



VOL R PG 820

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SEPTEMBER 5 , 2000

STATE OF TEXAS ①
 COUNTY OF HAYS ①

ON THIS THE 5th DAY OF SEPTEMBER 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 INGALSBE GONZALES
 H. S. "SUSIE" CARTER
 WILLIAM "BILL" BURNETT
 RUSS G. MOLENAAR
 LEE CARLISLE

COUNTY JUDGE
 COMMISSIONER, PCT. 1
 COMMISSIONER, PCT. 2
 COMMISSIONER, PCT. 3
 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 Carter led the Court in the Pledge of Allegiance to the Flags.

18958 ADOPT A PROCLAMATION RECOGNIZING "DIEZ Y SEIS DE SEPTIEMBRE"

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to adopt a Proclamation recognizing "Diez Y Seis De Septiembre". All voting "Aye".

**PROCLAMATION RECOGNIZING
 DIEZ Y SEIS DE SEPTIEMBRE**

WHEREAS, this is the 190th anniversary of the Diez y Seis de Septiembre celebration in Mexico and the United States; and

WHEREAS, all freedom-loving people recount the heroic moment when the brave priest of Dolores, Don Miguel Hidalgo y Costilla risked his life to break the chains of slavery; and

WHEREAS, Don Miguel Hidalgo networked with many people who shared his idea of freedom so as to free the indigenous from the cruel and abusive treatment of Spanish tyranny; and

WHEREAS, 190 years later, people everywhere need to be constantly aware of the situation that will enslave them unless we risk going outside our own backyards to appreciate and learn each other's culture; and

WHEREAS, we have learned that many women were also involved in finding solutions to the challenges that Mexico faced in the 19th century, and continue to do so today.

NOW, THEREFORE, BE IT PROCLAIMED by the Hays County Commissioner's Court that our community recognize and celebrate the importance of Diez y Sies de Septiembre and encourage all citizens to celebrate the spirit of Don Miguel Hidalgo.

WITNESS OUR HANDS SET HERE UNTO as evidenced by our signatures affixed hereto this the 5th day of September, 2000.

PUBLIC COMMENTS

[T1-64] Jim Green spoke of action taken last week in which the Commissioners' Court turned down allowing the

tax exempt status for the Jefferson Commons apartment houses and he congratulated the court on saving the taxpayers money. He spoke in opposition to this program – he would like for the court to work with the City of San Marcos in turning down any of these programs. He spoke of government putting other people out of business because of their inherent ability to charge less (not paying any property taxes), their police power, and taxing power. This program needs to be repealed. He asked what is a university or city one thousand miles away doing buying property in San Marcos? He spoke of taking this property off the tax roll and how it will affect local taxpayers.

18959 APPROVE THE COMMISSIONERS’ COURT MINUTES OF AUGUST 29, 2000

A motion was made by Commissioner Powers, seconded by Commissioner Carter to approve the Commissioners’ Court Minutes of August 29, 2000 as presented by the County Clerk. All voting “Aye”.

HAYS COUNTY COMMISSIONERS’ COURT MINUTES



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18960 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Powers, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$ 102,491.01 as presented by the County Auditor. All voting “Aye”.

