



STATE OF TEXAS ☐
 COUNTY OF HAYS ☐

ON THIS THE 18TH DAY OF JULY 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
LINDA C. FRITSCH	DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

18798 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH TRAVIS COUNTY RELATING TO RIGHT OF WAY ACQUISITION FOR STATE HIGHWAY 45 PROJECT

Travis County Commissioner Todd Baxter gave a brief background of State Highway 45 Project - this interlocal agreement would allow Travis County negotiation staff to assist in acquiring Right-Of-Way for State Highway 45 Project in Hays County. Hays County reserves the right to not utilize this staff. Commissioner Burnett spoke of utilizing Travis County ROW agents and appraisers and he spoke of the \$20,000 figure being considered (R-O-W & Infrastructure Improvement funds could be used for this). Joe Gieselman spoke of special appraisers under contract and he spoke of importance in making sure that everything is done correctly. The R-O-W agents will negotiate with property owners. He spoke of \$20,000 being enough to get the process started and the county could budget the acquisition cost in the next fiscal year budget. The appraisers would provide information on value of the property so that the court could budget that amount. Travis County is offering their staff free of cost and the county would be billed only for the appraisal services, land plan, and making offers to the property owners. The Executive Manager of the Travis County Transportation & Natural Resources Dept. under this agreement will be Joe Gieselman and will act on behalf of Travis County. Judge Powers advised that he will designate Jerry Borcharding (County Engineer/Road Supt) as the person to act on behalf of Hays County. Commissioner Baxter thanked the court for their consideration. A motion was made by Judge Powers, seconded by Commissioner Molenaar to authorize the County Judge to execute an interlocal cooperation agreement with Travis County relating to right of way acquisition for State Highway 45 Project and to furthermore allocate \$10,000 from Right-Of-Way funds and \$10,000 from Infrastructure Improvement funds. All voting 'Aye'. [See agreement in file] Found below is a portion of the agreement dealing with services and financial obligations:

SERVICES:

1. Travis will assist Hays by managing the process for acquisition of Project right-of-way and associated easements in Hays County. Hays agrees to provide assistance in negotiations with landowners in Hays County only in coordination with Travis' right-of-way negotiators.
2. The Parties agree to comply with applicable federal and state laws, regulations, and procedures in the acquisition of the necessary right-of-way and associated easements for the Project, including all applicable TxDOT policies and procedures.
3. Travis will provide the following services to Hays with regard to the acquisition of Project right-of-way and associated easements in Hays County.
 - a. In coordination with Hays, Travis will attempt to obtain donations of as many parcels as reasonably possible.
 - b. For all parcels, Travis will obtain any necessary title commitments, appraisals, land plans, appraisal reviews, and other professional services pursuant to its standard contracts for professional services with title companies, appraisers, land planners, and other professionals.

- c. Travis will obtain the approval of Hays for the appraised value of any parcel to be purchased. Upon approval of a parcel's appraised value by Hays, Travis will transmit to the owner an offer of the approved appraised value.
 - d. Travis will transmit all counter-offers to Hays for its approval and make any counter-offer approved by Hays, including any final offers to any owners who appear unwilling to agree to sell a parcel.
 - e. Travis will prepare all necessary contracts and documents, including any closing documents not provided by the landowner or the title company, and coordinate the closing of all conveyances for all parcels.
 - f. Travis will manage relocation of utilities to provide clear right-of-way for construction of the Project on a timely basis. Travis will coordinate with and act on behalf of TxDOT with respect to relocation of improvements or assets.
 - g. If condemnation of a parcel is necessary, Travis will provide a full copy of its file to the Hays County Attorney and will, to the extent reasonable and necessary for briefing and testimony, make available the Travis County right-of-way negotiator who negotiated with the condemnee of that parcel.
4. To expedite approval of acquisition of parcels and payments for services under this agreement, Travis' Right-of-Way Manager shall regularly report to Hays and the Executive Manager on the status of negotiations and payments coming due under this agreement.
 5. If Hays finds Travis deficient in providing any services, Hays shall immediately report the deficiencies either in person or by telephone conversation to the Executive Manager and the Right-of-Way Manager, with an additional written notice to be deposited in the U.S. Mail within 24 hours. The Executive Manager shall direct any appropriate remedial action.

