



STATE OF TEXAS □
COUNTY OF HAYS □

ON THIS THE 30rd 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. Commissioner Carter led the Court in the Pledge of Allegiance to the Flags.

PRESENTATION OF EMPLOYEE SERVICE PINS

Road Supt/Engineer Jerry Borchering presented a 10 year service pin to Ricky Gann. Other county employees (not present) to receive service pins were Jo Ann Prado – 15 years (District Clerk's office), Andy Lerma – 10 years (Civic Center), and Billy Kniffen – 5 years (Co. Extension Agent).

18692 ACTION REGARDING THE 2025 TRANSPORTATION PLAN [T1-41]

Roger Kew (Colony Road resident) spoke of it being the duty of the people to be interested and to let their opinions be known. Many times misunderstandings come about due to fears of the individuals concerned and he feels like there has been a lot of fear within the community of Hays County – fear because they are not sure what is happening in our lives and what is taking place that is affecting our homes and our environment. He spoke of the 2025 transportation plan and the positioning of the roadways being controversial. He spoke of opposition to the plan drawn up by Prime Strategies. He spoke of increased traffic and subsidizing developers. He spoke of meetings and blue ribbon committee that was created to address the issues and he feels like it has all been to naught. The citizens are opposed to the multi-lane highway across the aquifer. Mr. Kew presented a letter from Michael Kannon – it read as follows: "I am strongly opposed to the illegal changing of the road plan. It is irresponsible to put a four lane highway over the Edwards Aquifer. The Blue Ribbon Panel approved an appropriate plan that we should abide by." [T1-106] ACC Professor of Biology Terry J. Shaw (Crystal Creek Trail resident) spoke of her impression that the plan was to move the roadway off the Edwards Aquifer. She spoke of research in regards to sink holes in Austin (one @ Bowie High School) in which dye was injected in several locations in that area and it took 2 ½ days for that dye to reach Barton Springs. She feels like it will be damaging to the environment and will cost the taxpayers more money to build this roadway because of environmental concerns that will need to be addressed. She asked who will benefit from this plan? [T1-162] Jeanine Christensen (Crystal Creek Trail resident) advised that she does not want a four-lane road through the Rutherford Ranch connecting RM967 to SH45. She is disturbed by the process by which the road plan was changed back to a four-lane highway in violation of the Blue Ribbon Committees Road Plan adopted by the Court on May 16th. She stated that a Houston Developer (Cypress Realty) signed papers to buy 2700 acres of the Rutherford Ranch on the same day as the road plan was altered. She opposes the roadway plan as it currently stands because she does not want her tax dollars to fund sprawl, increased traffic, traffic noise, traffic pollution, light pollution, negative impact on wildlife on Rutherford Ranch, and the impact on the water supply of the Edwards Aquifer Recharge Zone. [T1-186] Margaret Baacke spoke in opposition to plan submitted for a four-lane highway over the Edwards Aquifer recharge zone and through subdivisions. She insisted that the plan should not be altered from the road plan agreed upon by the Blue Ribbon

Committee. She presented a letter voicing her concerns to the court. [T1-251] Sharon Michaelis (FM150W resident) read a letter she submitted to the County Judge this morning regarding a future roadway that would bisect their ranch property. Her husband was assured by the court on May 23rd that no such route would be approved by the county unless their family wanted a road through their property. She spoke of dotted lines that have appeared on their property in this plan and on earlier plans. She spoke of a 2 ½ year battle that was fought in the past and she does not trust dotted lines. She spoke of having already subdivided their land and plans to do so in the future – subdividing a ranch means to cross-fence and add water pipelines and watering in order to better rotationally graze available grasses – because they derive 100% of their income from the land, it is imperative that they constantly improve its productivity and protect it from environmental hazards. Knowing the dotted line exists has created a psychologically and physically incapacitating atmosphere in which to work towards the future. Her family is requesting a written statement from the Commissioners' Court assuring them that present and future county government will never initiate a road or any other project through their property unless they approve such plan. They also requested that all maps, plans, plats, or any other documents that existed in the past, exist now, or will exist in the future that were forwarded, or will be forwarded, to any other planning agency in the State of Texas be expunged so that the dotted line representing a subdivision, county, state, or other roadway through our property. They request that they receive some written assurance from the Court that this process will commence and further proof of its

