



STATE OF TEXAS □
 COUNTY OF HAYS □

ON THIS THE 15TH DAY OF AUGUST A.D., 2000, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

**JAMES L. POWERS
 DEBBIE GONZALES INGALSBE
 WILLIAM "BILL" BURNETT
 H. S. "SUSIE" CARTER
 RUSS G. MOLENAAR
 LEE CARLISLE**

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

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

PRESENTATION ON RESULTS AND INTERPRETATION OF COST OF COMMUNITY SERVICES REPORT FOR HAYS COUNTY

Ellen Godwin spoke of agriculture in Texas (#2/behind California). – they are a non-profit organization that works with local communities, landowners, and they do research. Julie Shackelford spoke of cost of community services report for Hays County - used to disspell three misperceptions regarding farm/ranch land and residential development: ↻ in order for a county to grow, residential development needs to come in to increase your tax base – what is not considered in that equation is what it cost to provide services to that new development ↻ farmers and ranchers get an unfair tax break with ag evaluation they receive - even at a lower tax, they still require less services than they pay in taxes ↻ farm and ranch land and open land in general is waiting around to be developed at the higher and best use - the study shows that in and of themselves, they are a value to the economy of the community. They chose Hays County as their first cost of community services study because of the rural life style, strong agricultural economy, etc. She spoke of growth occurring in this area. They worked with a University of Texas graduate student conducted who conducted a study for the period of Oct. 97 - Sep 98. She looked at residential development, commercial & industrial land, and farm & ranch land in the county. She spoke of ratios: for every dollar coming in residential development requires \$1.26 for infrastructure services, commercial requirement was 30 cents, & farm/ranch/open space required 33 cents. Commercial and rural use brings more into the community than they take. Commissioner Burnett asked about average value of homes used for analysis. Julie Shackelford stated that they look at the total tax value received from homes (not sure there is a home value attached to that figure). Sales tax revenue was used for commercial land use. Commissioner Burnett stated that the court has known for a long time that residential alone does not pay for itself. Commissioner Carter spoke of report being justification for court to move forward in direction of asking people, who want to develop on our county roads, to contribute to the cost (bring roads and bridges up to the standards necessary for traffic being brought in). Julie Shackelford spoke of impact fee that could be charged to cover the first couple of years of infrastructure costs. Commissioner Molenaar advised that counties can not charge impact fees. He stated that the Court does ask for considerations from developers, but cannot require them. Commissioner Burnett advised that this issue will be addressed in the next session of the legislature. Commissioner Carter spoke of Travis County being forceful to developers to contribute to the infrastructure (ie boundary street improvements). Julie Shackelford advised that they will work with any county that wants this information - she spoke of other studies that can be done.

PUBLIC COMMENTS REGARDING FISCHER STORE ROAD

[T1-315] Karen McClure spoke of living in the area of Fischer Store Road. She spoke of widening of the corner for safety reasons - the area by the bridge is twice as dangerous and she asked the county to use their power to get that area fixed.

[T1-356] David Jones spoke of need to fix Fischer Store Road. He spoke of road deterioration and he spoke of Cottonwood Road and asked that the entire road be oiled instead of the middle 75%.

[T1-395] Dick Jackson spoke of dangerous condition of Fischer Store Road (an accident waiting to happen) and he spoke of road breaking off on the shoulders. He feels like the repair would be cheaper than a law suit that could result from injury or death. We do not need bicyclers on this road.

[T1-423] Joel Lander advised that he lives on Stone Canyon (at the base of the S curve) and he spoke of increase in traffic since he has lived there and he spoke of danger at the intersection of Stone Canyon and Fischer Store Road. He suggested speed bumps.

[T1-469] Sam Davis asked "what will it take for the court to take action?" - he spoke of letter to the editor he had published - he feels like not a lot has been given to this part of the county by their commissioner. He spoke of a new quarry in Comal County in which trucks are using this road as a shortcut. They want action.

Commissioner Burnett stated that he does not take condemnation lightly and he asked that the property owners stay for action to be taken after executive session.

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18887 APPROVE THE COMMISSIONERS' COURT MINUTES OF AUGUST 4, 2000 & AUGUST 8, 2000

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of August 4, 2000 and August 8, 2000 as presented by the County Clerk. All voting "Aye".

