



STATE OF TEXAS ①
 COUNTY OF HAYS ①

ON THIS THE 23rd DAY OF JANUARY A.D., 2001, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE INGALSBE GONZALES	COMMISSIONER, PCT. 1
H. S. "SUSIE" CARTER	COMMISSIONER, PCT. 2
WILLIAM "BILL" BURNETT	COMMISSIONER, PCT. 3
RUSS G. MOLENAAR	COMMISSIONER, PCT. 4
LEE CARLISLE	COUNTY CLERK

AND THE FOLLOWING MEMBER WAS ABSENT: COUNTY JUDGE JAMES L. POWERS,

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Molenaar (Presiding Officer) called the meeting to order and gave the invocation. Commissioner Burnett led the Court in the Pledge of Allegiance to the Flags.

19238 AUTHORIZE THE CREATION OF A TEMPORARY PART-TIME POSITION IN THE BUILDING MAINTENANCE DEPARTMENT [T1-45]

Building Maintenance Supervisor Ron Knott spoke of temporary employee that he would like to keep as a part-time position for the remainder of FY2001 (she worked in the place of a fulltime employee that was out on workers comp) - she is currently working from 2:00 pm – 6:00 pm (20 hrs per week). Recommended Grade 16 Step 1 = \$16,000 salary. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to create a temporary part-time position in the Building Maintenance Department to be funded out of line items #5451 & #5458 and set position at Grade 16 Step 1. Commissioner Ingalsbe, Commissioner Carter, and Commissioner Molenaar voting "Aye". Commissioner Burnett voting "No". (he feels like new positions should only be considered during the budget process)

19239 ADOPT A PROCLAMATION DECLARING JANUARY 29, 2001, AS HAYS COUNTY TRAILRIDERS DAY [T1-154]

County Clerk Lee Carlisle read the proclamation. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to adopt a Proclamation declaring January 29, 2001 as "Hays County Trailriders Day". All present voting "Aye".

**PROCLAMATION OF THE HAYS COUNTY COMMISSIONERS' COURT
 Declaring January 29, 2001 as "Hays County Trailriders Day"**

WHEREAS, 2001 marks the 52nd anniversary of the San Antonio Stock Show and Rodeo; and

WHEREAS, the Gray-Trail Riders will be conducting a week-long trail ride throughout Texas commemorating the San Antonio Stock Show and Rodeo; and

WHEREAS, local community organizations and civic leaders are sponsoring the Trailriders in an effort to encourage greater community involvement;

NOW, THEREFORE, the Hays County Commissioners' Court does hereby proclaim January 29, 2001, as
"HAYS COUNTY TRAILRIDERS DAY"

in Hays County. The Court urges all citizens to join us in welcoming the Gray-Trail Riders to Hays County on the Courthouse Square around noon on Monday, January 29th.

IN OFFICIAL RECOGNITION WHEREOF the Commissioners' Court of Hays County does hereby affix their signatures this 23rd day of January 2001.

PRESENTATION BY MARTY RUMBAUGH, ENGINEER FROM LOOMIS/AUSTIN ON RECIRCULATING SAND FILTERS AND DRIP IRRIGATION DISPOSAL [T1-178]

Marty Rumbaugh (Engineer from Loomis/Austin) advised the Court that Commissioner Carter had invited him to speak about re-circulating filters and irrigation systems. He spoke of this being a biological filter - spoke of re-circulation system that removes nitrates. Mr. Rumbaugh spoke of drip irrigation systems and about effluent treatment being below the EPA levels. They do a lot of self-help for small communities (systems that are easy to construct & operate) and treatment does not require a clarifier. He spoke of seeing use of these systems in new subdivisions located in environmentally sensitive areas. Using this type of system has allowed development in sensitive areas. Their systems require a large land area and are more costly than standard systems. Commissioner Burnett stated that the subdivision rules do encourage this type of system. Mr. Rumbaugh advised that the irrigation is subsurface. Commissioner Carter spoke in support of retaining effluent in the subdivision and not releasing it onto unwilling neighbors or into streams.