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FINANCIAL OBLIGATIONS

6. In consideration of the benefits to Travis County's citizens of expeditious completion of the Project, Travis shall bear the costs of the services its employees provide to Hays related to acquisition of right-of-way and associated easements in Hays County.
7. Hays shall bear the following costs related to acquisition of Project right-of-way and associated easements in Hays County:
 - a. Costs of professional services, including title commitments and services, appraisals and appraisal reviews, land plans and land planning services, expert witnesses, etc., at the rates provided by Travis' professional services contracts or other agreements for such services.
 - b. Actual acquisition costs, including purchase price for Project right-of-way and associated easements, title insurance, closing costs, damages and/or costs to cure, damages to or relocation or replacement costs for fences, improvements, utilities, etc.
8. Travis shall either pay directly for professional services or actual acquisition costs covered by this agreement, or, upon request of the Executive Manager, Hays shall pay such costs to a parcel owner, title company, or other entity that is entitled to receive payment for such costs. For costs Travis has paid or intends to pay directly, Hays shall pay to Travis the amount necessary to pay those costs within thirty (30) calendar days of receiving from Travis notice of that amount, which may be an estimate if it is an amount Travis has not yet paid.
9. The Travis County Treasurer shall act as Escrow Agent for the management of Hays' funds and shall deposit the funds in an interest bearing account. Travis shall invest the funds in accordance with the Public Funds Investment Act, Tex. Rev. Civ. Stat. Ann. Art. 842-A, and other applicable laws, or bond covenants. The interest, which accrues on the escrowed funds, shall be credited to Hays' account and may be used to pay any of the obligations of Hays under this agreement. Any funds remaining in Hays' account upon the completion of the services shall be returned to Hays. Travis shall provide Hays, at least quarterly, with an accounting of the deposits to and disbursements from Hays' escrow account. Travis will make its records available, at reasonable request, to Hays' auditors, or its independent financial advisors or other professionals who provide arbitrage rebate calculations to Hays.
10. In the event that additional funding is required for the acquisition of the right-of-way for the Project, the Parties may amend this Agreement or enter into a separate agreement to provide such additional funding.
11. As required by law, the party or parties paying for the performance of governmental functions or services shall make payments therefore from current revenues available to the paying party.
12. Travis and Hays will be responsible for their respective shares of any costs associated with the development of the Project that are not covered by this agreement.

18799

PRESENTATION BY ARMSTRONG, VAUGHAN & ASSOCIATES AND ACCEPTANCE OF ANNUAL AUDIT OF HAYS COUNTY FINANCIAL STATEMENTS

Gordon Armstrong (of Armstrong, Vaughan & Associates) went over the Comprehensive Annual Financial Report for the year ended September 30, 1999 (independent audit report). Page 10 of the report shows a comparison of the budget and actual expenditures - \$1.8 million more came in than was spent. \$381,000 was transferred from the general fund into the Road & Bridge fund to help cover the county's required portion of FEMA costs. General

Fund balance of \$8.3 represents 5 months of operating expenditures (normally you should be between 3 – 6 months). Service Revenue funds came out as expected (\$94,000 ahead). Page 71 of the report addresses the Road & Bridge Fund - there was a \$107,000 deficit. He feels like the county is in good shape (financially sound). Ed Tharp spoke of financial management of the county. He spoke of raising more funds in regards to FEMA issues. He spoke of delayed fiscal year close out each year which affects the next year - errors do occur and may not be discovered for several months. He spoke of need for written close-out procedures to reduce and control end of year transactions. Contributing factors include the lack of written close-out procedures, the lack of written procedures to coordinate actions with County Auditor and County Treasurer personnel, the turnover of personnel in these departments, the limited training of replacements, and the inability to fill the internal auditor's position. Suggestions were as follows: Coordinate and public close-out policy and procedures to limit the number of transactions processed during the last part of September. This would require all departments plan end of year purchases to be completed by mid-September. · Develop special procedures governing transactions between the County Treasurer and County Auditor's offices. These should be frequently updated and in enough detail for newly assigned personnel. · Develop internal controls to insure transactions originated in the Treasurer's department are received and posted by the County Auditor · Continue efforts to hire an internal auditor. · In assigning the County Auditors present staff, program sufficient resources and work priority to bring books current and prepare for the end of fiscal year close-out. Mr. Tharp spoke of special revenue funds (ie Sheriffs Dept., District Attorney, & Tax A/C) maintained by departments - they need to have same standards as those kept by the county auditor – they could put all the books in the county auditors department. Gordon Armstrong spoke of most entities closing their books in six weeks (mid November) instead of March (6 months). Commissioner Molenaar spoke of changes in personnel and need to increase salaries in order to keep knowledgeable staff. County Auditor Bill Herzog spoke of invoices that are presented several months late and his office needs to be stricter on accepting late billings. Procedures can be set for maintaining special revenue funds. Mr.Tharp spoke of need for trained personnel and double entry bookkeeping. County Auditor Bill Herzog advised that they are committed to resolving these problems. The inability to fill the internal auditor position has caused further workload problems. The internal auditor position will be filled by mid July and at that time they will use that position to assist the Auditor's office and the Treasurer's office in bringing the financial records current. That position, in addition to performing audits, will also monitor the progress of "closing the books" to be sure it is done timely. That will however, limit the number of audits that can be done timely. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept the Hays County Comprehensive Annual Financial Report for the year ended September 30, 1999 as prepared by Armstrong,Vaughan & Associates. All voting "Aye".