18888 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog requested approval of county invoices with addition of a \$388.90 check payable to PEC for relocation a guide wire on Fischer Store Road Project. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve payment of county invoices in the amount of \$2,610,461.77 plus an additional check in the amount of \$388.90 payable to PEC, as requested by the County Auditor. All voting "Aye".

Licenses & permits	\$ 375.95	Fines	\$ 120.00	Auditor's Office	\$ 59.97
Treasurer's Office	\$ 217.40	Extension Office	\$ 683.95	Grants Admin	\$ 77.54
Juvenile Probation	\$ 224.00	Transfer Station	\$ 5,887.91	Bldg Mtc. Dept.	\$ 15,131.75
Environ Health	\$ 1,077.49	Civic Center	\$ 243.74	Countywide Oper	\$ 19,042.27
Tax Assessor-Collector	\$ 248.17	District Clerk's Office	\$ 1,843.91	County Clerk's Ofc	\$ 567.28
Sheriffs Office	\$ 6,260.96	Jail Operations	\$ 2,164.87	County Judge's Ofc	\$ 25.00
District Attorney's Ofc	\$ 1,938.81	J.P. 1-1	\$ 62.79	J.P. 1-2	\$ 220.82
J.P. 2	\$ 481.26	J.P. 3	\$ 8.26	J.P. 4	\$ 17.00
Constable 1	\$ 99.42	Constable 2	\$ 105.48	Constable 3	\$ 27.49
Constable 4	\$ 17.62	Constable 5	\$ 24.04	District Court Oper	\$ 5,011.74
Co & JP Court Oper	\$ 3,392.69	Veterans Adm Ofc	\$ 208.89	Courthouse Renov	\$ 43,618.40
Fire Marshal/EMC	\$ 310.24	Dist Court Reporters	\$ 361.75	Assoc Judge/Fam Law	\$ 41.05
Animal Control	\$ 611.72	Special Counsel	\$ 417.46	Comm Court Expenses	\$ 32.69
CJD/VOCA Grant	\$ 369.53	CJD/VAWA Grant	\$ 46.80	CLG Natl Reg Nom 2 nd	\$ 6,400.00
CAPCO/Waste Task Force	\$ 59.00	911 Addressing Mtc Grant	\$ 718.27	LCRA/Fire Marshal Grant	\$ 249.99
Heritage Visitor Center	\$ 6,509.94	General Fund Credit	<\$820.04>	Road & Bridge Operations	\$ 170,512.62
Precinct 2	\$ 103.96	Precinct 3	\$ 173.65	Precinct 4	\$ 61.75
Road Reconstruction	\$ 15,981.24	Co Engineer Office	\$ 153.42	R&B General Credit	<\$6,086.92>

Sheriff Abandon Veh Fund	\$ 93.03	Rec Mngmnt/Co Clk	\$ 124.62	Health Svcs Grants	\$ 381.05
Law Library Fund	\$ 166.26	Hays Co I&S Fund	\$ 2,289,984.00	Courthouse Renov/Co	\$ 10,904.60
Sheriff Special Proj Funds	\$ 14.19	Sheriffs Drug Forf Fund	\$ 375.00	Family Health Svcs	\$ 466.63
Stellar Plastics Grant	\$ 2,072.63	Act in the Hills Grant	\$ 184.77		

18889 APPROVE BUDGET AMENDMENT NO. 00-32

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Budget Amendment No. 00-32 as proposed by the County Auditor. All voting "Aye".

					AMENDMENT NO. 00-32 FY 2000 BUDGET 08/15/00
FUND NO. 01					
FUND TITLE GENERAL FUND					
		APPROPRIATION BEFORE	AMENDMENT INCREASES	APPROPRIATION DECREASES	AS AMENDED
LINE ITEM - EXPENDITURES	AMENDMENT				
EXTENSION OFFICE (403):					
01-403-5271 Fuel	1,750	900		2,650	
01-403-5191 Travel Allowance	2,479		(1,312)		1,167
01-403-5311 Travel	1,200	375			1,575
01-403-5331 Cont Ed	1,300	225			1,525
01-403-5211 Office Supply	2,500	650			3,150
01-403-5473 Equipment Lease	5,400	700			6,100
01-403-5480 Utilities	4,500	700			5,200
01-403-5712 Data Processing	2,200	783			2,988
01-403-5411 Ofc Equip Maint	250		(250)		-
01-403-5101 FICA/RET	9,811		(2,638)		7,173
01-403-5391 Other Prgm/Proj	525		(133)		392
		<u>4,333</u>	<u>(4,333)</u>		
<i>Transfer for balance of laptop and software supplies from personnel savings</i>					