Fines	\$ 455.44	Auditors Office	\$ 263.78	Treasurers Office	\$ 472.56
Extension Office	\$ 2,473.23	Grants Administration	\$ 118.95	Juvenile Probation	\$ 2,783.59
Election Administration	\$ 178.55	Transfer Station	\$ 276.13	Bldg Maintenance	\$ 899.45
Environmental Health	\$ 209.16	Civic Center	\$ 279.56	Countywide Operating	\$ 9,950.02
Tax A/C Office	\$ 2,046.62	County Clerks Office	\$ 359.99	Sheriffs Office	\$ 3,781.50
Jail Operations	\$ 15,090.13	County Judges Office	\$ 13.85	County Court at Law 1	\$ 81.23
District Attorneys Office	\$ 113.10	Justice of the Peace 2	\$ 686.30	Justice of the Peace 3	\$ 180.79
Justice of the Peace 5	\$ 184.05	Dept of Public Safety	\$ 116.78	Constable 3	\$ 48.83
Constable 5	\$ 1,565.00	District Court Operations	\$ 7,457.65	Co & JP Court Oper	\$ 3,475.25
Veterans Admin Office	\$ 12.50	Computer Services	\$ 2,047.98	TJPC Salaries Grant	\$ 3,375.61
Fire Marshal/EMC Ofc	\$ 12.47	TJPC CCAP Grant	\$ 26,546.79	CJD/VAWA Grant	\$ 52.50
CJD/Truancy Ofcr Grant	\$ 8,916.54	General Fund Credit	<\$4.29>	R&B Operations	\$ 4,086.23
Precinct 1	\$ 107.01	Precinct 2	\$ 150.00	Precinct 3	\$ 210.31
Precinct 4	\$ 1,262.50	Road Reconstruction	\$ 89.62	Sheriffs Abandoned Veh	\$ 166.96
Anticipation Notes '95	\$ 723.45	Rec Mng/Co Clerk	\$ 432.19	Health Svcs Grants	\$ 221.50
Sheriff's Drug Forfeiture	\$ 413.00	Family Health Svcs Fumd	\$ 28.50		

18961 APPROVE BUDGET AMENDMENT NO. 00-35

A motion was made by Commissioner Powers, seconded by Commissioner Carter to approve Budget Amendment No. 00-35 as proposed by the County Auditor. All voting “Aye”.

AMENDMENT NO. 00-35 FY 2000 BUDGET 09/05/00				
FUND NO. 01 FUND TITLE GENERAL FUND				
APPROPRIATION BEFORE		AMENDMENT		APPROPRIATION AS
LINE ITEM - EXPENDITURES	AMENDMENT	INCREASES	DECREASES	AMENDED
AUDITOR OFFICE (401):				

01-401-5211 Office Supply	4,500	435		4,935
01-401-5212 Postage	1,700		(110)	1,590
01-401-5461 Printing	3,000		<u>(325)</u>	2,675
		<u>435</u>	<u>(435)</u>	
<i>Transfer of line items for needed expense</i>				
JUSTICE OF PEACE 1-2 (425):				
01-425-5711 Office Equipment	-0-	435		435
01-425-5335 Time Payment expense	3,671		(435)	3,236
<i>Transfer for telephone accessories equipment</i>				
JUSTICE OF PEACE 4 (428):				
01-428-5211 Office supply	1,000	182		1,182
01-428-5212 Postage	500		(60)	440
01-428-5213 Books	180		(102)	78
01-428-5461 Printing	50		<u>(20)</u>	30
		<u>182</u>	<u>(182)</u>	
<i>Transfer for toner purchase</i>				
CONSTABLE 5 (435):				
01-435-5212 Postage	900	300		1,200
01-435-5413 Vehicle Maintenance	3,000	750		3,750
01-435-5101 FICA/RET	10,576		(1,050)	9,526
		<u>1,050</u>	<u>(1,050)</u>	
<i>Transfer for transmission repairs from personnel savings</i>				
COMPUTER SERVICES (456):				
01-456-5421 County-wide Mtc.	32,013	4,000		36,013
01-456-5489 Tel & Data Lines	44,948	2,960		47,908
01-456-5429 Software Packages	144,300		(6,960)	137,340
		<u>6,960</u>	<u>(6,960)</u>	
<i>Transfer for needed expense</i>				

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AMENDMENT				
Page 2 NO. 00-35				
FY 2000 BUDGET				
09/05/00				
FUND NO. 01				
FUND TITLE GENERAL FUND				
LINE ITEM - EXPENDITURES	AMENDMENT	AMENDMENT		AMENDED
	BEFORE	INCREASES	DECREASES	AS
BUILDING MAINTENANCE (410):				
01-410-5211 Office Supply	275	303		578
01-410-5413 Vehicle Maintenance	2,000	800		2,800
01-410-5474 Uniforms and mats	13,360	2,554		15,914
01-410-5489 Telephone	7,000	749		7,749