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PUBLIC COMMENTS REGARDING UPCOMING AQUA SOURCE PUBLIC HEARING

[T1-717] Elizabeth Sumter (representing the Wimberley Neighbors for Healthy Water) requested that the Commissioners' Court put on the agenda for next week the consideration of joining and getting standing in a public hearing July 28th at TNRCC – public hearing is over a CCN expansion by Aqua Source to expand a sewer line into the downtown area of Wimberley. Wimberley residents have created a group called "Wimberley Neighbors for Healthy Water" – they have three concerns: ↻ a CCN expansion that has been applied for by Aqua Source to bring a sewer line into downtown, ✂ a merger of all the Aqua Source facilities across the State into one large company, and ✂ a rate increase across the State of Texas. This group wants the county to get involved in these actions pursuant to AG's Opinion 788. She spoke of counties authority in these matters in the Water Code (counties have the same power as TNRCC to enter all public and private properties within the local governments territorial jurisdiction and take civil enforcement action [Subchapter H of Chapter 7]. They have had severe problems with Aqua Source in Wimberley (sewage spills that have been left for months at a time before being fixed and for overcharging on bills and several other issues) and they would like for the county to become involved. She spoke of concerns regarding merger into one large company (could move water from our aquifer to another location without being accountable for it) – local government would lose control. Commissioner Burnett spoke of county doing this in regards to Mid-Tex expansion and he spoke of Aqua Source issue in Wimberley (he has been working

with Environmental Health in his regards) - we need to get more control from the legislature in order to have more authority and be able to address situations timely. Mrs. Sumter spoke of treated recharge into the creeks - the location they want to discharge into is unacceptable. Commissioner Burnett spoke of inner-basin transfers will be a big issue. [T1-890] Pokey Rehmet, Wimberley/Cypress Creek resident, spoke of sewage spill in late March in Aqua Source line and he took samples to SWTSU - test results showed 4 - 5 times over allowable treated limits. These are feeder lines that are being sprayed on the golf course - the quality of water in the creeks is deteriorating because of runoff. They need assistance from the county (representation at the TNRCC hearing). Environmental Health Director Allen Walther spoke of having discussions with TNRCC regarding these issues (it is their responsibility) - it would require changes in the law in order for the county to have more authority. Elizabeth Sumter spoke of county's authority to make inspections (Water Code) – she read from the code - it would take a lawsuit to enforce. Judge Powers stated that he will get with Allen Walther regarding the upcoming meeting. [T1-991] Glenn Fryer spoke of unreliability of Aqua Source (operates outside its permit) and discharges made into a dry creek. He is also concerned about the merger. Commissioner Burnett read a portion of a letter that he sent to TNRCC three months ago voicing his concerns about discharge into the Blanco River and asking that he be kept informed of changes throughout the application process. He will have an agenda item on next week

18800 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS AT THE INTERSECTION OF SADDLETREE LANE & LARIAT LANE

Judge Powers declared the public hearing open - no public input was received and the public hearing was closed. County Road Engineer/Supt. Jerry Borcharding spoke of need to create a 4way stop at this intersection per request of the Home Owners Association. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to establish traffic regulation of 4Way STOP at the intersection of Saddletree Lane and Lariat Lane. All voting "Aye".