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completion. [T1-331] Ernest Murry (member of the Blue Ribbon Committee) stated that he did not sign the recommendation because he felt like it failed to acknowledge the existence of the 2025 multi-corridor transportation plan, except in name. He spoke of threats to sue the court because they did not accept the recommendation of the committee, or perhaps will alter that recommendation - it was only a recommendation and not a legal requirement on Commissioners' Court. He stated that he has a problem with the report in that it gives no clear guideline where the committees recommendation may be in conflict with the original 2025 plan, consequently the committee has remained silent on many aspects of the original 2025 plan and many points in the original plan are repeated for no apparent reason. He spoke of the shaded area being understood as only a general demarcation area and not be consistently expanded, as was attempted to be done in committee – under that understanding a major arterial highway in this area is still possible and certainly worth planning for. A properly planned roadway could be constructed – the alternative is to follow the lead of Austin, which is too little too late. He felt like the recommendations are too vague to be of any specific views, they are overly broad and non-descriptive (ie urban sprawl and scenic view shed) and too open to be of any practical use. He spoke of addendum to the original 2025 plan that was supplied to the committee, and available at public hearings, reads that the plan includes only general depiction of where roadways may be needed and are not sight specific. [T1-404]

Commissioner Carter spoke of court adopting the Blue Ribbon Plan on May 16th with two changes – we cannot re-fight the battle, we just have to correct the map. [T1-415] Terri Wimmer (representing the Ruby Ranch Homeowners Association) asked for clarification of the red dotted line on the map. Commissioner Burnett spoke of original 2025 transportation plan that Prime Strategies put together there were numbers assigned to each road designating 4 lane or 2 lane. The Blue Ribbon Committee had taken those roads off so any roads on the plan are not specific to 4 lanes or 2 lanes. The red line indicates a possible roadway (dotted or red) and does not mean it's a 4 lane. He stated that the Blue Ribbon Committee recommended extending Escarpment down through the recharge zone to RM967. The court agreed on May 16th that road needed to be extended but not where it connected to RM967 at Ruby Ranch, therefore, they moved Ruby Ranch Road back to its original designation (a 2 lane roadway) - because it is red does not make it a 4 lane roadway. The problem was where it intersected with RM967 – not at Ruby Ranch – therefore it went back to its original alignment. Alignment will be dictated by future development. He spoke of other roads that are red on the map. Discussed legends on maps showing priority roads. Mrs. Wimmer spoke of there possibly being more than one map being passed around and people are concerned. Elizabeth Sumter (Wimberley resident) spoke of concerns of citizens, which seems to be dismissed by the court - the court needs to share information they know with concerned citizens so they we can all be on the