01-410-5212 Postage	20	(9)	11
01-410-5241 Building Maint Supply	23,070	(2,100)	20,970
01-410-5419 Misc Equipment Maintenance	700	(212)	488
01-410-5231 Medical Supply	200	(78)	122
01-410-5311 Travel	1,200	(290)	910
01-410-5473 Equipment Lease	640	(217)	423
01-410-5481 Annex Utilities	20,500	(1,200)	19,300
01-410-5457 A/C Maintenance	31,030	(300)	30,730
		<u>4,406</u>	<u>(4,406)</u>
<i>Transfer for needed expense</i>			
FUND NO. 03			
FUND TITLE ROAD & BRIDGE GENERAL FUND			
	APPROPRIATION BEFORE	AMENDMENT	APPROPRIATION AS
LINE ITEM - EXPENDITURES	AMENDMENT	INCREASES DECREASES	AMENDED
ROAD OPERATIONS (438):			
03-438-5448 Contract road work	400,000	3,600	403,600
PRECINCT 2 (440):			
03-440-5331 Cont Ed	1,500	(800)	700
03-440-5353 Special Projects	1,500	(1,500)	-0-
03-440-5473 Equipment Lease	3,100	(1,300)	1,800
		<u>3,600</u>	<u>(3,600)</u>
<i>Transfer for pothole repair from Pct. 2</i>			

18962 APPROVE UTILITY PERMIT #00-224C ON CR210

A motion was made by Commissioner Powers, seconded by Commissioner Carter to approve Utility Permit #00-224C on CR210 issued to Texas Water Services, Inc. All voting "Aye".

18963 APPROVE AMENDMENT TO THE FINANCIAL ADVISORY AGREEMENT BETWEEN HAYS COUNTY AND FIRST SOUTHWEST COMPANY REGARDING ARBITRAGE AMOUNT

First Southwest Company agrees to provide professional services in determining the Arbitrage Amount with regards to all issues of tax-exempt bonds and agree to perform duties in connection with providing arbitrage rebate compliance services. A motion was made by Commissioner Powers, seconded by Commissioner Carter to approve Amendment to the Financial Advisory Agreement dated June 22, 1999 by and between Hays County and First Southwest Company regarding arbitrage amount. All voting "Aye". [see contract amendment in file]

18964 AUTHORIZE PURCHASE OF A CHAIR FOR THE COUNTY CLERK'S OFFICE

A motion was made by Commissioner Powers, seconded by Commissioner Carter to authorize purchase of a chair for the County Clerk's office in the amount of \$355.98. All voting "Aye".

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18965 AUTHORIZE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE, U.S. DEPARTMENT OF JUSTICE FOR UP TO \$24,028 TO BE USED TO PURCHASE TECHNOLOGY RELATED EQUIPMENT, AND TO EXECUTE CONTRACT

[T-150] Grants Administrator Richard Salmon advised that this grant application to the Bureau of Justice Assistance - Dept. of Justice will be used to purchase technology related equipment for the Sheriff's Office. Under the guidelines of the grant, a public hearing will be held to obtain public comment and an advisory board will be created to review the use of funds and compliance with grant requirements. No administration funds are included in the grant. Matching funds will be provided by the Sheriff's Office in the amount of \$2,670. Commissioner Carter requested a list of equipment to be purchased. Richard Salmon stated that five people from the community (the advisory board) will review the list of things to be purchased and it has to be, by their definition, "technology". A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant application to the Bureau of Justice Assistance, U.S. Dept. of Justice for up to \$24,028 to be used to purchase technology related equipment and to execute the contract. All voting "Aye"

18966 APPROVE INTERLOCAL ASSISTANCE AGREEMENT FROM THE REGIONAL AUTO THEFT ENFORCEMENT TASK FORCE AND EXECUTE A CONTRACT UP TO \$43,775 IN GRANT MONEY FOR THE SALARY AND BENEFITS OF EUGENE CARRANZA OF THE SHERIFF'S OFFICE [T1-189]