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					AMENDMENT NO. 00-32 FY 2000 BUDGET 08/15/00
FUND NO. 01					
FUND TITLE GENERAL FUND					

<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
APPROPRIATION BEFORE AMENDMENT APPROPRIATION AS				
SHERIFF (418):				
01-418-5413 Vehicle Maintenance	86,075		(1,925)	84,150
01-418-5415 Comm Maintenance	42,537		(1,517)	41,020
01-418-5719 Miscellaneous Equip	7,100	1,925		9,025
COMPUTER SERVICES (456):				
01-456-5712 Data Processing Equip	197,257	<u>1,517</u>		198,773
		<u>3,442</u>	<u>(3442)</u>	
<i>Transfer for authorized replacement wheel balancer and for computer to Computer Services</i>				
COUNTY JUDGE (420):				
01-420-5353 Special Projects	250	100		350
01-420-5211 Office Supply	1,201		(100)	1,101
DISTRICT COURT (436):				
01-436-5711 Furniture	-0-	3,053		3,053
01-436-5445 Appeals	25,000		(2,743)	22,257
01-436-5335 Time Payment Exp	310		<u>(310)</u>	-0-
		<u>3,053</u>	<u>(3,053)</u>	
<i>Authorize Jury room table and chairs from appeals savings</i>				
COMPUTER SERVICES (456):				
01-456-5489 Tel & data lines	37,000	7,948		44,948
01-456-5021 Staff	88,941		(5,000)	83,941
01-456-5101 FICA/RET	24,042		(1,450)	22,592
01-456-5160 Insurance	13,118		(1,048)	12,070
01-456-5271 Fuel	1,500		(250)	1,250
01-456-5311 Travel	1,000		<u>(200)</u>	800
		<u>7,948</u>	<u>(7,948)</u>	
<i>Transfer for needed expense</i>				
FUND NO. <u>08</u>				
FUND TITLE <u>RECORDS MANAGEMENT/COUNTY CLERK</u>				
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
APPROPRIATION BEFORE AMENDMENT APPROPRIATION AS				
RECORDS MANAGEMENT (445):				
08-445-5711 Office Equipment	5,905	500		6,405
08-445-5448 Contract Services	93,995		(500)	93,445
<i>Transfer for typewriter</i>				

18890 APPROVE UTILITY PERMITS

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

UTILITY PERMIT #	COUNTY ROAD #/NAME	UTILITY COMPANY
00-108	CR266/OLD BASTROP HWY.	BLUE BONNET ELECTRIC COOP
00-109	CLOVIS BARTER ROAD	BLUE BONNET ELECTRIC COOP
00-110	CR160/HARRIS HILL ROAD	CENTURY TEL CO OF S.M.

00-229	REGINA DRIVE	GOFORTH WATER SUPPLY CORP
00-230	CR157/GOFORTH ROAD	SOUTHWESTERN BELL
00-231	KAI VISTA DRIVE	SOUTHWESTER BELL
00-410	BLUFF TRAIL	TIME WARNER CABLE

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Utility Permits #00-108, #00-109, #00-110, #00-229, #00-230, #00-231, & #00-410 as submitted by the Road Department. All voting "Aye".

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18891 AWARD ANNUAL CONTRACT FOR BRUSH CUTTING AND OTHER SERVICES

Bids were received from Asplundh Tree Expert Co. (Houston), Sonny Hawkins Fence Co. (Kyle), and Davey Tree Expert Co. (Austin). Bids were reviewed by the County Road Supt/Engineer and Purchasing Agent and their recommendation was to award annual contract to Asplundh Tree Expert Co. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to award annual contract for brush cutting and other services to Asplundh Tree Expert Company as recommended. All voting "Aye".

