rogers spoke in support of major thoroughfares connecting to Austin, but not through the Ruby Ranch Subdivision. He spoke in support of this connection because of possible need to get to an Austin Hospital for medical attention as quickly as possible. He also spoke of safety factor for children in the subdivision and he asked to put the arterial road in an undeveloped area. [T1-801] Jean Turner (Ruby Ranch resident) spoke in opposition to the roadway through their subdivision. She stated that they chose this location because of the rural setting. [T1-809] Charles Turner (Ruby Ranch resident) spoke of his concerns about proposed roadway because of the investment of residents in their property (would devalue their property) and he is concerned about increased speed limits that would occur (currently @ 35MPH). [T1-837] Jim Corry (Ruby Ranch resident) spoke in support of the transportation plan and he appreciates all the hard work that has been done. He spoke of encouraging desirable development and considering public input. He spoke of Ruby Ranch Road not being designed to handle that type of traffic (bridge is too narrow). He does support extending Ruby Ranch Road to FM150 but only as a neighborhood road. [T1-912] Eric Mendelman (representing Hays County Water Planning Partnership) spoke of mission to maintain quality of life in Hays County and share clean affordable water supplies and an open inclusive process of addressing growth. He spoke of request for more public comment which resulted in public meetings that were held. They feel like the HCWPP will maintain a high level of vigilance regarding any new roads that are planned and sighted over the sensitive aquifer recharge zone. He spoke of points #8 & #9 being positive developments. [T1-987] Mike Dears spoke of Road & Bridge Committee of the Infrastructure Committee looking at this issue and he presented a copy of their 2025 Road Plan and he asked for consideration of that plan. [T1-1042] Brian Dudley (member of Blue Ribbon Committee) spoke of part of the plan being policy recommendations. He stated that a lot of time was spent over the aquifer area and their recommendations deal with providing local access to development over the aquifer - regional access is difficult to develop - any roads should be sensitive to the development and provide for local access to Ruby Ranch. This need to be so that it is not a major highway and we need to work with TxDot in getting part of their funding. [T1-1106] Jack Bauer (Blue Ribbon Committee member / Pct. 2 appointee) spoke of environmentally sensitive area highlighted on the map and predictions done in the late 1980's regarding pumpage from the aquifer. There is an area that suggests that special planning is needed for this area - development can occur there but they should be feeder/subdivision roads and not highways. [T1-1179] Randall Robinson (Blue Ribbon Committee member) spoke of not signing off on the recommendation because of numerous reasons ranging from safety to philosophy. He feels like the proposed recommendations endorse a plan that, in his opinion, endangers the lives of current and future Hays County residents by not providing adequate road infrastructure for safe and expeditious routes for EMS, Fire and Police services, especially as it relates to roadways over the Edwards Aquifer Recharge Zone. He spoke of increased growth and need for upgrade of roadways to handle this growth. He spoke of Austin history showing that growth will occur. He felt like a lot was left undone on this committee and he spoke of need to create a Metropolitan Planning Organization (MPO) in order to get adequate representation. [T1-1255] David Baker (Blue Ribbon Committee member/Pct. 3) supports the recommendations put forth. This committee was very challenged to hear from experts and come up with recommendations in the four months they met. The Ruby Ranch Road was a compromise to create a north/south access (not intended to be a major regional thoroughfare) - the aquifer area must be developed sensitively but the county has limited authority for enforcement. Land use suitability must be the driving force behind any development and the county needs the authority over this. [T1-1313] Commissioner Molenaar spoke of developers meeting with him and he requested that they build a FM road with 100 ft. ROW. He spoke of misinformation that was given regarding connection to Mopac (could not be done because of environmental issues). He spoke of need for arterial road (not major traffic) and it was never intended to put a road through the Ruby Ranch Road and he will not support that recommendation. He stated that we do need a road from FM967 to RM150. Commissioner Carter spoke of need for the Pct. 2 Commissioner to be a part of these discussion since the property lies within her precinct and she feel like there is an alternative motive to move traffic out of Precinct 4 area into Precinct 2 area and she does not buy that. Commissioner Molenaar spoke of voting in 1997 for an Exofficio Road Department which puts a Road Director in charge of the roads and the whole Commissioners' Court and not each Precinct Commissioner. Commissioner Ingalsbe thanked members of the Blue Ribbon Committee for their hard work. She spoke of Loop around San Marcos which she would like to see the alignment stay the way it was planned in the beginning and adopted by the City of San Marcos. She has a meeting with the City of San Marcos and TxDot on Monday and she will get a better understanding at that time of the direction they want to go. Commissioner Carter spoke of it being clear that we cannot go through the subdivision and we need to remove Ruby Ranch Road from the priority matrix and let it remain a neighborhood road. There is a concern for improving the state highways and that should be our priority. Commissioner Burnett agreed that it does not make sense to put a major highway through an existing subdivision and he agrees that we should not make a separate San Marcos plan from what has already been adopted by the City of San Marcos. He spoke of transportation plan adopted in 1990 by the Commissioners' Court and efforts that were made to get state funding. There is never going to be a plan with 100% consensus and he agrees that upgrades to existing state highways is needed. Commissioner Carter spoke of growth in our county and we need to look at greatly upgrading county roads particularly in the high growth areas of the county. [T1-1539] A motion was made by Commissioner Burnett, seconded by Commissioner Carter to adopt the Blue Ribbon Committee's Plan as proposed with the following changes: that the Ruby Ranch Road be eliminated as a major arterial status and be returned back to the original status, if development occurs in that area, as a county collector and also to adopt