Grants Administrator Richard Salmon advised that this group (Regional Auto Theft Enforcement Task Force) was created to form a mutual aid law enforcement task force to cooperate in criminal investigations and law enforcement in combating auto theft in Central Texas. The salary and benefits of Eugene Carranza in the Sheriff's Office are paid through this grant. Travis County is the manager for the administration of the grant which is utilized to support task force operations, and Travis County will allocate funding and equipment in accordance with provisions of the grant. This is the third year Hays County will be participating in this grant. Commissioner Ingalsbe asked about the amount of the grant. Richard Salmon advised that the grant includes the salary and benefits. A Motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Interlocal Assistance Agreement from the Regional Auto Theft Enforcement Task Force and execute a contract up to \$43,775 in grant money for the salary and benefits of Eugene Carranza of the Sheriff's Office. All voting "Aye". [see interlocal assistance agreement in file]

18967 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION - JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FOR \$34,823 TO HIRE AN ADDITIONAL DRILL INSTRUCTOR FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM AT HAYS HIGH SCHOOL [T1-217]

Grants Administrator Richard Salmon advised that this is a grant for \$34,823.00, which was approved by the Office of the Governor-Criminal Justice Division-Juvenile Accountability Incentive Block grant to hire an additional drill instructor for the Juvenile Justice Alternative Education Program at Hays High School. This is a day boot camp for kids that have been expelled from school. Hays County qualifies for \$23,274 and the City of San Marcos qualifies for \$11,549 for a total of \$34,823.00. The City of San Marcos has elected not to apply, but instead will waive the amount they qualify for and will designate Hays County as the recipient of the allocated amount. The grant provides 10% for administrative costs, therefore there is no cost to the County. Chief Juvenile Probation Officer Ed Cooper spoke of adding one more drill instructor to assist the 1 probation officer and 1 drill instructor already in the program. Commissioner Carter asked about the kids in this program. Ed Cooper advised that the kids must be expelled from the regular school setting and sent to this program. The first half of the day is spent on academic education provided by teachers from the Hays CISD and the second half of the day is spent with Juvenile Probation personnel working on discipline, citizenship education, and behavior modification. He stated that this program is open to all school districts in the county - the San Marcos CISD and Hays CISD have entered into a memorandum of understanding - the Wimberley ISD and Dripping Springs ISD buy into it one child at a time. Commissioner Carter asked about continuation of this program if the

grant is not renewed. Richard Salmon advised that it would be up to the county to continue this program if the grant is not renewed – the county is not required to provide this program if we don't have the necessary funding. This program has been very successful. Commissioner Molenaar spoke in support of the program. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize the County Judge to accept a Grant from the Office of the Governor, Criminal Justice Division – Juvenile Accountability Incentive Block Grant for \$34,823 to hire an additional Drill Instructor for the Juvenile Justice Alternative Education Program at Hays High School. All voting "Aye"

18968 REPLAT OF WILDWOOD HILLS, SECTION 1, LOT 1 AND 2 [00-4-100] * WAIVE PUBLIC NOTIFICATION AND APPROVE FINAL PLAT [T1-320]

Environmental Health Director Allen Walther advised that this proposal is to relocate a common lot line between Lots 1 & 2 and will not create any new lots. Staff is requesting waiver of public notification and approval of final plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to waive public notification and approve final plat of "Wildwood Hills Section 1 Replat of Lots 1 & 2". All voting "Aye".

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18969 CALL FOR A PUBLIC HEARING ON SEPTEMBER 19, 2000, TO ESTABLISH TRAFFIC REGULATIONS IN THE COVES OF CIMARRON [T1-335]

Road Supt/Co. Engineer Jerry Borcharding advised that a STOP sign is needed at the intersection of Redbud and Laurel and two STOP signs are needed at the intersection of Magnolia Cove and Redbud. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing on September 19, 2000 to establish traffic regulations in the Coves of Cimarron Subdivision. All voting "Aye".