PUBLIC COMMENTS

[T1-559] Charles Abbey read a letter from his neighbor (Mary K. Kaise) regarding discharge of firearms in their subdivision (they both live on Oakwood Loop). Her letter advises: *she has lived off RR12 on Oakwood Loop (CR003) for the past 10 years – recently someone living next to her property has become a nuisance by firing off rounds and rounds of ammo that is similar to living next to a practice range. Last weekend, not only was there nuisance gunfire, but also percussion blasts that shook the windows and tin roof of her house like a mortar exploding. Whatever they were firing was a larger caliber than a 356, and the caliber, in connection with the echo off the surrounding hills and valleys, forced her to inspect the house to see if something had fallen on it, or the percussion blast alone had damaged it. Two of her dogs are terrified and the other has begun to bark and bark at the gunfire because it is such a disturbing nuisance. She advised that she is nervous to walk to parts of her property with outbuildings because there is no evidence that whoever is shooting can see her or realize how close they are to her. She feels like she is prohibited free use of her property for safety issues. She advocates responsible gun ownership and use and has no problem with gunfire in the county. Her complaint is about an intrusive nuisance being created by loud, repetitive, and what she considers to be careless, gunfire in a highly populated area. It is disturbing her, her dogs, and her ability to use her property freely.* Mr. Abbey stated that he resents having gunfire where he can't see it coming from and he spoke of shots disturbing his animals and his sleep. He has contacted the Sheriff's Dept. and was advised that he would need to hire an attorney. Commissioner Burnett asked to meet with him after the meeting to discuss this matter.

19240 APPROVE THE COMMISSIONERS' COURT MINUTES OF JANUARY 16, 2001

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of January 16, 2001 as presented by the County Clerk. All present voting "Aye".

19241 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 \$138,237.27 as presented by the County Auditor. All present voting "Aye".

Fines	\$ 658.15	Auditors Office	\$ 973.03	Extension Office	\$ 145.82
Grants Admin	\$ 177.36	Juvenile Probation	\$ 305.67	Election Admin	\$ 58.92
Bldg Mtc. Dept.	\$ 2,760.37	Environmental Health	\$ 462.50	Countywide Oper	\$ 10,019.32
Tax Assess/Collector	\$ 459.15	Sheriffs Office	\$ 7,619.49	Co Court at Law 1	\$ 268.54
District Attorneys Office	\$ 756.43	Justice of the Peace 1-2	\$ 354.51	Justice of the Peace 2	\$ 73.34
Justice of the Peace 3	\$ 73.15	Justice of the Peace 5	\$ 87.27	Dept of Public Safety	\$ 605.37
Constable 1	\$ 81.59	Constable 2	\$ 170.00	Constable 3	\$ 18.68
Constable 4	\$ 234.75	Constable 5	\$ 12.18	District Court Oper	\$ 3,184.81
Co & JP Court Oper	\$ 5,028.19	Computer Services	\$ 1,410.92	Fire Marshal/EMC	\$ 468.22
TJPC CCAP Grant	\$ 8,353.78	Special Counsel Ofc	\$ 25.00	CJD/VAWA Grant	\$ 223.05
Waste Task Force Grant	\$ 95.30	General Fund Credit	<\$15.28>	R&B Operations	\$ 83,026.05
Precinct 1	\$ 338.03	Precinct 3	\$ 183.61	R&B Gen Fund Credit	<\$43.53>
Hays Co Parks Fund	\$ 35.48	Rec Mng/County Clerk	\$ 7,441.08	Courthouse Sec Fund	\$ 86.01
Sheriff's Drug Forf Fund	\$ 313.50	Family Health Svcs Fund	\$ 56.00	New Canaan Grant	\$ 408.36

19242 APPROVE BUDGET AMENDMENT #01-09

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Budget Amendment No. 01-09 as proposed by the County Auditor. All present voting "Aye".