the City of San Marcos adopted form so that we have a unified front - knowing that population, expectations, growth trends, demographic changes in the county will make this plan change over time - this is nothing but a plan and environmental issues, growth issues, demographic issues will make this plan a fluid one which will change over time. All voting "Aye".



PUBLIC COMMENTS

ILLEGAL ALIENS – [T1-1628] Steve Mason [T1-1630] read an article in the Free Press re: Sheriff's Dept. concern regarding crimes being committed by illegal aliens and they have gotten no help from the INS (Immigration & Naturalization Service). He feels like local law enforcement can do something about this issue. He feels like INS will do nothing about illegal aliens except for those that are in jail. He feels like the Sheriff's Dept. is not cooperating and is doing nothing about these illegals. He feels like it can be stopped and that federal law allows local authorities to enforce INS laws. [T1-1738] Keith Parker (Wimberley resident) spoke about problem with illegal immigration in Hays County - it is small at this time and he feels like you can do something about it - a local Sheriff/Deputy has the authority to arrest illegal aliens by federal law. He spoke of dollars it cost to support illegal aliens and he urged the Sheriff's Dept. to make the arrests. [T1-1792] Fred Dupuy (Austin resident) stated that he spoke on behalf of people concerned about the illegal alien issue - his quality of life has been compromised because of the situation in Austin - there are many ways this problems can be stemmed with local laws on the book - he wants people to do their job. He spoke of problems with illegal immigration: sex slaves, TB on the rise, dingy fever outbreaks, - he spoke of 1/3 of the murders in Austin involve foreign nationals and he spoke of options available.

DRIPPING SPRINGS RECYCLES - [T1-1873] Marianne Simmons spoke regarding Dripping Springs Recycles. She gave an update on opening recycling in Dripping Springs - all the goals presented at previous meetings are under way or beginning. She spoke of brochure created and she spoke of other efforts in cleanup and events. Ms. Simmons spoke of having a full staff of volunteers to operate the recycling center. She thanked Commissioner Molenaar and staff for their efforts in this endeavor. They are not dealing with cardboard because it must be compressed and baled before it can be picked up. Commissioner Molenaar spoke of landscaping and he thanked Marianne for her efforts.

WATER ISSUES - [T1-1972] Jim Camp, newly elected Director on Barton Springs Edwards Aquifer Conservation Board, spoke of voter turn out for that election which he feels is a genuine interest in conserving, protecting, and enhancing the waters of the aquifer in overall growth and development issues. He offered to work with the Commissioners' Court on behalf of all aquifer users in Hays County. He stated that the press has misrepresented his views on surface water – he is not opposed to surface water as long as the local communities, their elected leaders, and the water agencies discuss the cost for infrastructure and water delivery. He has had opposition to the placement of the LCRA pipeline before a full environmental study is done in the contributing zone. In light of the situation in Sunset Canyon, he is more open minded about the delivery of water to people as the environmental impact statement is being done. He stated that he is available any time, any day, to meet with the court to find ways to conserve and enhance the water in the aquifer and to supplement usage in northern Hays County with surface water. Judge Powers congratulated him on his victory and he stated that the court would be interested in his comments.

18665 APPROVE THE COMMISSIONERS' COURT MINUTES OF MAY 9, 2000

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of May 9, 2000. All present voting "Aye". Commissioner Burnett was not present.

