



STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 27TH DAY OF MARCH, A.D., 2001, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

PUBLIC COMMENT

Alan Welling (resident of Northpoint Subdivision) spoke of growth in his subdivision and situation of speeders. He spoke of this being a safety issue and he spoke of problems with enforcement. Mr. Welling requested a speed bump to slow drivers down.

JOINT MEETING BETWEEN THE HAYS COUNTY COMMISSIONERS' COURT, THE HAYS COUNTY JUVENILE BOARD AND HAYS COUNTY FACILITIES CORPORATION * EXECUTIVE SESSION PURSUANT TO SECTION 551.071 TO MEET WITH LEGAL COUNSEL TO DISCUSS LEGAL RELATING TO THE OPERATION AND DEVELOPMENT OF THE HAYS COUNTY JUVENILE DETENTION FACILITY AND IMPENDING BANKRUPTCY PROCEEDINGS INVOLVING TEXSON MANAGEMENT GROUP, INC.

The Court convened into closed executive session to meet with the Hays County Juvenile Board, the Hays County Facilities Corporation and legal counsel to discuss legal issues relating to the operation and development of the Hays County Juvenile Detention Facility and impending bankruptcy proceedings involving Texson Management Group, Inc. Upon completion of closed session, the court reconvened into open meeting. No action was taken.

19375 ACTION RELATING TO THE OPERATION OF THE CURRENT HAYS COUNTY JUVENILE DETENTION FACILITY [T1-139]

A motion was made by Judge Powers to approve the necessary budget amendment for operation of the current Hays County Juvenile Detention Facility. Motion died for lack of a second. Commissioner Molenaar advised that he doesn't think a budget amendment is necessary at this time. We may not need to amend the budget later. County Auditor Bill Herzog advised that there will be a need for additional funds in the future. Commissioner Carter spoke of research she did and she feels like the county should run the facility – a county run juvenile detention center will be run for the good of the children and the good of the county – a private vendor runs the facility for their profit margin and often time children get beat up or have a lot of unprofessional care. That is what she wants and she asked the board to be supportive of a facility run by our Juvenile Probation Dept. County Court at Law Judge Howard Warner (Juvenile Board Chairman) spoke of meeting on Friday March 9, 2001 with Southwest Initiative Inc. to negotiate a proposal for operation of the current facility - the estimated costs reflected that the current budget may not be adequate (up to \$70,000 may be needed). The board felt that this is an agreement we could live with but was tentative - the Commissioners' Court would need to provide the additional necessary funds - the board cannot obligate the county for additional funds. Commissioner Ingalsbe thought that the tentative contract with Southwest Initiative Inc. would require a budget amendment being approved today - she asked if the board is willing to look at other options. Judge Warner advised that Southwest Initiatives was the only group willing to help us carry out operation of the facility. This is the first time in 16 years that he has heard members of the Commissioner Court say that maybe the county ought to run the facility. It has been stated time and time again that the county did not want to run the facility, lets find someone to run it for us since none of us are experts in the operation of that type of facility.

At this point he thinks the board is locked into the contract. Judge Powers felt like the courts question at this time is the budget amendment. Commissioner Carter spoke of DM460 (Attorney Generals Opinion) that says a Juvenile Board is accountable for funds in the same manner as the county commissioners are accountable for funds – under recent legislation the county determines the amount of county funds to be spent for the juvenile department in the county budget – total dollar amount of county funds are under our control, if they don't have the total dollar amount, that contingency nullifies the contract. She asked to hear from Shelley Williams (Hays County Juvenile Probation Dept) how we can do the very best we can for our kids. District Attorney Mike Wenk spoke of decision making power rests with the juvenile board - that board has identified a service provider - he is not sure that it comes under the jurisdiction of the Commissioners' Court to evaluate different service providers – that is the decision that comes strictly within the purview of the juvenile board. Commissioner Carter stated that her purpose is not to identify or to tell you what to do but to help you to see that there are other options. He stated that the juvenile board entered into a contract based on information they had at that time - they are not in a position to re-evaluate the decision already made.