same page - we cannot work together if you do not provide us with information and listen to constituents. [T1-522] David Baker (Blue Ribbon Committee member) spoke of charges of the committee - spoke of recommendation of the committee and action taken by the court. He stated that the majority of the public comments he heard and read were in opposition to the proposed major corridor across the water supply of over 40,000 people over the recharge zone. He did not hear in the court's action on May 16th that Proposal #1 would be returned to its status. He feels like the committee recommendation should be recognized and implemented. Commissioner Burnett stated that the shaded area needs to be included on the map but the recommendation was to extend the escarpment to RM967 completely over the recharge zone. Mr. Baker advised that the recommendation that the road system layout occur in one of two ways - roads should not be made for arterial highways but to provide primary access to new development. He spoke of need for the shaded area to appear on the map. [T1-598] Jacque Glomb (Hays County Oaks resident) spoke of Blue Ribbon Committee Plan that was adopted - she got her map from the CAMPO office and did not see what she had saw in Commissioners' Court on May 16th. She spoke of article in the Austin American Statesman on May 17th referring to Commissioner Burnett's part on the Capital Area Group that will be reviewing this. She felt like there were contradictions in this article on what Commissioner Burnett said: (1) the plan will be flexible and growth and demographics will determine where the county builds roads (2) the plan simply tells developers where officials expect development. She hopes we will determine where development will occur and that development will not determine what we do. [T1-646] Brian Dudley (Blue Ribbon Committee member) spoke of working hard to try to deal with the area over the recharge zone - it was difficult to try to be precise. He spoke of recommendation #9 which indicated that new roads serving this area should not be major arterial highways but rather primary access to new development within the sensitive area. The road system layout for this area can occur in one of two ways: (1) provide a new north south corridor which serves new localized development and limits its traffic needs to use adjacent arterial highways (2) to continue serving discrete portions of the area by local collector roads that connect to nearby arterial highways. He feels like the road through Ruby Ranch and roads through the Rutherford Ranch area should be designated the same (as county collectors). [T1-707] Michael Thames, Developer of Ruby Ranch Subd., feels like their questions have been answered regarding Ruby Ranch. They did not like where the Blue Ribbon Committee put the north south connection since their road will be a subdivision road - it needs to go farther west where development is going to occur. [T1-728] Deborah Aker asked to give Erin Foster her time. Erin Foster stated that Commissioner Burnett violated the law, he changed a government document and passed it off to CAMPO and he got caught. She stated that "It is time for you people to realize that we are not going to put up with this, so I urge you to carefully consider your vote today, because by voting for the new changed plan you reveal yourself as being part of the conspiracy that was planned". She urged all the citizens in Hays County to take back their county from these politicians that only have some other thing in mind. She stated that "it must be worth quite a bit to be willing to go to jail for". She urged the county DA and the county Sheriff to press criminal charges. Judge Powers advised Mrs. Foster to talk about the plan, but to make threats is out of order. [T1-756] Elena Michaelson (resident of Concord Circle) spoke of wanting to preserve her peaceful environment - she is not opposed to growth - she would like an environment that we can all be proud to be in and can thrive in. She wants everyone to work together and listen to concerns.

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[T1-784] Judy Carr, Chairman of the Blue Ribbon Committee but speaking today representing herself since the committee is no longer meeting, spoke of task of the committee was to review and make recommendations - it was never any guarantee that any of those recommendations would be adopted. She spoke of changes made on May 16th to the Blue Ribbon Committee recommendations: the San Marcos Loop was changed back to the original alignment and the road running from FM150 through Ruby Ranch was reinstated to its original status. Other changes will eventually need to be made: a specific alignment to the Wimberley By-Pass will need to be added and the San Marcos Loop will have to be re-aligned because it does go through the newly built water treatment plant. If and when the road through Ruby Ranch is ever extended to FM150 to the south, the alignment will be moved to accommodate the Michaelis Ranch. She stated that the problem with the action on May 16th was that there was no mention of what would happen to the northern extension of the road connecting to Possible #7 and to Escarpment - since no clarification was asked for, we all made assumptions. When the map was corrected to show the changes the differences in assumptions were realized. She spoke of driving down FM1826

and seeing that land is being cleared and signs posted that a subdivision is being planned for the lower portion of the Rutherford Ranch - a ranch is going through a portion of the recharge zone of the Edwards Aquifer whether anyone likes it or not, it is a fact and there is nothing we can do about it. She does not feel like two roads are needed going from RM967 up to Possible #7 and Escarpment – showing the road extension north going from the Ruby Ranch entrance is not going to eliminate the road going through the Rutherford and the Lloyd tract. She feels like it is up to the Commissioners' Court to decide what route the road should take, then it is going to CAMPO and TxDOT and at any time they can make changes as to where this road will go. She would like to see the shaded area put back on the map so that environmental precautions can be taken and concerns addressed.