18801 APPROVE THE COMMISSIONERS' COURT MINUTES OF JULY 11, 2000.

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of July 11, 2000 as presented by the County Clerk. All voting "Aye".

18802 APPROVE PAYMENT OF COUNTY INVOICES.

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$147,986.33 as presented by the County Auditor. All voting "Aye".

FINES	\$ 61.96	OTHER REVENUE	\$ 108.54	AUDITORS OFFICE	\$ 398.50
TREASURERS OFFICE	\$ 633.52	EXTENSION OFFICE	\$ 454.31	GRANTS ADMIN OFFICE	\$ 127.51
JUVENILE PROBATION OFC	\$ 224.00	INDIGENT CARE	\$ 57.53	TRANSFER STATION	\$ 6,184.00
BUILDING MAINT DEPT	\$ 13,939.69	ENVIRONMENTAL HEALTH	\$ 1,032.60	CIVIC CENTER	\$ 102.00
COUNTYWIDE OPERATING	\$ 8,072.38	TAX ASSESSOR-COLLECTOR	\$ 2,706.72	DISTRICT CLERKS OFFICE	\$ 802.24
COUNTY CLERKS OFFICE	\$ 9.98	SHERIFFS OFFICE	\$ 10,200.93	JAIL OPERATIONS	\$ 39,673.72
COUNTY JUDGES OFFICE	\$ 532.20	DISTRICT ATTORNEYS OFFICE	\$ 1,236.578	J.P. 1-2	\$ 223.08
J.P. 2	\$ 239.12	J.P. 5	\$ 45.35	DEPT OF PUBLIC SAFETY	\$ 346.72
CONSTABLE 1	\$ 90.26	CONSTABLE 2	\$ 376.60	CONSTABLE 3	\$ 68.52
CONSTABLE 4	\$ 22.58	CONSTABLE 5	\$ 14.99	DISTRICT COURT OPER	\$ 7,390.40
VETERANS ADMIN OFFICE	\$ 74.23	COMPUTER SERVICES	\$ 2,972.52	DPS/L&W	\$ 430.51
FIRE MARSHAL/EMC	\$ 104.51	TJPC CCAP GRANT	\$ 25,344.00	ASSOC JUDGE/FAMILY LAW	\$ 173.95
SPECIAL COUNSEL OFC	\$ 5,017.32	CJD/VOCA GRANT	\$ 2,215.92	CJ/VAWA GRANT	\$ 501.86
CJD/TRUANCY OFFICER GRANT	\$ 1,927.44	CAPCO/WASTE TASK FORCE	\$ 30.52	CAPCO/911 ADDR MTC GRANT	\$ 71.17
GENERAL FUND CREDIT	<\$1,014.34 >	ROAD & BRIDGE OPERATIONS	\$ 9,536.98	PRECINCT 1	\$ 336.37
PRECINCT 2	\$ 200.25	PRECINCT 3	\$ 532.87	PRECINCT 4	\$ 229.59
RECORDS MNGMNT/CO CLK	\$ 118.69	HEALTH SERVICES GRANTS	\$ 341.86	LAW LIBRARY FUND	\$ 498.38
SHERIFFS SPEC PROJS FUND	\$ 19.25	COURTHOUSE SECURITY	\$ 25.02	SHERIFFS DRUG FORF FUND	\$ 2,175.00
FAMILY HEALTH SVCS FUND	\$ 560.96	TD/ED/ACT IN THE HILLS GRANT	\$ 184.77		



18803 APPROVE BUDGET AMENDMENT #00-29

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve Budget Amendment No. 00-29 as proposed by the County Auditor. All voting "Aye".