[T1-368] A motion was made by Commissioner Molenaar, seconded by Judge Powers to support the Hays County Juvenile Board's decision and recommendation with a possible shortfall at the end of the fiscal year. Commissioner Carter spoke of the Hays County Public Facilities Corporation being set up to be a self sustaining operation – expenses would be paid by revenues to be made. Commissioner Carter felt like if the board cannot work within the budget, then what you are doing doesn't happen. Commissioner Burnett stated that he does not like being in this position – he is not thrilled with either alternative, but the fact remains that the facility will be vacant in three days and action is needed today or we will have serious problems. Commissioner Burnett does not feel we should be rushing into operation and control of the juvenile detention facility on two weeks notice. He will support this because it is temporary in nature - an interim step in order to get our larger facility up and running - shipping our kids off somewhere else is not an option. He does not want to be in the juvenile detention business as a county commissioner. Commissioner Ingalsbe respects the board's decision but she has concerns. Commissioner Carter spoke of Kerr County situation and on short notice they did take over their own facility utilizing staff that was already in place. They are self sufficient and self supporting. She wants to cut out the middle man - we have the staff there to do it. She feels like the contract is nullified by the fact that the budget amendment is not being approved. Commissioner Molenaar spoke of members of the Juvenile Board and he yields to their wisdom. Commissioner Carter asked the attorneys we have here their insight on what we are debating now, whether the contract was made contingent upon the extra funds being appropriated by Commissioners' Court – does that possibly nullify that contract and keep us from being liable for it? Special Counsel Jacqueline Cullom Murphy stated that she is in an awkward position because she ordinarily serves as general counsel for the commissioners' court, but in this particular case she wanted to make it very clear that the juvenile board has unilateral authority here. Commissioner Carter disagreed with this statement. County Auditor Bill Herzog spoke of estimated budget with facility full - the budget amendment can be approved at a later date. Commissioner Burnett, Commissioner Molenaar and Judge Powers voting "Aye". Commissioner Ingalsbe and Commissioner Carter voting "No". Motion passed.

PRESENTATION OF EMPLOYEE SERVICE PIN

Judge Powers presented Veterans Service Officer Tom Tvrdik with a 15 year service pin.

19376 APPROVE THE COMMISSIONERS' COURT MINUTES OF MARCH 20, 2001

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of March 20, 2001 as presented by the County Clerk. All voting "Aye".

19377 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve payment of county invoices in the amount of \$360,569.77 as presented by the County Auditor. All voting "Aye".

Public Safety Services	\$ 195.00	Financial Adm Services	\$ 84.32	Fines	\$ 658.29
Auditor's Office	\$ 433.75	Treasurer's Office	\$ 1,500.58	Extension Office	\$ 405.60
Grants Administration	\$ 109.76	Juvenile Probation Office	\$ 1,062.44	Election Administration	\$ 82.45
Community & Social Services	\$ 2,083.33	Indigent Care	\$ 2,732.88	Transfer Station	\$ 85.07
Bldg Mtc. Dept.	\$ 3,311.79	Environmental Health	\$ 259.13	Civic Center	\$ 457.70
Countywide Operating	\$ 69,247.00	Tax Assessor-Collector Ofc	\$ 777.89	District Clerk's Office	\$ 65.61
Sheriff's Office	\$ 2,878.46	Jail Operations	\$ 13,714.27	County Judge's Office	\$ 21.80
Justice of the Peace 1-1	\$ 25.73	Justice of the Peace 2	\$ 77.00	Justice of the Peace 4	\$ 13.45
Justice of the Peace 5	\$ 377.32	Dept of Public Safety	\$ 647.17	Constable 1	\$ 218.01
Constable 2	\$ 279.40	Constable 4	\$ 71.99	Constable 5	\$ 166.21
District Court Operations	\$ 24,453.11	Co & JP Court Operations	\$ 3,943.28	Veterans Adm Office	\$ 16.99
Computer Services	\$ 3,978.05	DPS/License & Weights	\$ 85.50	District Court Reporters	\$ 76.20
TJPC CCAP Grant	\$ 8,812.50	Commissioners Court Exp	\$ 70.24	CJD/Truancy Ofcr Grant	\$ 77.53
CAPCO/911 Adrrs Mtc. Grant	\$ 69.58	TJPC/Juv Justice Alt Ed	\$ 74.97	General Fund Credit	<\$47.26>
Road & Bridge Operations	\$ 196,648.31	Precinct 2	\$ 276.09	Precinct 3	\$ 198.48
Road Reconstruction	\$ 1,500.00	R & B Gen Fund Credit	<\$1,203.41>	Hays Co Parks Fund	\$ 72.25
Records Mngmnt/Co Clerk	\$ 139.54	Health Services Grants	\$ 3,495.24	Law Library Fund	\$ 99.75
Courthouse Security Fund	\$ 11.31	Family Health Services Fund	\$ 13,062.76	Court Reporters Svc Fund	\$ 2,207.00
TDHCA New Canaan Grant	\$ 408.36				