18892 AWARD ANNUAL CONTRACT FOR MOWING OF R.O.W.

Bids were received from Brownsboro Enterprises Inc. (Lockhart), Canham Contracting Inc. (New Braunfels), and Asplundh Tree Expert Co. (Houston). Bids were reviewed by the County Road Supt/Engineer and Purchasing Agent and their recommendation was to award annual contract to Brownsboro Enterprises Inc. as low bidder. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to award annual contract for mowing of R.O.W. to Brownsboro Enterprises, Inc. All voting "Aye".

18893 AWARD ANNUAL CONTRACT FOR ROAD BUILDING MATERIALS

Bids were submitted by Yarrington Road Materials (Kyle), Koch Materials Co. (Austin), Colorado Materials Ltd. (San Marcos), Rogers Materials Co. (Buda), Ingram Ready Mix Inc. (San Marcos), and Transit Mix Concrete (Austin). Bids were reviewed by the County Road Supt/Engineer and Purchasing Agent and recommendation is for multiple awards to vendors with low bid for that item and for the location of materials by precinct.

VENDOR/BIDDER	PCTS	ROAD BUILDING MATERIALS
Yarrington Road Materials	1, 2, 3, & 4	Item 302-Aggregate for surface treatment Type A Grade 3, 4 & 5
Koch Materials Co.	1, 2, 3 & 4	Item 300-Asphalt, Oils & Emulsion Tye HFRS-2, AD-P & MS-1
Colorado Materials Ltd.	1, 2, 3, & 4	Item 247 Flexible Base Type A Grade 1, 2, 3 & Crusher Fines Item 302 Precoated Aggregate for surface treatment Type PA GR 4 & 5 Item 340 Hot Mix Asphaltic Concrete Pavement Type A, B, C, D & F Item 334-Hot Mix Cold Laid Asphalt (patching material)

		Type A, B & C
Rogers Materials Co.	1, 2, 3 & 4	Item 334-Hot Mix-Cold Laid Asphalt Type D
Ingram Ready Mix Inc.	1, 2, & 3	Concrete for structures PSA 2500 1 ¼ ", 5/8", & 3/8" Rock PSA 3000 1 ¼ ", 5/8", & 3/8" Rock PSA 3500 1 ¼ ", 5/8", & 3/8" Rock
Transit Mix Concrete	4	Concrete for structures PSA 2500 1 ¼ ", 5/8", & 3/8" Rock PSA 3000 1 ¼ ", 5/8", & 3/8" Rock PSA 3500 1 ¼ ", 5/8", & 3/8" Rock

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to award annual contract for road building materials to Koch Materials Inc., Colorado Materials Ltd, Yarrington Road Materials, Rogers Materials Co., Ingram Ready Mix Inc. & Transit Mix Concrete as recommended. All voting "Aye".

18894 AWARD CONTRACT FOR ROAD BUILDING MATERIALS (PIT RUN) FOR THE YARRINGTON YARD

Bids were received from Colorado Materials Ltd. (San Marcos), Yarrington Road Materials (Kyle), and Centex Materials LP (Austin). Bids were reviewed by the County Road Supt/Engineer and Purchasing Agent and their recommendation was to award annual contract to Colorado Materials for low bid of \$.50 per ton for "pit run" flexible base Type B, Grade 6 with no rock larger than 4" and PSI less than 20. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to award contract for road building materials (pit run) for the Yarrington Yard to Colorado Materials as recommended. All voting "Aye".

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18895 AWARD ANNUAL CONTRACT FOR REGULATORY, WARNING & OTHER ROAD SIGNS TO MULTIPLE VENDORS

Bids were submitted by Vulcan Signs, Rocal, Wenzel-Wensel & Associates, Whiteco Signs, Unistrut, Pathmark, Smith Municipal, and Custom Products. Bids were reviewed by the County Road Supt/Engineer and Purchasing Agent and their recommendation is to approve multiple awards for low bid for that item. [see bid recommendation in file] A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to award annual contract for regulatory, warning & other road signs to multiple vendors as recommended. All voting "Aye".

18896 APPROVE INTERLOCAL CONTRACT WITH CAPCO FOR IMPLEMENTATION OF ENHANCED 9-1-1 PROGRAM

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve interlocal contract with CAPCO (Capital Area Planning Council) for implementation of enhanced 9-1-1 program. All voting "Aye".