18970 CALL FOR A PUBLIC HEARING ON SEPTEMBER 19, 2000, TO ESTABLISH TRAFFIC REGULATIONS ON WAYSIDE DRIVE IN WIMBERLEY [T1-348]

Recommendation for speed limits on Wayside Drive are as follows: 35 MPH from River Road to Inwood Drive East, 45 MPH from Inwood Drive East to Thompson Ranch Road, and 35 MPH from Thompson Ranch Road to Comal County line. A motion was made by Commissioner Burnett, seconded by Commissioner Carter to call for a public hearing on September 19, 2000 to establish traffic regulations on Wayside Drive in Wimberley. All voting "Aye".

18971 CALL FOR A PUBLIC HEARING ON SEPTEMBER 19, 2000, TO ESTABLISH TRAFFIC REGULATIONS IN DEERCREEK SUBDIVISION (STOP SIGNS) [T1-358]

A motion was made by Commissioner Molenaar. seconded by Commissioner Burnett to call for a public hearing on September 19, 2000 to establish traffic regulations in Deer Creek Subdivision (STOP signs). All voting "Aye".

18972 ACCEPT BIDS ON PROPERTY HELD IN TRUST (DELINQUENT TAX PROPERTIES)

[T1-364] Tax Assessor-Collector Luanne Caraway spoke of bids received for properties for resale – all have been approved by their respective school districts. Bids are as follows:

Green Pastures Section 2 Lot 1 Block M	\$ 5,000	34% recovery
Woodcreek Section 19 Lot 193	\$ 800	43% recovery
Woodcreek Section 19 Lot 81	\$ 800	44% recovery
Woodcreek Section 19 Lot 41	\$ 800	72% recovery
Woodcreek Section 12 Lot 83	\$ 1,078	85% recovery

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to accept bids on five properties held in trust (delinquent tax property) as submitted by the Tax Assessor-Collector. All voting "Aye".

18973 RESTRUCTURE THE RECORDS MANAGEMENT FEASIBILITY STUDY COMMITTEE

[T1-404] Commissioner Molenaar spoke of his meeting with District Clerk Cecelia Adair regarding records management and retention, need to try and downsize the committee so that they can get together and come up with solutions, and to meet with other entities that have to deal with records preservation. He is requesting at this time to downsize that committee and appoint the following individuals: Commissioner Pct. 4 Russ Molenaar, Tax Assessor-Collector Luanne Caraway, District Clerk Cecelia Adair, County Clerk Lee Carlisle, and Computer Services Director Jeff McGill. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to restructure the Records Management Feasibility Study Committee as recommended by Commissioner Molenaar – committee to be comprised of Russ Molenaar, Luanne Caraway, Cecelia Adair, Lee Carlisle and Jeff McGill. All voting "Aye".

18974 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE LCRA PARTNERSHIP IN PARKS GRANT PROGRAM FOR UP TO \$135,000 [T1-426]

Grants Administrator Richard Salmon advised that this grant application would be to the LCRA Partnership in Parks (PIP) grant program for up to \$135,000 to purchase 17.859 acres and make improvements to this property located adjacent to the south end of Dudley Johnson Park. Remaining county and donor funds (\$29,078) allocated for improvements to Dudley Johnson Park and county funds in FY2002 (\$20,000) would be used as match. Total project includes ≥ construction of a fence around the new property, ∞ construction of hike and bike trails in the new property, < 10 family picnic areas in Dudley Johnson Park, and ≤ 10 family picnic areas in the new property. Also included in the project costs are survey, signage and design. If the grant is approved, the combined LCRA grant and County/donor funds (\$234,000) would be considered match toward a Texas Parks & Wildlife Grant of equal amount. No additional county or donor funds would be needed to apply for that grant in the future. Requests have been made by citizens and county employees to rename the expanded park "Johnson/Vetter Park" (in honor of slain DPS Officer Vetter) if the grant application is approved. The Hays County Parks Advisory Board has reviewed the proposal and has provided a letter of support signed by all members of the executive committee. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize the County Judge to submit a grant application to the LCRA Partnership in Parks Grant Program for up to \$135,000. All voting "Aye".

