



STATE OF TEXAS □
 COUNTY OF HAYS □

ON THIS THE 19TH 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 INGALSBIE 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 Molenaar led the Court in the Pledge of Allegiance to the Flags.

Commissioner Burnett was not present at the beginning of the meeting.

18987 APPROVE THE COMMISSIONERS' COURT MINUTES OF SEPTEMBER 12, 2000

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of Sept. 12, 2000 as presented by the County Clerk. All present voting "Aye".

18988 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$145,688.50 as presented by the County Auditor. All present voting "Aye".

Licenses & Permits	\$ 547.50	Public Safety Services	\$ 30.00	Fines	\$ 1,315.00
Auditor's Office	\$ 1,032.70	Treasurer's Office	\$ 526.06	Extension Office	\$ 1,188.77
Grants Administration Office	\$ 71.43	Election Administration	\$ 2,161.95	Indigent Care	\$ 452.77
Transfer Station	\$ 6,734.00	Bldg. Mtc. Dept.	\$ 4,056.67	Environmental Health	\$ 1,436.60
Civic Center	\$ 828.65	Countywide Operations	\$ 64,244.05	Tax A/C Office	\$ 1,055.87
District Clerk's Office	\$ 857.29	County Clerk's Office	\$ 1,222.24	Sheriff's Office	\$ 9,338.80
Jail Operatons	\$ 6,071.38	County Judge's Office	\$ 198.44	County Court at Law 1	\$ 380.00
District Attorney's Office	\$ 1,340.19	J.P. 1-1	\$ 347.21	J.P. 1-2	\$ 286.41
J.P. 2	\$ 486.32	J.P. 3	\$ 49.31	J.P. 4	\$ 290.00
J.P. 5	\$ 136.15	DPS	\$ 919.40	Constable 1	\$ 99.46
Constable 2	\$ 299.75	Constable 3	\$ 45.22	Constable 4	\$ 136.45
Constable 5	\$ 136.45	District Court Operations	\$ 8,439.72	Co & JP Court Operations	\$ 1,255.66
Computer Services	\$ 4,374.61	DPS/L&W	\$ 852.83	Fire Marhsal/EMC	\$ 498.63
District Court Reporters	\$ 108.29	TJPC CCAP Grant	\$ 450.00	Assoc. Judge/Family Law	\$ 48.19
Special Counsel Office	\$ 315.00	Comm Court Expenses	\$ 681.00	CJD/VOCA Grant	\$ 377.29
CAPCO/Waste Task Force Grant	\$ 101.70	CAPCO 911 Addrs Mtc	\$ 65.13	General Fund Credit	<\$973.66>
R&B Operations	\$ 13,720.76	Precinct 1	\$ 2,942.73	Precinct 2	\$ 88.55
Precinct 3	\$ 43.42	Road Reconstruction	\$ 4.04	R&B General Fund Credit	<\$1,502.52>
Records Mng/County Clerk	\$ 78.00	Health Services Grants	\$ 909.13	Courthouse Security	\$ 457.95
Sheriff's Drug Forfeiture Fund	\$ 335.98	Family Health Svcs Fund	\$ 824.14	Cedar Oaks Mesa Water	\$ 2,720.00

18989 APPROVE BUDGET AMENDMENT NO. 00-37

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Budget Amendment No. 00-37 as proposed by the County Auditor. All present voting "Aye".

					AMENDMENT NO. <u>00-37</u> FY 2000 BUDGET
FUND NO. <u>01</u>					
FUND TITLE <u>ROAD & BRIDGE GENERAL FUND</u>					
APPROPRIATION	APPROPRIATION			AMENDMENT	
	BEFORE AMENDMENT	INCREASES	DECREASES	AS AMENDED	
<u>LINE ITEM - EXPENDITURES</u>					
<u>BUILDING MAINTENANCE (410):</u>					
01-410-5241 Building Maint. Supply	20,970	700		21,670	
01-410-5271 Fuel	3,735	163		3,898	
01-410-5413 Vehicle Maintenance	2,800	100		2,900	
01-410-5419 Equipment Maintenance	488	79		567	
01-410-5458 Contract Services	23,000	1,700		24,700	
01-410-5741 Building Improvements	-0-		121		121
01-410-5211 Office Supply	578		(43)	535	
01-410-5452 Trash Haul	5,025		(1200)	3,825	
01-410-5456 Pest Control	1,430		(120)		1,310
01-410-5487 Records Utilities	10,400		(421)		9,979
01-410-5491 Justice Utilities	55,000		(579)		55,079
01-410-5494 Wimberley Utilities	3,500		(300)		3,200
01-410-5499 Elevator Service	5,650		(200)		5,450
Transfer for needed expense		2,863	(2,863)		