19378 APPROVE BUDGET AMENDMENT #01-17

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Budget Amendment No. 01-17 as proposed by the County Auditor. All voting "Aye".



FUND NO. 01
FUND TITLE GENERAL FUND

LINE ITEM – EXPENDITURES	APPROPRIATION		AMENDMENT	APPROPRIATION
	BEFORE AMENDMENT	INCREASES	DECREASES	AS AMENDED
GRANTS ADMINISTRATION (404):				
01-404-5321 Dues & Bonds	-0-	100		100
01-404-5448 Contract Services	9,000		(100)	8,900
BUILDING MAINTENANCE (410):				
01-410-5413 Vehicle Maintenance	1,500	1,500		3,000
01-410-5458 Contract Janitorial	17,396	4,500		21,896
01-410-5452 Trash Haul	2,600		(500)	2,100
01-410-5457 A/C Maintenance	23,400		(1,000)	22,400
01-410-5481 Annex Utilities	20,000		(1,000)	19,000
01-410-5484 Courthouse Utilities	30,000		(2,000)	28,000
01-410-5487 Records Utilities	9,400		(750)	8,650
01-410-5491 Justice Ctr Utilities	54,000		(750)	53,250
		<u>6,000</u>	<u>(6,000)</u>	

Transfers for needed expense

19379 REAPPOINT JIM HOLLIS TO NORTHEAST HAYS COUNTY EMERGENCY SERVICE DISTRICT #2

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to reappoint Jim Hollis to the Northeast Hays County Emergency Services District #2. All voting "Aye".

19380 AWARD BID FOR 3X5 ROCK ROAD BUILDING MATERIAL TO COLORADO MATERIALS

Bids were received from Colorado Materials (\$7 FOB Pit/Ton) and Centex Materials (\$8 FOB Pit/Ton). Purchasing Dept. recommends awarding contract to Colorado Materials. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to award bid contract for 3X5 rock road building material to Colorado Materials. All voting "Aye".

19381 APPROVE DECEMBER 2000 TREASURER'S REPORT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve December 2000 Treasurer's Report as submitted by the County Treasurer. All voting "Aye". [see copy in file]

REPORT ON DELINQUENT TAX COLLECTION ACTIVITY BY MCCREARY, VELSEKA, BRAGG & ALLEN, P.C. [T1-548]

Shelburne Veselka spoke of collection of delinquent tax (see report). During this report period, they have sent over 28,336 delinquent tax notices, filed 525 delinquent tax suits, recovered 673 judgments, and posted property for foreclosure at a tax sale, which was conducted in February 2001 in order to collect the delinquent taxes due to the County. They believe that their collection procedures provide the County with the maximum recovery of its delinquent taxes in the shortest period of time possible. In addition to their collection activities, they advise the County on all ad valorem tax matters. The delinquent tax balance has been reduced - they have provided additional staff and will be enhancing the program - 350 accounts are on a payment plan. The current contract has a 2 year automatic renewal. [see report in "Delinquent Property Tax Collection" folder]

19382 ACCEPT BIDS ON PROPERTY HELD IN TRUST [T1-646]

Bids have been received on the following delinquent properties:

Woodcreek Section 25 Lot 140	\$ 800.00 bid [10% recovery]
Timmeron Section 1 Lot 30 Blk 2	\$1,500.00 bid [56% recovery]
Timmeron Section 1 Lot 34 Blk 1	\$2,000.00 bid [100% recovery]

The Wimberley ISD approved these bids on March 5, 2001. Tax Assessor-Collector Luanne Caraway recommended acceptance of bids. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept bids on property held in trust (Woodcreek Sec 25 Lot 140, Timmeron Sec 1 Lot 30 Blk 2, & Timmeron Sec 1 Lot 34 Blk 1). All voting "Aye".