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18975 AUTHORIZE THE ADOPTION OF A LEGISLATIVE AGENDA OUTLINING RECOMMENDATIONS FOR LEGISLATIVE CHANGES IN THE UPCOMING LEGISLATIVE SESSION [T1-580]

Commissioner Burnett spoke of Legislative Agenda Committee made up of himself, Judge Powers, Environmental Health Director Allen Walther, and Special Counsel Jacqueline Cullom Murphy. There are a number of issue to be addressed in the next legislative session – development and land use issues have been on the forefront of the Commissioners Court at every meeting. He has worked with Allan Walther to put together a list of priorities. We are losing, day by day, a piece of our heritage and a piece of our county. He stated that our subdivision rules and regulations are considered to be some of the most stringent and yet flexible in the state of Texas. We created a ground water district in the western part of our county last year, we helped in the legislative fight last session to overturn the Elgin Bank loophole, and in 1999 the Commissioners' Court was awarded the "Water Quality Protection Award" by the Edwards Aquifer Conservation District for its water quality and water protection. What Hays County has done has been written about in the Wall Street Journal, the Austin American Statesman, Texas Lawyer, and the Austin Chronicle. We continue to have growth issues on our agenda every week and we struggle with the fight between the property rights of landowners and the property rights of current residents and our natural resources. He presented the court with a list setting out their legislative agenda. Commissioner Burnett stated that we have always taken a leadership role in environmental

issues and it is time to take the next step. He stated that every week someone reads a portion of the Local Government Code that clearly states that we do not have the authority to do a lot of the things that our constituents want us to do so it is incumbent on us to try and get that authority. Environmental Health Director Allen Walther spoke of moving from what use to be a rural county to one that is urbanizing rapidly and we have to deal with all the issues associated with that. The agenda focuses on things that might give us solutions. He went through each agenda item and explained why these changes are needed. He spoke of Impact fees for road improvements, notification of plat revisions and mail notification - county is more restrictive than cities are - connection of utilities is in the code but only given to specific counties – we have some of the same issues they have and by revising this we would have an extra tool. He spoke of ETJ issues and what cities can do - if residents don't receive any benefits then they would be allowed to be released from the ETJ. He feels like we need to move on these issues quickly. The agenda listed is only some of the issues that will be addressed – they will not be all the issues, but it is a start. Judge Powers spoke of large ETJ of Dripping Springs. Commissioner Burnett spoke of currently pushing the limits of our authority. [T1-815] David Baker spoke of support of these issues and his concern about release of city's ETJ. The county needs to create a master plan to deal with the kind of growth this county is experiencing. In Wimberley a large private utility came there in July and for the first time in history, Jacobs Well has stopped – they are at a critical point. Commissioner Burnett spoke of State Representative Rick Green helping them put this together and he recognizes the concerns. David Baker spoke of need to include groundwater conservation district's authority (local control). Judge Powers spoke of his concern for voter's rights – people who live in the ETJ being able to vote for leadership that controls the ETJ. They should have an input to the leadership that is setting all the rules. Commissioner Molenaar spoke of his desire to look at the last agenda item regarding release from city ETJ's – he spoke of ETJ in Dripping Springs protecting people from the City of Austin ETJ. Commissioner Burnett spoke of giving people the authority to request release from the ETJ of the City of Austin. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to adopt a Resolution proposing Legislative changes to strengthen subdivision development authority. All voting "Aye".