18666 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve payment of county invoice in the amount of \$ 145,538.44 as presented by the County Auditor. All present voting "Aye". Commissioner Burnett was not present.

Fines	\$ 349.16	Auditors Office	\$ 358.38	Treasurers Office	\$ 126.19
Extension Office	\$ 537.44	Grants Admin	\$ 162.60	Election Admin	\$ 6,991.47
Indigent Care	\$ 63.38	Bldg Mtc. Dept	\$ 11,983.67	Environmental Health	\$ 301.60
Civic Center	\$ 1,060.81	Countywide Oper	\$ 27,821.58	District Clerk	\$ 730.43
County Clerk	\$ 1,498.44	Sheriffs Office	\$ 9,366.05	Jail Operatons	\$ 1,468.22
County Judge	\$ 21.43	District Attorney	\$ 248.00	J.P. 1-1	\$ 71.98
J.P. 1-2	\$ 192.20	J.P. 2	\$ 92.30	J.P. 3	\$ 143.70
J.P. 4	\$ 34.00	J.P. 5	\$ 163.26	DPS	\$ 62.68
Constable 4	\$ 33.45	Constable 5	\$ 232.57	District Court Oper	\$ 1,877.69
Co & JP Court Oper	\$ 65.00	Veterans Admin	\$ 19.11	Computer Services	\$ 2,903.10
DPS/L&W	\$ 421.29	Fire Marshal/EMC	\$ 30.20	TABC Office	\$ 44.25
District Court Reporters	\$ 77.96	TJPC CCAP Grant	\$ 23,808.00	Assoc Judge/Fam Law	# 28.95
Comm Court Expenses	\$ 88.96	911 Addrs Mtc	\$ 114.73	General Fund Credit	<\$150.10>
Precinct 1	\$ 176.82	Precinct 2	\$ 44.03	Precinct 3	\$ 284.82
Road Reconstruction	\$ 70.41	County Eng Ofc	\$ 387.49	R&B Gen Fund Credit	< \$293.33>

Sheriff Abandon Veh	\$ 240.00	Rec Mng/Co Clk	\$ 704.47	Health Svcs Grants	\$ 427.90
Law Library Fund	\$ 1,547.16	Sheriffs Drug Forf	\$ 1,697.10	Family Health Svcs	\$ 1,005.99
Ace in the Hills Grant	\$ 184.77	Tobacco Settlement	\$ 342.16		

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 16, 2000

□□□□□

□□□□□

VOL R PG 709

18667 APPROVE BUDGET AMENDMENT #00-22 & #00-22A

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Budget Amendment #00-22 and #00-22a as proposed by the County Auditor. All present voting "Aye". Commissioner Burnett was not present.

					AMENDMENT NO. <u>00-22</u> FY 2000 BUDGET <u>05/16/00</u>
FUND NO. <u>01</u>					
FUND TITLE <u>GENERAL FUND</u>					
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS	
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>	
CONSTABLE 1 (431):					
01-431-5715 Communication Equipment <i>Upgrade broadcast antenna</i>	-0-	400		400	
CONSTABLE 2 (432):					
01-432-5391 Other	100	400		500	
CONSTABLE 3 (433):					
01-433-5717 Law Enf Equipment	-0-	400		400	
CONSTABLE 4 (434):					
01-434-5391 Other	125	400		525	
CONSTABLE 5 (435):					
01-435-5212 Postage	500	400		900	
	<u>REVENUE</u>	<u>DECREASE</u>	<u>INCREASE</u>		
01-367-3430 Law Enf Contrib	-0-	_____	<u>2,000</u>	2,000	
		<u>2,000</u>	<u>2,000</u>		
<i>Budget Constables' donation to each department; Law Enf Day donation (Sac-n-Pac)</i>					
					AMENDMENT NO. <u>00-22-A</u> FY 2000 BUDGET <u>05/16/00</u>
FUND NO. <u>01</u>					
FUND TITLE <u>GENERAL FUND</u>					
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS	
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>	
NRCS/DAM 5 SITE GRANT (723):					
01-723-5621 Engineering	-0-	12,600		12,600	
01-723-5611 Construction	-0-	<u>67,400</u>		67,400	
		<u>80,000</u>			
	<u>REVENUE</u>	<u>DECREASE</u>	<u>INCREASE</u>		
01-381-2723 Fed NRCS Dam 5 Grant	-0-	60,000		60,000	
01-384-2723 State FEMA/Dam 5 Grant		-0-	10,000	10,000	
01-392-0003 TRF Match Frm R&B General	-0-	<u>10,000</u>		10,000	