18897 EXECUTIVE SESSION TO MEET WITH LEGAL COUNSEL PURSUANT TO SECTION 552.071, TEXAS GOVERNMENT CODE, TO DISCUSS REAL PROPERTY ACQUISITION RELATING TO FISCHER STORE ROAD (HODGES PROPERTY ON CR181) AND ACTION TO PROCEED WITH THE ACQUISITION AND/OR CONDEMNATION OF THE PROPERTY NEEDED FOR PUBLIC NECESSITY [T1-578]

Commissioner Burnett thanked the public for support of this action. He spoke of efforts made by legal counsel to try to avoid going to condemnation but it does not look like we can settle this without going to condemnation. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to move forward with any and all steps toward condemnation on the Hodges property on CR181 and authorize Commissioner Burnett and Special Counsel to work towards an entry agreement to immediately start work on the project, if necessary, and furthermore request the Road Department to immediately place a speed warning sign on County Road 181 until we can get warning signs or start work on the project. All voting "Aye".

18898 COTTONWOOD CREEK BUSINESS PARK, SECTION TWO * APPROVE FINAL PLAT

[T1-627] Environmental Health Director Allen Walther gave staff recommendation for approval of final plat. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve final plat of "Cottonwood Creek Business Park Section Two". All voting "Aye".

18899 SIERRA WEST, SECTION 1 * APPROVE FINAL PLAT [T1-642]

This subdivision will have a public water supply (CNN has been approved by TNRCC) and will have a Class I on-site sewage facilities, thereby making the 1.5 acre lot sizes compliant with Hays County regulations for minimum lot size. Fiscal security for the construction of roads and drainage has been received for 100% of the cost estimate reviewed and approved by the County Road Supt/Engineer. Environmental Health Director Allen Walther advised that a portion of the original tract is being deleted from the subdivision because of property ownership issues - the remaining portion meets county requirements and he gave staff recommendation for approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Sierra West Section 1". All voting "Aye".

18900 RICH ADDITION * APPROVE PRELIMINARY PLAT AND GRANT VARIANCES FROM MINIMUM LOT SIZE REQUIREMENTS AND LENGTH OF SHARED ACCESS DRIVEWAY [T1-667]

Environmental Health Director Allen Walther advised that the one acre parcel has an existing house on it and property owner proposes to sell that house. There are approximately 260 acres total and the only access is by a 30 ft. easement which accesses the old Martindale Road. Mr. Rich is requesting a variance to minimum lot size requirement and maximum length of shared access driveway (SAD) which he believes them to be "grandfather" issues. There are two other houses on this property and there is no way for property owner to abide by our rules (no way to obtain additional access). The City of San Marcos has reviewed this and have approved the division of land under these circumstances. Commissioner Molenaar asked about increasing the size of the lot from one acre to 1.5 acres as required by county regulations. A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve preliminary plat and grant variances from minimum lot size requirements and length of shared access driveway. Commissioner Ingalsbe, Commissioner Carter and Judge Powers voting "Aye". Commissioner Burnett and Commissioner Molenaar voting "No".



18901 CANVASS ELECTION RETURNS OF THE CITY/VILLAGE OF WIMBERLEY CITY COUNCIL ELECTION OF 8/12/00 [T1-806]

Election Administrator Joyce Cowan presented a tally sheet of election results. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to canvass election returns of the City/Village of Wimberley City Council Election of August 12, 2000. All voting "Aye".

ORDER DECLARING RESULTS OF CITY OFFICERS' ELECTION HELD IN THE CITY/VILLAGE OF WIMBERLEY

Whereas, an election was duly held in the City/Village of Wimberley on the 12th day of August AD. 2000, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 845 valid and legal votes; and that each of the candidates in said election received the following votes:

FOR MAYOR

<u>Name of Candidate</u>	<u>Total Number of Votes Received</u>
<i>Linda Hewlett</i>	<i>476</i>
Dick Larson	148
Allan C. Kimball	217

FOR ALDERMAN

<u>Name of Candidate</u>	<u>Total Number of Votes Received</u>
<i>Tony McGee</i>	<i>626</i>
Daniel Scales	69
Butch Watts	111
<i>Stephen Klepfer</i>	<i>499</i>
Murray Dyer	60
<i>Matt P. Manis</i>	<i>467</i>
Dennis C. Bullock	304
John R. Hyink	307
<i>Walter Brown</i>	<i>456</i>
Jim Sheffied	219
<i>Martha Knies</i>	<i>592</i>
John Graddy	220