***A Resolution of Hays County Commissioners' Court
Proposing Legislative Changes
To Strengthen Subdivision Development Authority***

Whereas, population estimates place Hays County as one of the fastest growing counties in the State of Texas, and

Whereas, Hays County's population has grown from 65,614 in 1990 to more than 100,000 today, and

Whereas, The Austin-San Marcos Metropolitan Statistical Area (MSA) is one of the fastest growing areas in the United States, and

Whereas, the unprecedented growth in Hays County and the rest of Central Texas has seriously threatened the resources of our sensitive underground aquifers, and

Whereas, the Texas Legislature has recognized this problem and designated Hays County, among others, as a Priority Groundwater Management Area (PGMA) under Senate Bill 1, and

Whereas, additional regulatory measures are necessary in order to assure water quality and quantity in the PGMA, particularly in unincorporated areas, and

Whereas, the citizens of Hays County and other similarly situated counties have recognized the need for additional regulatory measures,

NOW, THEREFORE, BE IT RESOVLED, that the Commissioners' Court of Hays County, Texas respectfully requests that the following measures be enacted by the Texas Legislature:

- ***Authority for counties adjacent to counties with a population greater than 500,000 to adopt minimum standards for impervious cover, stormwater retention, and pollution elimination.***
- ***Zoning Authority for counties adjacent to counties with a population greater than 500,000***

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- ***Authority for counties to charge impact fees or to require boundary street***

improvements when new subdivision proposals are developed on existing substandard county roads.

- *Amend Section 232.009 allowing counties to establish notification requirements for revisions of plats. Counties would only be required to provide direct mail notification to property owners within 400' of the lot proposed for Resubdivision, provided notices were also posted on site.*
- *Amend Section 232, Subchapter A to include a provision on "Connection of Utilities" as found in Subchapter B, Section 232.029.*
- *Amend Section 232, Subchapter A, authorizing all counties to establish planning commissions consistent with Subchapter D, COUNTY PLANNING COMMISSION.*
- *Authority for citizens living in a city's area of extraterritorial jurisdiction more than two miles outside the corporate limits to obtain release from that city's ETJ, if after three years the city has failed to annex that area into their corporate limits or has failed to provide city services consistent with those provided within the corporate limits.*

Adopted this 5th day of September 2000.

18976 ADOPT AN ORDER SETTING THE TAX RATE FOR THE FY2001 BUDGET AND LEVY THE TAXES [T1-1057]

A motion was made by Judge Powers, seconded by Commissioner Ingalsbe to adopt an Order setting the tax rate for the FY2001 Hays County Budget and levy the taxes. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No". Commissioner Molenaar spoke of Commissioners' budgets within the road & bridge fund are illegal and unlawful. He read statute: Money in the Road & Bridge Fund of a county may be used only for work on public roads or building bridges, except as otherwise provided by law. He stated that 50% of a Commissioners' time is spent on other things in the county. He stated that we have a Road Department and until we change that we are not road commissioners. His problem is that the Commissioners are spending road & bridge funds on other items not related to roads & bridges. Commissioner Burnett spoke of already having published the tax rate breakdown and this issue should be addressed next year during the budget process. County Auditor Bill Herzog suggested leaving the tax rate as proposed.

ORDER ADOPTING AN AD VALOREM TAX RATE FOR FISCAL YEAR 2001 FOR HAYS COUNTY	
THE STATE OF TEXAS COUNTY OF HAYS	
On this 5 th day of September, 2000, the Commissioners' Court of Hays County, Texas, pursuant to Chapter 26 of the Texas Property Tax Code, adopts this order setting the fiscal year 2001 ad valorem tax rate as follows: All figures are in pennies per \$100 taxable property valuation:	
General Maintenance and Operations	27.71 cents
General Debt	8.08 cents
Road and Bridge M&O	9.60 cents
TOTAL AD VALOREM TAX RATE FOR FISCAL YEAR 2001	45.39 cents
The Court also adopts by this order the following tax rates for fiscal year 2001 for the following special road districts:	
Burnett Ranch Road	9.95 cents
Passed by the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS , this 5 th day of September, 2000.	

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 12th DAY OF SEPTEMBER, 2000.

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

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