**19383 APPROVE REFUND OF DOUBLE PAYMENTS OF TAXES**

The following applications for refund of double payments on taxes were submitted for approval:

Onion Creek Ranch Blk 1 Lot 16	\$ 5,702.74	double payment
Friendship Ranch Ph 2 Lot 99	\$ 4,906.09	double payment
Panther Creek Lot 3	\$ 1,721.60	double payment
Steeplechase Ph 3 Lot 12 Blk C	\$ 1,034.43	double payment
0.90 ac tract Wm. Pettus Surv	\$ 3,268.21	double payment
Spring Branch Sec 1-B Lot 66B	\$ 1,800.41	double payment
3.1131 ac. Carrington El Paso I rr	\$ 509.50	double payment
Green Acres Pt. Lot 18	\$ 2,115.32	double payment
Sunset Canyon V Lot 1032	\$ 1,215.22	double payment
125.542 ac. Henry Lollar Survey	\$ 923.84	double payment
Green Acres Lot 2A	\$2,967.88	double payment

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve refund of double payments on taxes as submitted by the county tax assessor-collector. All voting "Aye".

19384 HOMESTEADS @ GATLIN CREEK [0-4-086] * APPROVE FINAL PLAT AND ACCEPT COMPLETION OF THE CONSTRUCTION OF ROADS AND DRAINAGE IMPROVEMENTS [T1-673]

Environmental Health Director Allen Walther advised that road construction and drainage improvement have been completed, inspected and approved by the Hays County Road Department. There is not a construction bond to be released and being privately maintained roads there is not a requirement for a maintenance bond. He gave staff recommendation for approval of final plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat and accept completion of the construction of roads and drainage improvements for "Homesteads @ Gatlin Creek" subdivision. Commissioner Carter was not present for the vote on this item. All present voting "Aye".

19385 RESUBDIVISION OF DOUGLAS ESTATES LOT 37-B [01-4-020] * PUBLIC HEARING AND APPROVAL OF FINAL PLAT [T1-692]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Environmental Health Director Allen Walther advised that necessary notification has been made and he gave staff recommendation for final approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Douglas Estates Resubdivision of Lot 37-B". All voting "Aye".

19386 LITTLE STAR RANCH [01-4-027] * APPROVE FINAL PLAT [T1-705]

This is a two lot subdivision (Lot 1 = 3.93 acres Lot 2 = 6.07 acres) with access on FM150. Environmental Health Director Allen Walther gave staff recommendation for final approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "Little Star Ranch". All voting "Aye".

19387 KASPER SUBDIVISION [01-4-028] * APPROVE PRELIMINARY PLAT [T1-715]

This a one lot subdivision (Lot 1 Blk A = 2.001 ac) located on North Rainbow Ranch Road. Environmental Health Director Allen Walther gave staff recommendation for approval of preliminary plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve preliminary plat of "Kasper Subdivision". All voting "Aye".

19388 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS (30 MPH SPEED LIMIT) ON KEMP HILLS DRIVE [T1-725]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to establish traffic regulation of 30MPH speed limit on Kemp Hills Drive in the Dripping Springs area. All voting "Aye".



19389 AUTHORIZE THE COUNTY JUDGE TO TRANSFER OWNERSHIP OF HAZARD MITIGATED PROPERTIES IN WIMBERLEY, AT THE COMPLETION OF THE FEMA/TDHCA PROJECT, TO 3 LOCAL ASSOCIATIONS; (1) WIMBERLEY VALLEY WATERSHED, (2) VILLAGE PROPERTY OWNERS, AND (3) CYPRESS FAIRWAY VILLAGE HOMEOWNERS [T1-745]