Now, Therefore, be it resolved by the Commissioners' Court of Hays County, Texas, that said election was duly called, that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that Linda Hewlett was duly elected **MAYOR** of said City at said election and Tony McGee, Stephen Klepfer, Matt P. Manis, Walter Brown, and Martha Knies were duly elected **ALDERMEN** of said City at said election, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

This **Order** is made and entered upon the records of the Commissioners' Court of Hays, County, Texas, this 15th day of August A.D., 2000

PASSED, ADOPTED AND APPROVED this 15th day of August, 2000.

18902 CANVASS ELECTION RETURNS OF THE PROPOSED INCORPORATION OF THE VILLAGE OF JACOBS WELL AND THE ELECTION OF THE CITY COUNCIL HELD ON 8/12/00 [T1-852]

Election Administrator Joyce Cowan presented a tally sheet of election results. She advised that the vote failed for incorporation [63 FOR 77 AGAINST]. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to canvass election returns of the proposed Incorporation of the Village of Jacobs Well and the election of the city council held on August 12, 2000. All voting "Aye".

ORDER DECLARING RESULTS OF AN ELECTION HELD IN THE VILLAGE OF JACOBS WELL

Whereas, an election was duly held in the **Village of Jacobs Well** on the 12th day of August AD. 2000, to determine whether the hereinafter described territory should be incorporated under Chapter 8 of the Local Government Code of the State of Texas for municipal purposes to be known as the **Village of Jacobs Well**, and returns of said election duly made and it appearing from said returns that a majority of the votes were cast at said election in favor of incorporation, there being 63 votes for incorporation and 77 votes for no incorporation.

Now, Therefore, it is adjudged and decreed that said election resulted in a vote **AGAINST** such incorporation, and I, Jim Powers County Judge of Hays County, Texas, do hereby declare that said territory is not incorporated as a Type C general-law municipality - Commission form of government for municipal purposes.

The territory is described by metes and bounds as follows:

See Exhibit A

This **Order** is made and entered upon the records of the Commissioners' Court of Hays, County, Texas, this 15th day of August A.D., 2000

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18903 APPROVE AN OUT-OF-STATE CONFERENCE FOR REQUIRED CERTIFICATION COURSES ON NOVEMBER 12-16,2000 [T1-877]

Computer Services Director Jeff McGill advised that this out-of-state conference will have the courses required for certification and this is the only time they offer 4 weeks of training in 1 week. Required certification courses: Internet Security Symposium & IT Executive Training. The \$4,000 training fee is waived for members of the association. The biggest emphasis is on security at this training session. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve an out-of-state conference for computer services personnel for a required certification courses on November 12-16, 2000. All voting "Aye".

18904 APPROVE PROPOSED PROPERTY TAX RATE FOR THE FY2001 BUDGET OF \$.4539, PUBLISH NOTICE OF A PUBLIC HEARING ON THE TAX INCREASE TO BE HELD ON AUGUST 29, 2000 AT 10:00 A.M. IN THE COMMISSIONERS' COURTROOM OF THE HAYS COUNTY COURTHOUSE AND SET THE DATE TO ADOPT THE TAX RATE FOR SEPTEMBER 5, 2000 AT 10:00 A.M [T1-921]

Special Counsel Jacqueline Cullom Murphy spoke of calendar that has been created based on requirements of Local Government Code §111.0075, §152.013, & §111.007(b). County Auditor Bill Herzog advised that it is a tax increase because we will collect more tax revenue using the current tax rate (due to an increase in tax values). The court does need to adopt a proposed tax rate today for publication purposes. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve a proposed property tax rate for the FY2001 budget of \$.4539, publish notice of a public hearing on the tax increase to be held on August 29, 2000 at 10:00 A.M. in the Commissioners' courtroom of the Hays County Courthouse and set the date to adopt the tax rate for September 5, 2000 at 10:00 A.M. Commissioner Molenaar, Commissioner Burnett, Commissioner Ingalsbe and Judge Powers voting "Aye". Commissioner Carter voting "NO".