80,000

FUND NO. 03

FUND TITLE ROAD & BRIDGE GENERAL FUND

<u>LINE ITEM – EXPENDITURES</u>	<u>AMENDMENT</u>		<u>DECREASES</u>	<u>APPROPRIATION AS AMENDED</u>
	<u>BEFORE</u>	<u>INCREASES</u>		
OPERATIONS (438):				
03-438-5454 Dam Maint	10,000		(10,000)	-0-
03-438-5901 TRF Match to Gen Fund Dam Site 5	-0-	10,000		10,000

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOL R PG 710

□□□□□

□□□□□

MAY 16, 2000

18668 APPROVE REFUND OF DOUBLE PAYMENT/OVERPAYMENT OF TAXES

Tax Assessor-Collector Luanne Caraway submitted the following application for refund of double payment of taxes: Willow Creek Section 5 Lot 233 in the amount of \$2,201.97. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve refund of double payment/overpayment of taxes as submitted by the County Tax Assessor-Collector. All present voting "Aye". Commissioner Burnett not present.

Clerk's Note: Agenda Item #9 regarding expenditure of \$250 to the Hays County Parks Board for a Facilitor was pulled. No discussion and no action was taken.

18669 GREAT HILLS PHASE 2 * FINAL PLAT APPROVAL POSTPONED

[T1-1594] Jane Marshall, resident of Railyard Subdivision, asked that Phase I be completed before Phase II of Great Hills Subdivision is approved. [T1-2053] Environmental Health Director Allen Walther spoke of seeing and approving the preliminary plat some time ago and Phase 2 [45 lots] is proposing to create lots using access by Railyard Drive (one of 3 roads constructed when Railyard Subd was developed). He stated that we need to make sure that the interest of residents is protected. Great Hills Developers have considered the construction status of Railyard Drive (needs to be upgraded). Mr. Walther feels like the developers have satisfied the requirements for access, roadway widths, and construction standards. The Railyard Subdivision roads were dedicated to property owners and ownership was retained by the original developer Robert Mayo. Commissioner Carter spoke of Secton 6.5 (pg 21) of the county rules and regulations for development - she felt like there are no provisions for ownership of a road to be retained by the developer (homeowners association or the county). She feels like there are issue outstanding at this time and she suggested no action this date. Attorney Mr. Brooks spoke of Pg 26 Sec. 8.1 speaking to maintenance of roads and he spoke of roads dedicated to the property owners. Commissioner Carter spoke of letter sent to the school district giving permission from the homeowners to use these roads. Attorney for Developer Chris Boldt spoke of preliminary approval and requirements to notify him of problems within 10 days - he spoke of Railyard Drive that was stubbed out for future development - he was not aware until this date that there was a problem with using Railyard Drive. He spoke of having complied with all that was asked from county staff – the developer of Great Hills is not required to upgrade this roadway. He spoke of bond that was put up by Railyard Developer Robert Mayo to build roads - bond lapsed and roads were not built up to county standards. Great Hills Developer is willing to upgrade pavement of Railyard Drive (as a gift) - they have complied with the rules and regulations and are asking for approval of the final plat. [T1-2412] Allen Walther stated that based on fact that Railyard Drive is being brought up to county specifications and the other issues regarding access and the rest of the subdivision , staff believes that this development meets county requirements for final plat approval. Interim Special Counsel David Brooks spoke of having examined the plat of the Railyard Subdivision and the county rules and regulations and having discussions with staff and opposing counsel, he sees nothing that stands in the way of county approving the Great Hills plat. [T1-2451] Carlos Mireles (resident of Railyard Subd) spoke of his kitchen door sitting 30 feet from the roadway and he is concerned about drainage onto his property and the widening of this roadway. He spoke of people walking on this roadway and his concern about safety issues. Allen Walther advised that there are no plans to expand the R-O-W, they will be using the existing R-O-W as shown on the plat. Commissioner Carter spoke of roads deteriorating from increased traffic and she would like to look into these issues. She does not feel like the Local Government Code is being followed to the T. [T1-2572] A. J. Shelton (resident on High Road) spoke of Railyard Road not being up to county standards and he asked that the road be fixed. He would like for new construction to be stopped until old construction is fixed. [T1-2616] Michelle Mendoza (resident of Railyard Subd) spoke in opposition to the Great Hills development. She spoke of Great Hills developer continuing to develop regardless of rules and rights of others. She spoke of other problems encountered by this new development and she feels like 60 ft. R-O-W is not sufficient for the amount of traffic that will occur. Mrs. Mendoza asked for postponement at this time. Commissioner Carter stated that she would like time to talk to Attorney David Brooks. A motion was made by Commissioner Carter to table action at this time. Motion died for lack of a second. Commissioner Carter spoke of need to determine status of this road - is it private or public – and