[T1-848] Judge Powers made a motion to ratify the court's action regarding the 2025 transportation plan adopted on May 16, 2000 with exception of red line be clarified as a two lane road instead of a four lane road and put the shaded area back in. Commissioner Burnett spoke of previous action was to return Ruby Ranch Road back to its original status (2 lane roadway). Commissioner Carter spoke of original map showing a red line as a priority corridor and here it shows it as a major corridor - there is no definition of a county collector on the legend we adopted. She read from the minutes of May 16th – she felt like there was agreement that Ruby Ranch Road would be a black line with no more dotted lines. She felt like the court needs to affirm what was voted on and get the corrected map to CAMPO by June 5th. She felt like corridor #1 needs to be left as it was and not change it. She is distressed that she and her constituents did not understand the map that went to CAMPO being the one we voted on – it might be a difference of interpretation. [T1-938] Commissioner Molenaar spoke of his understanding being that it was the intent of the court to put Ruby Ranch Road back to its original form and move the other road back. Commissioner Burnett read action taken to return Ruby Ranch Road back to its original status. Judge Powers motion was seconded by Commissioner Molenaar. Commissioner Carter feels like this action will cause a great deal of upheaval in the community and she doesn't think it is exactly what was voted on – only 2 changes were made and we have to honor what we voted on. She spoke of this all taking place in Pct. 2. Commissioner Ingalsbe spoke of it being clear that Ruby Ranch Road would be a 2 lane roadway and the 967 escarpment was always on the plan and the original alignment shown on the map was never removed. She sees no problems with moving Ruby Ranch Road back to a black line (existing roadway). Judge Powers amended his motion to change Ruby Ranch Road from a red line to a black line road. Commissioner Carter stated that an extension of that road is not needed through the Michaelis Ranch. [T1-1028] Judge Powers reiterated his motion to ratify the courts action regarding the 2025 Plan which was adopted on May 16th to clarify that it is not a four lane but a two lane road and also to clarify the shaded area, and to furthermore clarify that the existing roadway of Ruby Ranch Road is to be a black line. Commissioner Molenaar spoke of Corridor #1 from SH45 to RM967 is not to go into Ruby Ranch - shaded areas need to be included. Commissioner Carter spoke of no extension of Ruby Ranch Road – she suggested leaving Corridor #1 as recommended. Commissioner Burnett asked if motion was to ratify the plan we sent to CAMPO and clarifying that Ruby Ranch Road is a 2 lane roadway and that the green portion of the shaded area be included on the plan per the committee recommendation, which it should be, and that the existing portion of Ruby Ranch Road should be a black line? Commissioner Carter spoke of Ruby Ranch Road being a neighborhood road as agreed to. Judge Powers and Commissioner Molenaar withdrew their motions and the court recessed into executive session to discuss the possible lawsuit and litigation with the Hays County Water Planning Partnership [T1-1160] Upon completion of the closed session, the court reconvened into open meeting. Judge Powers made a motion to ratify the courts action adopted May 16, 2000 but to clarify about the two lane road and not the four lane road, seconded by Commissioner Molenaar. Commissioner Carter spoke of different interpretation of the map and she spoke of minutes of May 16, 2000. Commissioner Molenaar presented the map being adopted to the County Clerk for the record and future reference. Commissioner Molenaar, Commissioner Burnett, Judge Powers, and Commissioner Ingalsbe voting "Aye". Commissioner Carter voting "No". [T1-1215] A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to change red line on Ruby Ranch Road to a black line (existing roadway) and to remove the dotted lines (extension). All voting "Aye". A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to put shaded area back on the map (there was no intent for it to go away). All voting "Aye".



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18692 EXECUTIVE SESSION TO MEET WITH LEGAL COUNSEL TO DISCUSS HAYS COUNTY WATER PLANNING PARTNERSHIP V. HAYS COUNTY and ACTION TO HIRE AN ATTORNEY