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					AMENDMENT NO. <u>00-37</u> FY 2000 BUDGET
FUND NO. <u>01</u>					
FUND TITLE <u>ROAD & BRIDGE GENERAL FUND</u>					
APPROPRIATION	APPROPRIATION			AMENDMENT	
	BEFORE AMENDMENT	INCREASES	DECREASES	AS AMENDED	
<u>LINE ITEM - EXPENDITURES</u>					
<u>COUKNTY JUDGE (420):</u>					
01-420-5353 Special Projects	350	200		550	
01-420-5311 Travel	250		(200)	50	
<i>Transfer for elected officials meeting</i>					
<u>CONSTABLE 3 (433):</u>					
01-433-5391 Other		50	917		967
01-433-5271 Fuel	1,000		350		1,350
01-433-5021 Staff	26,805		(722)	26,033	
01-433-5331 Cont Ed	850		(95)	755	
01-433-5717 Law Enf Equipment	400			(400)	-0-
Transfer for vehicle cage from personnel savings		1,267	(1,267)		

<u>DEPARTMENT OF PUBLIC SAFETY (430):</u>				
01-430-5717	Law Enf Equipment	-0-	100	100
01-430-5212	Postage	1,500	(100)	1,400
01-430-5321	Dues & Bonds	100	45	145
01-430-5489	Telephone	18,000	<u>(45)</u>	17,955
	<i>Transfer for needed expense</i>		<u>145</u> <u>(145)</u>	
<u>COMPUTER SERVICES (456):</u>				
01-456-5211	Office Supply	1,500	100	1,600
01-456-5421	Equipment Maintenance	36,013	150	36,163
01-456-5221	Computer Supplies	6,950	(100)	6,850
01-456-5311	Travel	800	<u>(150)</u>	650
	<i>Transfer for needed expense</i>		<u>250</u> <u>(250)</u>	

18990 APPROVE UTILITY PERMITS #00-413 & #00-414

The following Utility Permits were submitted for approval:

- #00-413 on Centerpoint Road issued to Bluebonnet Electric Cooperative, Inc.
- #00-414 on CR101/Fitzhugh Road issued to Southwestern Bell Telephone

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Utility Permit #00-413 and #00-414 as submitted by the Hays County Road Department. All present voting "Aye".

Clerk's Note: There were no applications submitted for refund of double payments and/or overpayments on taxes

18991 APPOINT LAMARR M. PETERSEN TO THE HAYS COUNTY HISTORICAL COMMISSION

LaMarr Petersen has worked with the Hays County Historical Commission on historical grants for the past 7 ½ years and was also on the team to restore the courthouse. He is interest in historical buildings and sights both in Hays County and other areas (Texas and the United States) and requested an appointment on the Hays County Historical Commission. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to appoint LaMarr M. Petersen to the Hays County Historical Commission. All present voting "Aye".

18992 AUTHORIZE THE PURCHASE OF A SONY DIGITAL CAMERA FOR DPS (LICENSE & WEIGHTS)

Sam Davis requested that this item be pulled from the consent agenda and he asked for an explanation. County Auditor Bill Herzog spoke of request by DPS for a digital camera at a cost of \$474.99 (monies available in Line Item 01-470-5235 law enforcement supplies) which requires approval by the court. Commissioner Molenaar spoke of camera to be used at the weight station and he spoke of other funding that is provided to DPS by the county (clerical, supplies, etc.). He advised that the county in turn receives revenue through tickets issued by DPS License & Weights Division. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to authorize the purchase of a Sony Digital Camera for DPS/License & Weights Division. All present voting "Aye".

☐ **Commissioner Burnett came to the meeting at this time.**



18993 RESUBDIVISION OF BURNETT RANCH, SECTION 1, LOT 26 {0-3-089} * PUBLIC HEARING AND FINAL PLAT APPROVAL [T1-72]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Environmental Health Director Allen Walther gave staff recommendation for approval. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve final plat of "Burnett Ranch Section 1 Resubdivision of Lot 26". All voting "Aye".

18994 RESUBDIVISION OF ROCKY RANCH III, LOT 63 {00-4-099} * APPROVE PRELIMINARY PLAT [T1-97]

Environmental Health Director Allen Walther advised that Lot 63 is being divided into 3 parcels (5+ acres each) and he gave staff recommendation for preliminary approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Rocky Ranch III Resubdivision of Lot 63". All voting "Aye".

18995 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS IN THE COVES OF CIMARRON SUBDIVISION [T1-112]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt./Co. Engineer Jerry Borcharding recommended approval of the following: establish a STOP sign on Redbud Drive at its intersections with Laurel Cove and Magnolia Cove [will stop traffic only on Redbud Drive at these intersections]. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulations in the Coves of Cimarron Subdivision by establishing STOP signs on Redbud Drive at its intersections with Laurel Cove and Magnolia Cove in the Coves of Cimarron Subdivision. All voting "Aye".