AMENDMENT NO. 2001-09 FY 2001 BUDGET 1-23-01				
FUND NO. 01 FUND TITLE GENERAL FUND				
LINE ITEM - EXPENDITURES	APPROPRIATION	AMENDMENT		APPROPRIATION
	BEFORE	INCREASES	DECREASES	AS
AUDITOR OFFICE (410):	AMENDMENT			AMENDED
01-410-5021 Staff	192,972	6,264		199,236
01-410-5101 FICA	38,067	480		38,547
01-410-5451 Contract Bldg/Maint.	28,000		(3,372)	24,628
01-410-5458 Contract Janitorial	20,768		(3,372)	17,396
<i>Transfer for part-time/courthouse for balance of FY2000</i>		6,744	(6,744)	

**19243 APPROVE REFUND OF DOUBLE PAYMENTS AND/OR OVERPAYMENTS ON TAXES**

Tax Assessor-Collector Luanne Caraway submitted the following applications for refund of taxes:

0.251 ac. Freelove Woody Survey	\$ 591.01	overpayment
Lot 10 Dripping Springs Comm & Ind Pk	\$ 4,123.87	double payment
Lot 3 Sundown Acres	\$ 5,207.75	double payment
Lot 25 Wagon Wheel Section 1	\$ 915.13	double payment
Lot 145 Saddleridge Sec 2	\$ 1,959.08	double payment
Lot 200 Saddleridge Section 2	\$ 635.44	double payment
Lot 24 Westridge Estates	\$ 1,201.66	double payment
125.542 ac Henry Lollar Survey	\$ 923.84	double payment
Lot 20 Blk A Polo Club @ Rooster Sprg	\$ 1,877.52	double payment
Lot 13 Woodcreek Section 4-B	\$ 3,793.42	double payment
Lot 48 South River Unit I	\$ 1,560.57	double payment
Lot 43 Woodcreek Section 11	\$ 2,880.56	double payment
Lot 2 Blk B Dove Hollow Estates	\$ 2,078.00	double payment
Lot 24 Westridge Estates	\$ 1,201.66	over payment
125.542 ac. Henry Lollar Survey	\$ 923.84	double payment

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve refund of double payments and/or overpayments on taxes as submitted by the County Tax Assessor-Collector. All present voting "Aye".

19244 APPROVE SPECIFICATIONS FOR A USED DIESEL POWERED CAB & CHASSIS FOR THE ROAD DEPT. AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve bid #2001-B08 specifications for a used diesel powered cab & chassis for the Road Department and authorize the Purchasing Department to solicit for bids. All present voting "Aye".

19245 APPROVE THE ANNUAL FINANCIAL REPORT OF THE WIMBERLEY RURAL FIRE PREVENTION DISTRICT

An Annual Financial Report (Year ending Sept. 30, 2000) [independent audit] prepared by Lynda T. Morgan, CPA was submitted for approval. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the annual financial report of the Wimberley Rural Fire Prevention District. All present voting "Aye".

19246 APPROVE THE ANNUAL REPORT OF THE WIMBERLEY RURAL FIRE PREVENTION DISTRICT #1

WRFPD#1 President Raymond L. Czichos submitted an annual report for the calendar year 2000 along with a budget (Oct 1, 1999 – Sep 30, 2000). They responded to 351 emergency calls for the year which is an increase of 37% over the previous year high of 222. With the continued drought during the first nine months, brush fires increased to an all time high of 57. Wrecks have reached another all time high of 93 for the year. The requirement for equipment has far exceeded their capacity in #47 rescue vehicle. They have concluded a contract with American LaFrance to build a new Rescue Truck that will be 75% larger than the present truck – it will be equipped with some of the latest in extrication tools and total cost will be about \$215,000 under a lease purchase plan. The old #47 will be sold to help offset the cost. In responding to the 93 incident calls for wrecks, 499 firemen spent 421 man-hours and on all other incidents, 1,733 firemen spent 2,226 man-hours. By lease/purchasing major equipment, the fire department is managing to hold its own financially. While the tax has increased 11% this year, the increase has brought a large number of very big homes of high dollar value – this growth in most cases has been 46 miles out on hillsides and hilltops increasing their response times and possibly a higher dollar loss on structure fires. In some cases hillside homes are not accessible by the large heavy-duty fire suppression equipment with steep hills, narrow roads and low hanging trees. The new Village of Wimberley city limits has extended south on RR12 beyond the junction and into Saddleridge subdivision, all of which is in the South Hays County RFPD. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Annual Report of the Wimberley Rural Fire Prevention District #1. All present voting "Aye".