The Court convened into closed executive session to meet with legal counsel to discuss lawsuit re: Hays County Water Planning Partnership v. Hays County lawsuit. Judge Powers stated that it disturbs him greatly that it seems like every time the court tries to do something that is best for the county we get threatened by a lawsuit. He stated that he got a note from the Hays County Planning Partnership that basically tells me that if I drop the plan they will drop the lawsuit. He stated that he was not elected to be manipulated by any group of people – he wants to do what is right for Hays County and what is in the best interest of Hays County. He stated that he is concerned about the environment, he is not cutting a deal with the developer -even though Erin thinks he is-, he is not a developer and he did not run for this office to make money. He is here because he wants to serve the people of Hays County. His family and his friends have questioned him because of the publicity that is so unfair. He stated that you might not agree with his political philosophy - he wants to do a good job. He read the note that was handed to him from the Hays County Water Planning Partnership *“Lawsuit last Thursday can be dropped if the original May 1, 2000 map is approved with changes already made. If approved, the changes are to be made in court – signed Erin Foster, Hays County Water Planning Partnership”* [T1-1302] A motion was made by Judge Powers, seconded by Commissioner Molenaar to hire Attorney Jennifer Riggs to discuss what the courts action needs to be regarding this lawsuit. All voting “Aye”.

18693 NORTHRIDGE SUBDIVISION * ACTION POSTPONED ON PRELIMINARY PLAT

[T1-1325] Attorney Jim Duvall appeared representing adjoining property owner Doug Cones and spoke of two aspects he wants the court to consider: (1) water availability – he stated that he has read the report and does not feel it is a reliable study (referenced paragraph 2.0 pg 3 of the summary) The county ordinance is to preserve and protect the water resources. He questioned the reliability of the test due to statement regarding the variable geology - a test well and the monitor well were close together - no testing was done in other parts of the subdivision - a thunderstorm was occurring during the test and pouring water into their monitor well and actually brought the static water level up from what it was when they started. He feels like more study needs to be done - only 1 monitor well was tested, there are nine wells within one thousand feet, however, no others were monitored. He spoke of there not being adequate water in the area and one of the wells within 1,000 ft. has already gone dry (owned by Rick Miller). He requested another test using the other wells in the area. [T1-1489] Richard Norton (speaking through an interpreter using sign language) advised that he lives across the way from this development and he is concerned about water availability. He is very concerned about 50 more lots in the area. [T1-1511] Mike Cosgrove (representing the Madrone Ranch Subd. POA adjacent to this development) spoke of their main concern being water availability. They feel like the test done was an invalid test and they would like other wells in the area monitored (other than the 9 mentioned). They feel like 50 additional wells would be excessive to the area and too much a strain for the aquifer. Mr. Cosgrove asked that their organization be contacted of the new test results. [T1-1550] Wayland D. Clark stated that he appreciates comments by Judge Powers earlier. He spoke of severe deterioration of roadway and possible improvements to be made to it - you can fix roads but you cannot fix the water situation. He spoke of septic systems that have been put in without plat approval. He feels like the people should dictate where we build roads and not development. [T1-1597] Jim Duvall spoke of easement on the east side of the subdivision that has not been surveyed - it is an existing roadway (50') and should be surveyed. [T1-1613] Robert Wade spoke of having his surveyor and water quality experts available. Steven Vaughn spoke of 24 hour test that was performed - there was a thunderstorm that occurred 5 or 6 hours after they started. Environmental Health Director Allen Walther spoke of road that fell within some of the lots and staff has asked the property owners to submit a revised plat in which the road was surveyed and the plat was amended and lots now fall outside of that roadway. He spoke of amended report that was submitted – county rules do not require monitoring of all the wells in the area. Allen Walther spoke of

assessment based on the test and monitor wells. He spoke of our rules not requiring monitoring of all wells within the 1,000 ft. area. *Clerk's Note: Letters of Opposition were submitted by Joe Latteo, Joseph Posani, Sharon Russell, Marjorie & Newton Hammet, and Dave Pope.* A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to postpone action on Northridge Subdivision at this time. Commissioner Molenaar stated that he would like to meet with the developers and others to discuss this matter in his office in Dripping Springs. Wade Bradford read from the county rules regarding Article P and draw-down affects on other wells - he is located within 1,000 feet of this subdivision. All voting "Aye".

18694 PUBLIC HEARING AND ACTION TO RE-ESTABLISH TRAFFIC REGULATIONS ON ELLIOTT RANCH ROAD [T1-1770]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Commissioner Carter spoke of request to establish traffic regulations on Elliott Ranch Road - change from 40MPH to 30MPH - to make consistent with neighborhood. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to re-establish traffic regulations: reduce speed limit from 40MPH to 30MPH on Elliott Ranch Road. All voting "Aye".