18996 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON WAYSIDE DRIVE [T1-128]

Judge Powers declared the public hearing open. Dan McDevitt spoke of improvements made to this roadway by the county and he requested a speed limit of 45MPH. No further public input was received and the public hearing was closed. Road Supt./Co. Engineer Jerry Borcharding recommended a speed limit of 35MPH from River Road to Inwood Drive East, increase the speed to 45MPH from Inwood Drive East to Thompson Ranch Road, and decrease the speed to 35MPH from Thompson Ranch Road to the Comal County Line. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to establish traffic regulations on Wayside Drive as follows: speed limit of 35MPH from River Road to Inwood Drive East, increase the speed to 45MPH from Inwood Drive East to Thompson Ranch Road, and decrease the speed to 35MPH from Thompson Ranch Road to the Comal County Line. All voting "Aye".

18997 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS IN THE DEER CREEK RANCH SUBDIVISION [T1-159]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt./Co. Engineer Jerry Borcharding recommended Stop signs at the southwest corner of Green Oak Drive and Panorama Drive (stopping traffic on Green Oak Drive) and a Stop sign at the northwest corner of Panorama Drive at Twin Creek Drive (stopping traffic on Panorama Drive). A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to establish traffic regulations in the Deer Creek Ranch Subdivision as follows: Stop sign on Green Oak Drive at its intersection with Panorama Drive and a Stop sign on Panorama Drive at its intersection with Twin Creek Drive. All voting "Aye".

18998 CONSIDER PROPERTY HELD IN TRUST (DELINQUENT TAX PROPERTY) [T1-177]

Tax Assessor-Collector Luanne Caraway spoke of delinquent tax property at 1002 Bishop Street in San Marcos (AKA Lot 333 Blk 27 Westover Addition). This property has been condemned by the City of San Marcos and a bid offer has been submitted in the amount of \$1,750 (9.6% recovery). There are over 16 years of taxes, penalties & interest owed = \$14,500 and the value of the property is \$11,440. This offer has not come before the other taxing entities for approval. Luanne Caraway stated that she does not feel comfortable making a recommendation for approval. Commissioner Molenaar asked about demolition of the house and who would be responsible for it. He was advised that all the taxing entities would share in any costs incurred. A motion was made by Commissioner Burnett, seconded by Commissioner Carter to reject bid for property held in trust (Lot 333 Block 27 Westover Addition). All voting "Aye".

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18999 AUTHORIZE HIRING DIANE CLIETT AS AD VALOREM DEPUTY AT A STEP 4 IN THE TAX OFFICE [T1-231]

Tax Assessor-Collector Luanne Caraway spoke of experience of Diane Cliett - she has worked for the county before in the Tax Office and she has worked for tax attorneys. Commissioner Carter questioned whether this request had been before the Grade/Step Committee and she was advised that the committee does not make recommendation for step increases. A motion was made by Judge Powers, seconded by Commissioner Molenaar to authorize hiring Diane Cliett as Ad Valorem Deputy at a Step 4 in the Tax Office. All voting "Aye".

19000 APPROVE PAYMENT OF INVOICES TO DAVID ELLISON IN THE AMOUNT OF \$4,200.00 IN WHICH NO PURCHASE ORDER WAS OBTAINED [T1-264]

Commissioner Molenaar spoke of renovation of office space in Dripping Springs and additions that were made. He advised that County Maintenance Supervisor Ron Knott failed to get purchase orders for this work. Sam Davis (a member of the public) asked about repairs and who had authorized the repairs. Commissioner Molenaar spoke of new offices that were moved into in Dripping Springs - each department head made requests during renovation. County Auditor Bill Herzog spoke of need for the court to deal with policy issues (ie purchasing policy). Commissioner Burnett spoke of need to follow county policy - the invoices do, however, need to be paid. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve payment of invoices to David Ellison in the amount of \$4,200.00 in which no purchase orders were obtained. All voting "Aye".