18905 SET THE PUBLIC HEARING ON THE FY2001 HAYS COUNTY BUDGET FOR AUGUST 29, 2000 AT 1:30 P.M [T1-1000]

A motion was made by Commissioner Molenaar, seconded by Judge Powers to set the public hearing on the FY2001 Hays County Budget for August 29,2000 at 1:30 P.M. All voting "Aye".

18906 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE CAPCO SOLID WASTE ENFORCEMENT PROGRAM AND TO EXECUTE A CONTRACT FOR UP TO \$20,880 [T1-1021]

Grant application will be submitted to CAPCO Solid Waste Enforcement Program for up to \$20,880. Grant funds will be used to purchase two night surveillance cameras, vehicle markings and computer system for the county's Solid Waste Enforcement Officer. The supervisor for the program is Allen Walther (Environmental Health Director) and the officer is Jeff Wright. Existing county funds will be used as match in the grant application. This is the sixth year of participation. A motion was made by Commissioner Carter , seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant application to the CAPCO Solid Waste Enforcement Program and to execute a contract for up to \$20,880. All voting "Aye".

18907 APPROVE A MEMORANDUM OF UNDERSTANDING FOR THE HAYS COUNTY JUVENILE JUSTICE ALTERNATIVE EDUCATIONAL PROGRAM (2000-2001 SCHOOL TERM) [T1-1049]

Ed Cooper, Chief Juvenile Probation Officer, spoke of alternative education for students permanently expelled from school. Hays CISD provides the building and maintenance of the building (@ HCISD Alternative Education Program Campus), administration of the education aspects of the campus, and serve as Fiscal Agent. Hays County provides staffing of a juvenile probation officer, 2 drill instructors, and training. San Marcos CISD will equally share in the operating costs with Hays CISD. Districts not participating in the MOU may refer a child to the placement committee for consideration and shall pay a per-diem charge for each of its students placed in the program. Ed Cooper asked the court to adopt and agree to a MOU to continue the program again this year. He advised that they had served 24 students last year (out of the 24: 12 completed the program, 3 moved, 3 were unsuccessful, and 6 have returned this fall). He spoke of previous expulsion resulting in students being put out on the street - this program guarantees that they continue their education. The JJAEP will have two drill instructors this year (provided by a grant). He asked the court to adopt the MOU for this school year. A motion was made by Judge Powers, seconded by Commissioner Ingalsbe to approve a Memorandum of Understanding for the Hays County Juvenile Justice Alternative Educational Program (2000-2001 School Term). All voting "Aye".

[T1-1320] Commissioner Molenaar commended Ed Cooper for his help with the youth of this county substantially.

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18908 CALL FOR A PUBLIC HEARING TO BE HELD ON AUGUST 22, 2000 TO ESTABLISH TRAFFIC REGULATIONS ON YARRINGTON ROAD (C.R.159) [T1-1195]

Commissioner Ingalsbe advised that action to be taken on August 22, 2000 is to establish two new STOP signs on Yarrington Road where it intersects with Yarrington Materials Co. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to call for a public hearing to be held on August 22, 2000 to establish traffic regulations on Yarrington Road (CR159). All voting "Aye".

18909 APPROVE AN ACCOUNTANT POSITION IN THE COUNTY TREASURER'S OFFICE

[T1-1211] County Treasurer Michelle Tuttle spoke of meeting with County Auditor Bill Herzog about this position. If approved, she will eliminate the current bookkeeping position and create an accountant position in her office. She spoke of funding that is available in the Treasurer's budget, however, an additional \$3,000 will be needed in the next fiscal year budget. This change is in response to recommendations of Armstrong, Vaughan and Associates in the audit performed for the fiscal year ending September 30, 1999. The proposed position would address the issues noted in the audit report and focus on timely and accurate reporting. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to approve an accountant position, to replace the current bookkeeper position, in the County Treasurer's office. All voting "Aye".

18910 ALLOW HILL COUNTRY MHMR TO RENT AN EXTRA ROOM IN THE KYLE OFFICES FOR \$350/PER MONTH [T1-1338]

Commissioner Carter spoke of room that was rented to Senator Barrientos which has been vacated. The Hill Country MHMR is currently occupying other space in the same building and would like to rent the vacated space as well. Commissioner Carter advised that the rent would have to be on a month to month basis because the building is up for sale by the owner. Special Counsel Jacqueline Cullom Murphy spoke of putting terms in the Judge's letter that have to be acknowledged to address county liability. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to allow the Hill Country MHMR to rent an extra room in the Kyle Offices for \$350 per month on a month-to-month basis with the County Judge sending a letter outlining the terms. All voting "Aye".