				NO. 00-29	
				FY 2000 BUDGET	
				<u>07/18/00</u>	
FUND NO. <u>01</u>					
FUND TITLE <u>GENERAL FUND</u>					
		APPROPRIATION	AMENDMENT		APPROPRIATION
		BEFORE			
AS					
<u>LINE ITEM - EXPENDITURES</u>		<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
COUNTYWIDE OPERATIONS (414):					
01-414-5442	Independent Audit	20,000		9,250	
					29,250
01-414-5443	Consultants	50,000		(9,250)	40,750
Transfer for Grants audit expense					

Clerk's Note: There were no applications for refund of double payment/overpayment of taxes submitted

18804 APPROVE SPECIFICATIONS FOR THE ANNUAL CONTRACT FOR REGULATORY, WARNING & OTHER ROAD SIGNS FOR THE ROAD DEPARTMENT AND AUTHORIZE PURCHASING DEPARTMENT TO SOLICIT BIDS

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve specifications for the annual contract for regulatory, warning and other road signs for the Road Department and authorize Purchasing Department to solicit bids. All voting "Aye". [see copy in file]

18805 APPROVE SPECIFICATIONS FOR MOWING R.O.W. FOR THE ROAD DEPARTMENT AND AUTHORIZE PURCHASING DEPARTMENT TO SOLICIT BIDS

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve specifications for mowing R.O.W. for the Road Department and authorize Purchasing Department to solicit bids. All voting "Aye". [see copy in file]

18806 APPROVE SPECIFICATIONS FOR ROAD BUILDING MATERIALS (PIT RUN) TO BE USED AT THE YARRINGTON YARD AND AUTHORIZE PURCHASING DEPARTMENT TO SOLICIT BIDS

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve specifications for road building materials (pit run) to be used at the Yarrington Yard and authorize Purchasing Department to solicit bids. All voting "Aye". [see copy in file]

18807 APPROVE SPECIFICATIONS FOR ANNUAL CONTRACT FOR BRUSH CUTTING AND OTHER SERVICES FOR THE ROAD DEPARTMENT AND AUTHORIZE PURCHASING DEPARTMENT TO SOLICIT BIDS

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve specifications for annual contract for brush cutting and other services for the Road Department and authorize Purchasing Department to solicit bids. All voting "Aye". [see copy in file]

18808 APPROVE SPECIFICATIONS FOR THE ANNUAL CONTRACT FOR ROAD BUILDING MATERIALS FOR THE ROAD DEPARTMENT AND AUTHORIZE PURCHASING DEPARTMENT TO SOLICIT BIDS

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve specifications for annual contract for road building materials for the road department and authorize Purchasing to solicit bids. All voting "Aye". [see copy in file]

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18809 ACCEPT TEXAS DEPARTMENT OF HEALTH GRANTS FOR FY2001

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to accept Texas Department of Health Grants for FY2001. All voting "Aye".

18810 CALLE A CIELO * APPROVE PRELIMINARY PLAT [T1-1108]

This is a 3 lot subdivision accessed by a "shared access driveway" off of Old Red Ranch Road (private road). Environmental Health Director Allen Walther gave staff recommendation for approval of preliminary plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve preliminary plat of "Calle A Cielo" subdivision. All voting "Aye".

18811 ADOPT AN ORDER RESTRICTING OUTDOOR BURNING (BURN BAN) PURSUANT TO GOVERNMENT CODE 204.906 AND OTHER APPLICABLE STATUTES [T1-1116]

Fire Marshal Mark Chambers spoke of emergency order signed by the County Judge last week. He gave Keetch-Byram Drought Index (a mathematical system for relating current and recent weather conditions to potential or expected fire behavior) figures indicating that Hays County is in high fire danger. He spoke of it being a serious situation in the hill country and he is trying to get a federal strike team for Hays County. Mr. Chambers requested approval of an order restricting outdoor burning that will be good for up to 90 days. He spoke of air support available to fight fires (aerial drops). Commissioner Molenaar spoke of tapping into water lines if necessary. Mark Chambers will speak with fire chiefs regarding this matter. He advised that all the fire depts. in the county have seen increases in calls over the last year. Pct. 2 & Pct 1 are running ahead of the Wimberley/Dripping Springs area. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to adopt an order

restricting outdoor burning (burn ban) pursuant to Government Code 204.906 and other applicable statutes. All voting 'Aye'.