19001 APPOINT AN EVALUATION COMMITTEE TO REVIEW PROPOSALS RECEIVED FROM REAL ESTATE BROKERS TO ASSIST THE COUNTY IN DETERMINING SURPLUS PROPERTY AND MARKET THOSE TRACTS [T1-359]

Purchasing Agent Debbie Bilbrey spoke of real estate brokers who have submitted proposals: ☞ Randall Morris & Associates ☞ Joel Barnard & Associates ☞ Lone Oak Real Estate. The contract will allow a real estate broker to review county inventory to determine marketability, make recommendations to Commissioners' Court regarding which tracts are appropriate for marketing and seek authorization to list approved properties, list these properties on the Multiple Listing Service and represent the county in negotiations to sell properties – will also report to the court in executive session when appropriate. In addition to these services, the selected candidate will assist the

county in selecting a surplus tract for indigent burial sites to be used by the county for the burial of indigents. She spoke of need for a committee to review proposals and speak with the brokers. She recommended appointment of Commissioner Debbie Ingalsbe, County Clerk Lee Carlisle, Tax A/C Luanne Caraway, and Purchasing Agent Debbie Bilbrey. Commissioner Carter asked to be appointed to the committee and Lee Carlisle asked to be removed from consideration. A motion was made by Commissioner Carter, seconded by Commissioner Burnett to create an evaluation committee to review proposals received from real estate brokers to assist the county in determining surplus property and market those tracts with committee members appointed being Commissioner Ingalsbe, Commissioner Carter, Luanne Caraway and Debbie Bilbrey. Commissioner Ingalsbe, Commissioner Carter, Commissioner Burnett, and Judge Powers voting "Aye". Commissioner Molenaar voting "No".

19002 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN OUTSIDE LEGAL COUNSEL AGREEMENT WITH CHARLES WRIGHT AND ELLY DEL PRADO DIETZ, ATTORNEYS AT LAW [T1-413]

The right-of-way and condemnation attorney evaluation committee met recently to review proposals. Three proposals were received from attorneys. Commissioner Molenaar advised that the committee is recommending that the County enter into an outside legal counsel agreement with attorneys Charles Wright and Elly Del Prado Dietz. The evaluation committee is currently interviewing several right-of-way agents and will bring a recommendation to the court as soon as possible. Attorney Elly Del Prado Dietz spoke of her experience and Mr. Wright's experience. Special Counsel Jacqueline Cullom Murphy spoke of other proposals that were considered (Mike Gossett and Gene Majors). She advised that she had also contacted some attorneys in Austin with condemnation experience and they did not submit proposals. Commissioner Carter spoke of problem she has with the Court being asked to approve this with only one choice – she would like to have a list of bidders - she prefers that the committee not do the work of the commissioners' court – the court is elected to make the choices for the people and not a committee that may be composed of non-elected people. She stated that it is the appropriate role of committees to bring the choices to commissioners' court with their review. Commissioner Ingalsbe advised that it would have been helpful to have those other proposals in the packets. Commissioner Carter did not feel like she was informed enough to make a decision. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize the County Judge to execute an outside legal counsel agreement with Charles Wright and Elly Del Prado Dietz, Attorneys at Law. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar and Judge Powers voting "Aye". Commissioner Carter voting "No".

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19003 APPROVE A TAX ABATEMENT FOR GENLYTE GROUP INCORPORATED (WIDE-LITE)
[T1-516]

Commissioner Ingalsbe spoke of request for a 7 yr 100% tax abatement by Genlyte Group Incorporated. She spoke of history of Wide-Lite (40 years in business) – they are the largest manufacturing company in Hays County and they have 137 full-time employees. The abatement will not include any inventory, materials, or other personal property other than equipment, nor will it include any increase in the value of the land. She stated that it will be relocated to a preferred development area for commercial activity – environmental concerns are limited because it is not over the recharge zone or the contributing zone. She feels like it will benefit Hays County. John Boswell (Greater San Marcos Economic Development Council) spoke of company merger - they are closing the current facility and hoping to build a new one in San Marcos on Clovis Barker Drive. This is an opportunity to retain the employees we currently have (200 total employees) - many employees have worked there for over 20 years. He spoke of future revenue from the expanded tax base. Filemon Hernandez (employee of Wide-Lite) spoke of labor union at Wide-Lite - he has been there for 32 years - he spoke in support of Wide-Lite which has been a

tremendous contributor to this community. John Boswell spoke of labor union working with management to keep their jobs - they are asking for 7 years from the county (the City of San Marcos has agreed to this tax abatement). George Rocha (President of the Labor Union) spoke of having worked there for 30 years - he spoke of importance of these jobs - they want improvement in their job conditions - they are requesting support of the tax abatement. Dan McDevitt stated that he is on the school board in Wimberley and he spoke of donation of materials from Wide-Lite and as an individual he would like to see them stay here because of their contributions to the community. Henry Glover (V.P./Gen. Mngr. of Wide-Lite) spoke of corporation using a consulting firm to make their decision - there are other locations being considered. Commissioner Burnett spoke in support of this request - a clean industry not over the recharge zone - he spoke of benefit of this facility being relocated which will open up R-O-W on Wonderworld Drive for an overpass. A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve a 7 year 100% tax abatement for Genlyte Group Incorporated. All voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 26th 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