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18695 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON COUNTY ROAD 348/HARMON HILLS RD. & BREED ROAD [T1-1806]

Judge Powers declared the public hearing open. No public hearing was received and the public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to establish traffic regulations by placing a STOP sign on Breed Road at its intersection with Harmon Hills Road/CR348. All voting "Aye".

Clerk's Note: Agenda Item #4 Public Hearing regarding resubdivision of Twin Creek Lot 17 and final plat approval was pulled. No public hearing was held and no action was taken.

PUBLIC COMMENTS

Sam Davis [T1-1829] spoke of CR181/Fischer Store Road at the bridge is dangerous (sloughing off of the roadway). He spoke of holdup in getting this project completed. There is a problem with locating a person who needs to sign paperwork to complete this.

18696 APPROVE THE COMMISSIONERS' COURT MINUTES OF MAY 23, 2000.

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the Commissioners' Court Minutes of May 23, 2000 as presented by the County Clerk. All voting "Aye".

18697 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$ 137,893.69 as presented by the County Auditor. All voting "Aye".

Fines	\$ 301.75	Auditors Office	\$ 117.29	Treasurers Office	\$ 1,710.19
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Extension Office	\$ 469.85	Grants Admin	\$ 50.26	Juvenile Probation	\$ 348.75
Election Admin	\$ 743.32	Bldg Mtc. Dept	\$ 6,386.75	Environ Health	\$ 307.75
Civic Center	\$ 3,792.43	Countywide Oper	\$ 6,718.79	Tax A/C	\$ 142.34
County Clerk's Ofc	\$ 1,117.88	Sheriffs Office	\$ 7,838.65	Jail Operations	\$ 27,431.71
County Judge	\$ 21.83	Co Court @ Law 1	\$ 1,915.35	District Attorney	\$ 2,050.84
J.P. 1-1	\$ 24.31	J.P. 1-2	\$ 326.48	J.P. 2	\$ 337.55
J.P. 3	\$ 207.20	DPS	\$ 790.82	Constable 2	\$ 59.76
Constable 3	\$ 164.39	Constable 5	\$ 9.99	District Court Oper	\$ 5,240.05
Co & JP Court Oper	\$ 3,011.29	Veterans Adm	\$ 40.74	Computer Svcs	\$ 3,467.64
Co Court @ Law 2	\$ 235.00	TJPC Salaries	\$ 1,668.00	DPS/L&W	\$ 155.97
TJPC CCAP Grant	\$ 27,328.00	Assoc Judge/Fam	\$ 12.70	Spec Counsel Ofc	\$ 235.00
Comm Court Exp	\$ 35.58	Gen Fund Credit	<73.61>	R&B Operations	\$ 4,099.13
Precinct 2	\$ 47.18	Precinct 4	\$ 184.25	Co Engineer Ofc	\$ 60.53
Rec Mng/Co Clerk	\$ 608.90	Burnett Road Dist I&S	\$ 36.45	Springlake Rd Dist I&S	\$ 35.40
Sheriffs Spec Proj	\$ 39.76	Family Health Svcs	\$ 1,018.15	Tobacco Settlement Fund	\$ 21,173.63
DOJ Eqpt & Tech	\$ 5,047.72				

18698 APPROVE BUDGET AMENDMENT #00-24

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Budget Amendment #00-24 as proposed by the County Auditor. All voting "Aye".