RESOLUTION

**STATE OF TEXAS *
COUNTY OF HAYS ***

WHEREAS, Hays county has not had any appreciable rainfall for an extended period; and
WHEREAS, weather forecasters offer little promise of a change in these hot, dry conditions in the near future; and
WHEREAS, these hot, dry conditions pose the threat of large, fast-moving wild fires; and
WHEREAS, such fires have the potential of endangering lives and damaging property on a wide scale; and
WHEREAS, the Texas Disaster Act of 1975, Vernon's Texas Codes Annotated Government Code Chapter 418, and the Order of the Hays County Commissioners' Court dated May 23, 1994, authorize declaration of a state of disaster "if the threat of disaster is imminent"; and
WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and
WHEREAS, declaration of such a disaster authorized the imposition of controls on activities which tend to increase the likelihood of such fires; and
WHEREAS, such controls, once implemented have the potential of protecting lives and property by mitigating the threat of dangerous fires; and
WHEREAS, James L. Powers , County Judge, on the 11th day of July, 2000, declared a state of disaster based on the threat of large wildfires in Hays County; and
NOW, THEREFORE, BE IT RESOLVED that this state of disaster is hereby continued until it is rescinded by the County Judge or by action of the Commissioners' Court.

**HAYS COUNTY EMERGENCY ORDER
NUMBER 1.1 - PROHIBITION OF OUTDOOR BURNING**

WHEREAS, in accordance with provisions of the Texas Disaster Act of 1975, Vernon's Texas Codes Annotated Government Code Chapter 418, and the Order of the Hays County Commissioners' Court dated May 23, 1994, a state of disaster has been declared based on the imminent threat of disaster from wild fires; and

WHEREAS, declaration of such a disaster authorizes the imposition of controls on activities which tend to increase the likelihood of such fires;

BE IT, THEREFORE, ORDERED that the following emergency regulations are hereby established for all unincorporated areas of Hays County, Texas for the duration of the abovementioned declaration:

[1] ACTIONS PROHIBITED

A person violates this order if he burns any combustible materials outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning by others.

[2] ENFORCEMENT

- (a)** Upon notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire.
- (b)** As soon as possible, the Hays County Fire Marshal's Office shall be notified, and an Officer/Investigator shall be sent to the scene to investigate the nature of the fire.
- (c)** If, in the opinion of the Officer/Investigator and the Fire Chief the goal of this order can be attained by informing the responsible party about the prohibitions established by this order, the Officer may, at his discretion, notify the party about the provisions of this order and request compliance with it. In such instances, a report shall be made containing the date, time, and place of the warning, along with the name of the party receiving the warning, and forwarded to the Office of the County Fire Marshal.
- (d)** At the discretion of the County Fire Marshal and/or the Fire Chief, second or flagrant violation of this order may be prosecuted.

BE IT ALSO ORDERED, violation of this order may be prosecuted in accordance with a misdemeanor punishable by a fine not to exceed \$ 1,000.00 or a jail term not to exceed 180 days.

BE IT ALSO ORDERED that the purpose of this order is the mitigation of the hazard posed by wild fires during the current hot, dry weather by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

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18812 ACTION TO FORM THE HAYS COUNTY LEGISLATIVE STEERING COMMITTEE

[T1-1322] Judge Powers spoke of need to see what impact we can have on the legislature by creating a steering committee. Environmental Health Director Allen Walther spoke of need to start earlier than we did last year – legislative subcommittees are already preparing draft legislation and this session will be critical. Commissioner Ingalsbe asked that the committee keep the commissioners' court updated. Commissioner Burnett spoke of need

to get more control over our rapid growing and we need to get more authority regarding water and wastewater issues. Commissioner Molenaar spoke of need for members of the court to get involved and write letters (individually and as a court). Judge Powers spoke of working with Mayors. Allen Walther spoke of this committee being a contact source for other entities and the public and will liaison with legislators and staff on positions taken by the court as a whole. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to form the Hays County Legislative Steering Committee to be comprised of Jacqueline Cullom Murphy, Allen Walther, and Judge Jim Powers. All voting 'Aye'.

18813 AUTHORIZE THE PURCHASE OF NORSTAR PHONE SYSTEM FOR NEW PCT. 4 OFFICES [T1-1411]

Purchasing Department was able to only receive 2 quotes for the phone system and 1 quote for a refurbished system. Quotes were as follows: E.R. Floyd Telephones (Dripping Springs) = \$ 2,525.00 [refurbished system] E. R. Floyd Telephones (Dripping Springs) = \$ 3,700.00 CenturyTel (San Marcos) = \$ 4,036.75. Commissioner Molenaar spoke of need to add more lines to the current system (currently at 6 lines and not upgradeable). He advised that he has money in his salary line item and the Tax Assessor-Collector has money in her office supplies line item to pay for this purchase. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize purchase of Norstar Phone System for the new Precinct 4 offices in the amount of \$2,525.00 (E. R. Floyd Telephones refurbished system) to be funded out of Precinct 4 salary line item and Tax Assessor-Collector office supplies line item. All voting 'Aye'.