18911 REVISE THE FEE SCHEDULE FOR ON-SITE SEWAGE FACILITY PERMITS AND FEES FOR SUBDIVISION REVIEW [T1-1380]

Environmental Health Director Allen Walther presented current fee schedule and proposed fee schedule. He advised that fees have not been raised in a number of years. Commissioner Burnett spoke of justification for this request (growth and inflation). A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to revise the fee schedule for on-site sewage facility permits and fees for subdivision review as proposed by Environmental Health Director to be effective August 16, 2000. All voting "Aye".

PERMIT/REVIEW FEE	CURRENT FEE	NEW FEE
Residential OSSF Permit	\$ 200.00	\$ 275.00
Commercial OSSF Permit	\$ 400.00	\$ 500.00
Subdivision/Preliminary Plat with no floodplain	\$ 200 plus \$10 per lot	\$ 400 plus \$10 per lot
Subdivision/Preliminary Plat with floodplain	\$ 500 plus \$10 per lot	\$ 700 plus \$10 per lot

DISCUSSION REGARDING A REPORT OF THE BUILDINGS COMMITTEE [T1-1488]

Commissioner Carter spoke of crisis in Pct 2 with office space. Justice of the Peace Lamont Ramage spoke of meeting with the building committee and the real question is "do you want to rent or buy?" He spoke of 2000-2500 sq ft (near the Coves of Cimmaron) that is available and could house the justice court, constable, TAC substation, & possibly the Commissioner's office space. Sheriff's substation could stay at the current location (they would have the entire space). Rental fee is \$1.10 per sq ft . Commissioner Carter spoke of building committee to meet today. Commissioner Molenaar asked about senior citizens located in the current county building. Commissioner Burnett asked for cost figures associated with this relocation (proposed rental is \$2750 per month). Commissioner Molenaar spoke of need for additional office space for JP5 and Constable 5 and he suggested a workshop to discuss office space. Judge Ramage spoke of problems with handicapped access at the current location. Judge Powers spoke of need for plans. Judge Ramage advised that a letter of intent is needed if we plan on renting the Thames building. [T1-1835] Commissioner Carter spoke of meeting with the Butler Building Company and the scope of their work. They have engineered plans and their buildings can be any configuration you want with cost as low as \$25-35 per square foot.

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STAFF REPORT BY ENVIRONMENTAL HEALTH DIRECTOR [T1-1922]

Environmental Health Director Allen Walther presented a summary of development activity from his office. It reflects increases in permits being issued.

To: Hays County Commissioners' Court

From: Allen Walther

Date: August 14, 2000

Re: Summary of Development Activity

I am providing the following information to give you some indication of where current development is occurring. This comes from a review of our OSSF application files and covers a period of 8-26-99 to 8-11-00. As you can see, in slightly less than one year we have processed 1290 new applications. The precinct totals are as follows:

Pct. 1	101 applications	7.8 %
Pct. 2	423 applications	32.8 %
Pct. 3	254 applications	19.7 %
Pct. 4	512 applications	39.7 %
Total	1,290	

Please keep in mind that this does not include growth within the cities and areas served by collective sewer systems. San Marcos, Kyle, Buda, and to some degree Woodcreek have also added substantially to their growth numbers. A poll of those cities indicates approximately 1655 additional residential units. Adding those numbers to ours indicates an annual growth rate of about 8% or 8,000 new county residents (2,945 X 2.7 residents per unit).

He advised that the City of San Marcos has issued permits for a total of 880 apartment units and 102 residential units. The City of Buda issued 230 residential units, the City of Kyle issue 360 residential units, and Woodcreek issued 80 permits. Totals from county and cities (not all the cities) is approximately 3,000 residential units (reflects an increase of 8,000 residents/8% growth rate).

COURT WAS ADJOURNED.

MINUTES APPROVED IN OPEN COURT ON THE 22nd DAY OF AUGUST, 2000.

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

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