to carefully consider this issue. Jane Marshall [T1-2800] spoke of homeowners being strongly concerned about what is going to take place in their subdivision and they are working to create a homeowners association (\$10 per month is currently being collected by someone) and they feel like they have been violated since day 1 and they do not want to continue being violated. Commissioner Carter spoke of condition of roads in the Railyard Subdivision. Mr. Brooks [T1-2906] spoke of Sante Fe Run being a privately maintained road and approval of this subdivision cannot be based on the poor maintenance of that road. Allen Walther spoke of proposed two entrances which will be required to handle full build out of the proposed development. Michelle Mendoza spoke of her impression that the new proposed roadway (2nd entrance) was not going to proceed. Judge Powers spoke of being concerned about the time line and he is concerned about the citizens - he agrees that we need more time. Allen Walther advised that they have done their job and a delay of one week will not be in violation of the law. Judge Powers suggested postponing this issue for one week. Attorney Chris Boldt advised that he will discuss future development but he does not see a need to postpone Phase 2. He stated that the developer has complied with the rules and he deserves to have this phase approved. Commissioner Carter wants to look at the county's liability in the bigger picture. Commissioner Burnett asked if a secondary access to not available, then further development could not occur. David Brooks advised that he would provide in writing (per request of Judge Powers) his opinion that the statute provides that the county is under a duty to approve this if the applicant has submitted everything that the county has asked for. Commissioner Molenaar spoke of staff and attorney that agree that this phase of the subdivision have met all the requirements of law and he think it is wrong to keep this going. A motion was made by Judge Powers, seconded by Commissioner Burnett to recess and have staff, attorneys, developer to attempt to resolve issues and come back to court @ 2:30 pm for action. All voting "Aye". **Court recessed at 12:10 and reconvened at 2:30 p.m. Commissioner Carter was not present.** A motion was made by Commissioner Molenaar, seconded by Judge Powers to postpone action until next week. All present voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 16, 2000

□□□□□

□□□□□

VOL R PG 711

18670 THE SANCTUARY * APPROVE FINAL PLAT [T1-3396]

Environmental Health Director Allen Walther gave staff recommendation for approval of final plat. A motion was made by Judge Powers, seconded by Commissioner Molenaar to approve final plat of "The Sanctuary". All voting "Aye".

18671 OAKMONT ESTATES PHASE I * GRANT A VARIANCE FROM MINIMUM LOT FRONTAGE REQUIREMENT AND APPROVE FINAL PLAT [T1-3415]

Environmental Health Director Allen Walther advised that they don't meet minimum lot frontage requirements, however, they have satisfied all safety and engineering concerns by providing dual access driveways to be shared. He gave staff recommendation for approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to grant a variance from minimum lot frontage requirement and approve final plat of "Oakmont Estates Phase I". All voting "Aye".

Clerk's Note: Agenda Item# 13 Re: Resubdivision of Lea Acres Lot 30 & Agenda Item #14 Re: Resubdivision of Douglas Estates Lot D-3 were pulled from the agenda for consideration at a later date.

18672 RELEASE CONSTRUCTION SECURITY FOR ROADS IN "LA VENTANA PHASE I SECTION I" [T1-3462]

Environmental Health Director Allen Walther advised that the road department has approved road construction and are recommending release of fiscal security. The roads are private with no maintenance security required. Commissioner Carter spoke of getting commitment that these will never be county roads. Allen Walther spoke of this being a phased development agreement approved by the court. Commissioner Molenaar advised that we can't put a stipulation like that on a subdivision - roads must be accepted for county maintenance upon request unless they do not meet county specifications. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to release the road construction security for roads in "La Ventana Phase I Section I" subdivision. All voting "Aye".