18814 AUTHORIZE THE PURCHASE OF A PRINTER FOR GIS DEPARTMENT [T1-1488]

Environmental Health Director Allen Walther spoke of \$20,000 that the court previously budgeted for production of new county map books - the software was purchased (\$6,000) and they are now ready to purchase a high speed duplex printer (\$8,588) that will be used to create replacement pages for the map book. He advised that a decision regarding the initial printing of the books still needs to be made. GIS Coordinator Steve Floyd spoke of cost for initially printing - 1,000 black & white books could be purchased from remaining funds - color books range from \$11,000 - 23,000 depending on quality of materials. Will need to get estimates based on number of pages and quality of material to be used and whether we want black & white or color pages. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize the purchase of a printer for GIS Department out of county map book funds. All voting 'Aye'.

Clerk's Note: Agenda Item #18 was pulled - no action taken Re: AGREEMENTS FOR THE ACCEPTANCE OF DONATIONS TO HAYS COUNTY FOR ROAD RECONSTRUCTION

Agenda Item #19 was pulled - no action taken Re: CONTRACT FOR THE FIRE DETECTION SYSTEM FOR THE HAYS COUNTY JAIL TO CHUBB SECURITY

18815 AWARD CONTRACT TO MASTERCARE TREE & LANDSCAPING FOR DEMOLITION AND REMOVAL OF CERTAIN PROPERTIES LOCATED IN WIMBERLEY FOR THE FLOOD MITIGATION PROJECT [T1-1598]

Purchasing Agent Debbie Bilbrey spoke of bids received and visits made to the site - FEMA estimated that it would cost approximately \$160,000 to do this project, therefore, we are in that range. She checked references and they were good (8 1/2 years of experience). Bids were as follows: Mastercare (Wimberley) = \$159,430 Innovative General Contractors (Wimberley) = \$ 478,800 Will Wilson (Wimberley) = \$ 800,000. Commissioner Burnett spoke of process that has been followed - demolition should be started almost immediately. Because of the bid range differences, they did go through the scope of the work to be done with the Bidder to make sure nothing was missed. Commissioner Burnett spoke of this being a long and arduous task and we need to be delicate and mindful of what those residents have been through and he wants to be kept apprised of the project. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to award contract to Mastercare Tree & Landscaping for demolition and removal of certain properties located in Wimberley for the flood mitigation project. All voting 'Aye'.

SCHEDULE FOR FY2001 BUDGET WORKSHOPS [T1-1761]

County Auditor Bill Herzog spoke of not being ready to present the County Judge's budget at this time but members of the court need to think about a schedule to begin FY2001 budget workshops. No action taken.

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JULY 18, 2000

18816 REVISE CONTRACT WITH AUSTIN PAVING FOR INCREASED EXPENSES TO COMPLETE REPAIRS ON LIME KILN/HILLIARD ROADS [T1-1814]

County Road Engineer/Supt. Jerry Borcharding spoke of request for \$2,000 to cover repairs for damage that occurred due to re-coring the roadway because of JKL lawsuit. The repairs are needed before the contractor goes out and reseals and stripes the road. He advised that this will be funded out of the bond road line item in the Road Department budget. Commissioner Burnett spoke of need to make sure that the money spent for this will be recouped in the lawsuit. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to revise the contract with Austin Paving for increased expenses to complete repair on Lime Kiln/Hilliard Roads not to exceed \$2,000.00. All voting 'Aye'.

Judge Powers spoke of recent death of Fern Howze (wife of J. L. Howze and former Mayor of the City of Niederwald) and his appreciation to them and fond memories of her. He adjourned the meeting in honor of Fern Howze.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 25th DAY OF JULY, 2000

JAMES L. POWERS, COUNTY JUDGE

H A Y S COUNTY, TEXAS

LEE CARLISLE, COUNTY CLERK

H A Y S COUNTY, TEXAS