Commissioner Burnett read a summary of the request: On October 17, 1998 at 8:39 AM, a flashflood occurred in Wimberley along the Dry Cypress Creek, heavily damaging 28 homes. It was the second and in some cases the third time these homes had been flooded. In the 24-hour period that followed, Hays and surrounding counties received 21 to 28 inches of rain. The 28 homes damaged by the floodwaters were built prior to laws prohibiting construction in floodplains. Based on the request of the 28 homeowners and Commissioner Burnett, two grant applications for hazard mitigation were submitted by the County Grants office. Both grants were approved; one for \$350,000 from the Texas Dept. of Housing & Community Affairs, and the other from the Federal Emergency Management Administration for \$1,050,000. The TDHCA grant was used to match the FEMA grant; therefore Hays County did not provide any cash match. Hays County will receive \$24,000 for administration of the grant from FEMA. At present, all residences have been bought-out and the homes demolished. The project is 98 percent complete, with finish grading and minor repair work on one home pending. Because of the grants and buyouts, Hays County is now the owner of all 28 lots. Both grants have a requirement that no structures can ever be built on the mitigated properties. These properties are too long and narrow for parks and would be cost prohibited for the county to maintain. The following associations have requested that certain properties are donated to them and they are fully aware of the restriction prohibiting the construction of any structures on the properties. All three groups have agreed to undertake conservation efforts and to maintain the properties in a good and proper manner. Therefore, it is in the best interest of the county to donate the hazard mitigated properties to the following: 5 lots [units 14-18 Village of Woodcreek] to Village Property Owners Association, 4 lots [units 1-4 Woodcreek Phase II] to the Wimberley Valley Watershed Association, and 19 lots [units 19-37 Cypress Fairway Village] to the Cypress Fairway Village Homeowners Association. Hays County will provide a warranty deed to each owner, which will reference the legal description of the lots involved. All three associations are aware they are (1) responsible for all costs associated with the transfer of ownership, (2) prohibited from building any structure on the properties, and (3) must implement soil erosion control practices. Commissioner Burnett gave his support of the requests. Joe Day (President of Wimberley Valley Watershed) spoke of intention to create a restoration project of this – it is an integral link to their preservation efforts of one of the true natural treasures of the Texas hill country “Jacobs Well” and he requested court approval. Commissioner Burnett acknowledged Richard Salmon for his work related to the project. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the County Judge to transfer ownership of hazard mitigated properties in Wimberley, at the completion of the FEMA/TDHCA Project, to three local associations; ≥ 4 lots [Units 1-4 Woodcreek Phase II] to the Wimberley Valley Watershed Association, ∅ 5 lots [Units 14-18 Village of Woodcreek] to the Village Property Owners Association, and ⊂ 19 lots [Units 19-37 Cypress Fairway Village] to the Cypress Fairway Village Homeowners. All voting “Aye”.

19390 ADOPT A RESOLUTION IN SUPPORT OF SENATE BILL 1332, PROVIDING SALES TAX EXEMPTION FOR PERSONAL PROPERTY USED FOR RAINWATER HARVESTING AND WATER RECYCLING AND REUSE [T1-851]

Commissioner Burnett spoke of Hays County being the first county in the state of Texas to adopt a rainwater collection program and Senator Buster Brown (author of Senate Bill 1) was very supportive of what we were trying to do and we requested him to offer legislation for a major piece of the package that we had put together which would be sales tax exemption for purchases of rainwater collection items. Senate Bill 1332 specifically references the Hays County's Rainwater Harvesting programs. This bill amends Section 3 Subchapter 8 Chapter 151 of the Tax Code is amended by adding “*Water Conservation* – an item of tangible personal property is exempt from taxes imposed by this chapter if the item is used for rainwater harvesting and water recycling and reuse, or reducing or eliminating water use. To qualify for the exemption under this section the purchaser must certify in writing to the seller that the item of tangible personal property will be used for the purposes described by subsection A.” Commissioner Burnett stated that he is very pleased that someone of Buster Brown's stature is supportive of Hays County's program and to be able to include this in Senate Bill 1332. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to adopt a Resolution in Support of Senate Bill 1332, providing sales tax exemption for personal property used for rainwater harvesting and water recycling and reuse. All voting “Aye”.