18673 2000 GRIEVANCE COMMITTEE SELECTION

Judge Powers selected the following for service on the grievance committee by random drawing of the 1999 Grand Jury Pool: Jim Shepperly, Nancy Hemp, William Wyatt, Rojelio Barrios, Judy Kathryn Hudson, & Juan Munoz

18674 ACTION TO HAVE THE PERSONNEL POLICY COMMITTEE EVALUATE THE POLICY REGARDING USE OF CERTAIN COUNTY VEHICLES OUTSIDE HAYS COUNTY [T1-3759]

Environmental Health Director Allen Walther requested clarification on information he received from the personnel office regarding understanding that new hires would be subject to the new policy. Personnel Coordinator Britney Richey advised that this issue only affects the Code enforcement Officer and Sheriff's Dept. Detectives - these are

cases where an exemption would be requested. She felt like we should honor a contract that has already been arranged with an employee. Allen Walther advised that he has Sanitarians that were hired with the stipulation that they take vehicles home outside the county. Commissioner Carter feels like it is costly to take vehicles out of county. Commissioner Molenaar feels like it should be the Sheriff's discretion to let his employees take unmarked vehicles out of county. Britney Richey spoke of need for clarification from the court regarding this new policy. Chief Deputy Ramsay Garza spoke of not allowing marked vehicles out of county - they do allow Administrative Personnel and Detectives to take unmarked vehicles out of county (only 4 live out of county). Commissioner Burnett spoke of need to have new hires live within the county - he does not feel it is unreasonable to ask new employees to move to this county if they want to work here. Ramsay Garza spoke of limiting quality personnel by requiring them to live in Hays County. Allen Walther felt like it is important for the Code Enforcement Officer to be exempt and he asked for clarification for the other employees. Commissioner Ingalsbe stated that she would like to talk about this a little bit more because that was not an item the committee discussed - to grandfather that. Commissioner Burnett felt like the court should grandfather all the people that are currently employed with the county and any future hires should be requested to live inside the county if they want to drive a county vehicle home. Britney Richey spoke of need to notify current employees of changes and new hires will be made aware before the accept employment. A motion was made by Commissioner Burnett, seconded by Judge Powers to have the Personnel Policy Committee discuss and evaluate the policy regarding use of certain county vehicles outside Hays County and come back to the court with a recommendation. Commissioner Ingalsbe, Commissioner Carter, Commissioner Burnett, and Judge Powers voting "Aye". Commissioner Molenaar voting "No".

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOL R PG 712

□□□□□

□□□□□

MAY 16, 2000

18675 ACCEPT BID OFFER AND AUTHORIZE JUDGE POWERS TO EXECUTE THE DEED FOR RESALE OF PROPERTY HELD IN TRUST TO MANTICORE, INC. [T2-110]

Tax Assessor Collector Luanne Caraway advised that this is the same property that was before the court last week for permission to inspect it for environmental problems. We now have a \$60,000 bid on the property which is more than 100% of the taxes and court cost due. She supports acceptance of bid and authorization for deed. A motion was made by Commissioner Carter, seconded by Commissioner Burnett to accept bid offer from Manticore Inc. in the amount of \$60,000 for property held in trust (Pt. Lot 4 & 6 Blk 1 B. F. Donaldson) and to authorize Judge Powers to execute the deed. All voting "Aye".

18676 CALL FOR A PUBLIC HEARING ON MAY 30, 2000, IN ORDER TO MODIFY TRAFFIC REGULATIONS FOR ELLIOT RANCH ROAD [T2-130]

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to call for a public hearing on May 30, 2000 in order to modify traffic regulations for Elliot Ranch Road. All voting "Aye".

18677 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON COUNTY ROAD 348 (HARMON HILLS ROAD) AND BREED ROAD [T2-136]

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to call for a public hearing on May 30, 2000 to establish traffic regulations on CR348/Harmon Hills Road and Breed Road. All voting "Aye".

EXECUTIVE SESSION PURSUANT TO SECTION 551.074 TO REVIEW AND CONSIDER APPLICATIONS FOR THE POSITION OF CIVIC CENTER MANAGER.

The court convened into closed executive session to review and consider applications for the position of Civic Center Manager. Upon completion of the closed session, the court reconvened into open meeting. Judge Powers advised that this item will be placed back on the agenda next week. No action this date.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 16th DAY OF MAY, 2000.

JAMES L. POWERS, COUNTY JUDGE
HAYS COUNTY, TEXAS

LEE CARLISLE, COUNTY CLERK
HAYS COUNTY, TEXAS