				AMENDMENT NO. 00-24 FY 2000 BUDGET 05/30/00
FUND NO. 01				
FUND TITLE GENERAL FUND				
	APPROPRIATION BEFORE	AMENDMENT		APPROPRIATION AS
<u>LINE ITEM – EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
JUSTICE OF THE PEACE 3 (427):				
01-427-5331 Cont Ed		250	100	350
01-427-5449 Temp Personnel	500		(100)	400
<i>Transfer for needed expense</i>				
DEPARTMENT OF PUBLIC SAFETY (430):				
01-430-5391 Other		225	1,000	
1,225				
DEPARTMENT OF PUBLIC SAFETY/LICENSE & WEIGHTS (470):				
01-470-5325 Law Enf Supply	350		1,000	1,350
REVENUE				
		DECREASE	INCREASE	
01-367-3430 Law Enf Contribution	2,000		2,000	4,000
<i>Budget donation to each department, Law Enforcement Day donation (Sac-n-Pac)</i>				

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AMENDMENT
NO. 00-24
FY 2000 BUDGET
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FUND NO. 45				
FUND TITLE TOBACCO SETTLEMENT FUND				
LINE ITEM – EXPENDITURES	APPROPRIATION BEFORE	AMENDMENT		APPROPRIATION AS
	AMENDMENT	INCREASES	DECREASES	AMENDED
TOBACCO SETTLEMENT/SAN MARCOS CLINIC (607)				
47-607-5301 Operating	889,500	860		890,360
47-607-5798 Site Acquisition		23,500		(800)
22,640				
TOBACCO SETTLEMENT/KYLE CLINIC (615)				
47-615-5611 Construction	46,000	3,886		49,886
47-615-5324 Permits	1,000		(1,000)	-0-
47-615-5621 Architect Services	5,000		(2,886)	
2,114				
<i>Transfer savings of budget balances</i>				

Clerk's Note: Agenda Item # 8 Re: Refund of double payment/overpayment of taxes – No applications were submitted – No action necessary

18699 APPROVE UTILITY PERMITS

The following Utility Permits were submitted for approval by the Road Department:

UTILITY PERMIT #	COUNTY ROAD NAME/#	UTILITY COMPANY
00-218	Opal Lane/CR138	City of Kyle
00-219	Goforth Road/CR157	Goforth Water Supply Corp.
00-220	El Camino Way Drive	Crystal Clear Water
00-221	Hillside Drive	Time Warner Cable
00-222	Mathis Lane/CR123	Time Warner Cable

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Utility Permits as submitted by the Road Department. All voting "Aye".

18700 COTTONWOOD HOLLOW, PHASE 1, 7 LOTS * APPROVE FINAL PLAT AND GRANT A VARIANCE TO MINIMUM LOT SIZE [T1-1911]

Environmental Health Director Allen Walther spoke of this being a phased development – Right of Way proposed on the preliminary plat would only provide for 30 ft. from centerline instead of 35 ft. (70 ft. is necessary). Additional R-O-W would reduce the lots to less than 1 acre, therefore a variance to minimum lot size is being requested. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to grant a variance to minimum lot size requirement and approve the final plat of "Cottonwood Hollow Phase 1". All voting "Aye".

18701 KELLY ADDITION * APPROVE PRELIMINARY PLAT AND GRANT A VARIANCE FROM DEDICATION OF ADDITIONAL RIGHT-OF WAY OF LAND ADJACENT TO A COUNTY ROAD [T1-1957]

Environmental Health Director Allen Walther spoke of this being a 2 lot subdivision on CR314. There is reluctance by the developer to dedicate additional r-o-w and she is requesting a plat note for future dedication. Allen Walther advised that he supports development of the subdivision but is reluctant to grant variance – we need to be consistent with our policy and require dedication of the RO-W now. Kelly Kilber, Engineer representing the property owner, spoke of no other properties in this area have dedicated ROW on CR314 and a plat note addresses dedication in the future at no expense to the county. Commissioner Burnett spoke of plat note in the event the county widens the road in the future. A motion was made by Commissioner Burnett, seconded by

Commissioner Carter to grant variance from the dedication of additional right-of-way of land adjacent to a county road and approve the preliminary plat of "Kelly Addition". All voting "Aye".

18702 GRAND CYPRESS @ ONION CREEK, * APPROVE FINAL PLAT [T1-2047]

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 "Grand Cypress @ Onion Creek". All voting "Aye".

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18703 DOUGLAS ESTATES RESUB OF LOT D-3 * APPROVE PRELIMINARY PLAT [T1-2061]

Environmental Health Director Allen Walther gave staff recommendation for approval of preliminary plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Douglas Estates Lot D-3 Resubdivision". All voting "Aye".