***A Resolution of the Commissioners' Court of Hays County, Texas
Requesting the State Legislature approve SB1332***

WHEREAS, Hays County is one of the fastest growing counties in Texas, in a priority groundwater management area, and is witnessing ever increasing challenges to our limited water supplies; and
WHEREAS, on October 3, 2000, Hays County Commissioners Court adopted one of the first Rainwater Collection Incentive Programs in the state and this bill will further strengthen that program by providing additional monetary incentives for homeowners to protect and preserve our groundwater through rainwater harvesting; and
WHEREAS, exempting rainwater collection personal property and equipment is consistent with existing state sales tax exemption policy and serves a common good for all residents since harvesting rainwater reduces demand on all other sources; and
WHEREAS, the overall benefits of this bill far exceed the very limited fiscal impact on entities receiving

sales tax revenues.

NOW, THEREFORE BE IT RESOLVED that the Commissioners' Court of Hays County requests that the Texas Legislature approve Senate Bill 1332, amending Sections 151.318 (c), 151.338, and Subchapter H, providing sales tax exemptions to promote water conservation.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 27, 2001

00000

00000

VOLUME 5 PG 71

19391 APPROVE THE LEASE CONTRACT FOR THE ADULT PROBATION OFFICE WITH LYNX PROPERTY SERVICES [T1-910]

County Auditor Bill Herzog advised that the current lease for Adult Probation Office [6600 sq.ft. @ San Marcos Center – 700 N.LBJ Dr., San Marcos] is being increased from \$4,400 per month to \$6,000 per month and will require a budget amendment. Special Counsel Jacqueline Cullom Murphy advised that our Realtor advised that this is fair market value. Commissioner Ingalsbe spoke of need to look at providing a county building in the future. Commissioner Carter stated that for \$72,000 per year we could build our own building on the old hospital property. Commissioner Burnett stated that the old hospital property is too valuable for any county offices on it but he thinks renting is throwing away our money. Bill Herzog advised that the lease agreement will be for one year with one year renewals. Commissioner Carter suggested that we not up the price, but stay at the present rate of rent. Commissioner Burnett asked what we would do if they kick us out. Commissioner Carter stated that she doesn't think they will – you can't find a renter like the government – nobody pays like we do. A motion was made by Commissioner Carter to not honor the increase in price of the lease contract. Motion died for lack of a second. Commissioner Burnett stated that this is totally unrealistic – rental property is premium and scarce in San Marcos. Commissioner Carter spoke of buildings in Kyle on the market for a long time and many builders have come to her, some begging for us to take their building and rent them or let them build us a building because they say nobody pays rent like the government – we are dependable, they always get their money, and we do a lot to keep up the property – she doesn't think we have a lot to worry about by not going up on every lease we are asked to go up on. Judge Powers asked her for a solution. Commissioner Carter stated that the solution is to keep the rent as it is. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the lease contract for the Adult Probation Office with Lynx Property Services as presented. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

19392 ACTION TO ALLOW TWO COUNTY EMPLOYEES TO OCCUPY THE SAME POSITION FOR TRAINING PURPOSES FOR AN ADDITIONAL FOUR DAYS [T1-977]

County Auditor Bill Herzog advised that Debbie Bilbrey has been off work for two weeks because of illness and Gndy Maiorka has been performing the duties of Purchasing Agent. Our policy allows two employees to occupy the same position for training purposes for two weeks. When Debbie returns, the two weeks will have already been completed and he would like four additional days for training. There are sufficient funds in the salary line item. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to allow two county employees to occupy the same position for training purposes for an additional four days in the Auditor's Purchasing Department office. All voting "Aye".

DISCUSSION ONLY REGARDING HOLDING SOME OF THE PUBLIC HEARINGS ON TOPICS OF COUNTYWIDE INTEREST IN THE EVENINGS WHEN MORE OF THE PUBLIC ARE FREE TO ATTEND [T1-998]

Commissioner Carter spoke of requests to hold some of the budget hearings in the evening and other hearings (ie redistricting, etc.) so that working people can attend. Commissioner Burnett advised that we have held transportation meetings in the evenings. Commissioner Molenaar advised that some night meetings have been held and there was small attendance, however, he is willing to hold budget meetings at night. Commissioner Ingalsbe advised that the committee has discussed having redistricting meetings at night.

Clerk's Note: Agenda Item #23 RE: Executive Session to meet with legal counsel to discuss possible option of mediation for the two lawsuits against Hays County with regards to open meeting was PULLED by Commissioner Carter in order to give legal counsel time to research it.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 3RD DAY OF APRIL, 2001

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

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