19247 [00-4-123] **LITTLE BELL SUBDIVISION * APPROVE FINAL PLAT** [T1- 660]

Subdivision Coordinator Jon Thompson advised that this is part of an unrecorded subdivision (Bell Springs Ranches) – this is a four lot subdivision with one lot having access to Spring Creek Road – there is an agreement from the Bell Springs Ranches Home Owners Association allowing this resubdivision – there is a SAD (shared access driveway) and the new lots will contribute to the road maintenance fund. No public notification is required since this is a portion of an unrecorded subdivision. He gave staff recommendation for approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of “Little Bell Subdivision”. All present voting “Aye”.

19248 [01-4-009] **HARMON HILLS SECTION 1 RESUBDIVISION OF LOT H13 * APPROVE PRELIMINARY PLAT** [T1-679]

Subdivision Coordinator Jon Thompson advised that this is a three lot subdivision on a public road – public notification will be done before final plat is approved – county is receiving additional ROW for improvement of the public road – he gave staff recommendation for approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve preliminary plat of “Harmon Hills Section 1 Resubdivision of Lot H-13”. All present voting “Aye”.

19249 **ADOPT RESOLUTION SUPPORTING A DELEGATION OF THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) AND THE CAPITAL AREA TRANSPORTATION COALITION SEEKING FUNDING APPROVAL FROM THE TEXAS TRANSPORTATION COMMISSION FOR US 290W** [T1-702]

Commissioner Molenaar spoke of meeting with citizens regarding improvements needed for SH290 - he read the proposed resolution. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to adopt Resolution supporting a delegation of the Capital Area Metropolitan Planning Organization (CAMPO) and the Capital Area Transportation Coalition seeking funding approval from the Texas Transportation Commission for US 290W. All present voting “Aye”.

STATE OF TEXAS *
COUNTY OF HAYS *

**RESOLUTION SUPPORTING A DELEGATION OF
 THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO)
 AND THE CAPITAL AREA TRANSPORTATION COALITION**

WHEREAS, a delegation of the Capital Area Metropolitan Planning Organization (CAMPO) and the Capital Area Transportation Coalition will appear before the Texas Transportation Commission on Thursday, February 22nd to request funding approval for three CAMPO proposed highway projects; and
WHEREAS, one of the project proposed is US 290W – east of Williamson Creek to west of FM 1826 – for the construction freeway mainlanes, frontage roads and SH 71 interchange; and
WHEREAS, since Hays County residents frequently travel this area of that have high traffic volumes, severe congestion and safety issues, it is important to complete this facility for safe and efficient travel; and
WHEREAS, our area has experienced phenomenal population growth and is expected to double its population over the next 20 years thereby making completion of this facility crucial to the economic vitality of our region; and
WHEREAS, Hays County would like to express its appreciation for the funding the Commission approved last year for the U.S. 290W frontage road project.
NOW, THEREFORE, BE IT RESOLVED that the Commissioners’ Court of Hays County, duly convened and acting in its capacity as the governing body of Hays County, does hereby support the request for funding approval of U.S. 290W.
PASSED AND APPROVED this 23rd day of January, 2001.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 30th DAY OF JANUARY, 2001.

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

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