Clerk's Note: Agenda Item #15 - Resubdivision of Rocky Ranch Acres, Sec 3 lot 73 was pulled. No Action.

18704 ACCEPT ROADS FOR COUNTY MAINTENANCE AND RELEASE ROAD MAINTENANCE SECURITY FOR HIDDEN OAKS SECTION 1 [T1-2082]

Road Supt/Eng. Jerry Borcharding advised that roads have been inspected and are ready for acceptance and release of security. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to accept roads for county maintenance and to release maintenance security (cash bond) for Hidden oaks Section 1 subdivision. All voting "Aye". [Roads: Johnny Hall Drive, Janette Drive & Ina Court]

18705 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE BULLETPROOF VEST PARTNERSHIP PROGRAMS, OFFICE OF JUSTICE PROGRAM AND TO EXECUTE CONTRACT FOR UP TO \$6,000 [T1-2120]

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant application to the Bulletproof Vest Partnership Programs, Office of Justice Program and to execute contract for up to \$6,000. All voting "Aye".

18706 AMEND AGREEMENT BETWEEN HAYS COUNTY AND FREESE & NICHOLS, INC. FOR RE-BIDDING AND CONSTRUCTION PROCESS FOR REPAIR OF SITE #5 DAM

[T1-2133] A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to table action at this time. All voting "Aye". **Court recessed until 1:30 p.m. Judge Powers was absent when court reconvened.** [T1-2165] Commissioner Molenaar presided over the remainder of the meeting. Commissioner Burnett spoke of having postponed action on this item last week. Grants Administrator Richard Salmon spoke of total construction value - NRCS will pay 75% of construction cost - 100% of in-kind cost up to 25% of total construction. The State has funds set aside. Commissioner Burnett spoke of \$100,000 cost would require \$25,000 from the county - there is \$10,000 in dam maintenance line item and the rest will have to be budgeted elsewhere. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to amend the agreement with Freese & Nichols, Inc. and to allocate up to \$18,500 for the re-bidding and construction process for the repair of site #5 Dam out of contingency funds All present voting "Aye".

WORKSHOP RE: HAYS COUNTY CIVIC CENTER [T1-2410]

Guy Trimble, new Civic Center Manager, appeared before the court. County Extension Agent Billy Kniffen spoke of schedule of events. Country Peddler Show and Chilympiad will be the next events (in September). Billy Kniffen spoke of heat at the Civic Center that makes it difficult to rent out. He spoke of other event that will be held but not inside the building. He spoke of Youth Livestock group looking at putting a facility in he Kyle area (behind the racetrack). Commissioner Burnett spoke of Global Vantage group that did a study regarding the civic center. Commissioner Molenaar spoke of need for Guy Trimble to look at the study and evaluate what it will take to make it more desirable. Commissioner Molenaar suggested having another workshop session which would include the Youth Livestock Association. Billy Kniffen spoke of property taxes that are being charged and the YLA asked for a letter from the County Judge indicating that the property is used for parking. Billy Kniffen spoke of rodeo type activity that could be held at the YLA facility. Commissioner Burnett spoke of need to look at other facilities. Commissioner Molenaar spoke of need to make improvements at the Civic Center. He suggested a spray-on insulation. Discussed a committee formed by the Commissioners' Court and need to update that committee. Guy Trimble spoke of there not being any files that he can access. Billy Kniffen stated that the only files would be contracts and receipts for payment. Commissioner Molenaar spoke of need for a quarterly report to the court. Commissioner Burnett spoke of court not having made necessary improvements to make it usable all year long. Commissioner Molenaar spoke of need to look at air conditioning the annex portions of the center. Guy Trimble spoke of need to promote the facility. Commissioner Burnett spoke of need to also promote the facility on the county website and possibly use jail inmates or Community Service Restitution (CSR) people. Mr. Trimble will come back with recommendations in about 30 days. Billy Kniffen will assist Guy Trimble and provide him with information he needs.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 6TH DAY OF JUNE, 2000.

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

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

