



STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 24TH DAY OF APRIL, A.D., 2001, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

JAMES L. POWERS
DEBBIE GONZALES INGALSBE
WILLIAM "BILL" BURNETT
RUSS G. MOLENAAR
LINDA C. FRITSCH

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
ASSISTANT COUNTY CLERK

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PCT. 2 H. S. "SUSIE" CARTER, 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.

PRESENTATION OF SERVICE PINS

Justice of the Peace Pct. 1 Place 1 Macel Sullivan presented a 20 year pin to Dora Gonzalez. District Judge Steele presented a 5 year pin to Linda Wallace. Toby Glosson (Road Dept.) stated that he will be presenting a 10 year service pin to Gary Ingalsbe, who was not present.

PUBLIC COMMENT

Charlie Johnson spoke in support of the road bond election - he volunteered to serve on any committee or organization to inform the public of the upcoming road bond issue. He suggested information be made available to the public at the courthouse. Commissioner Burnett spoke of need to get maps out to all the cities.

19445 APPROVE THE COMMISSIONERS COURT MINUTES OF APRIL 17, 2001

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of April 17, 2001 as presented by the County Clerk. All present voting "Aye".

19446 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 \$261,902.05 as presented by the County Auditor. All present voting "Aye".

Public Safety Svcs	\$ 43,201.00	Fines	\$ 240.00	Auditor's Office	\$ 511.59
Treasurer's Office	\$ 432.70	Extension Office	\$ 668.43	Grants Admin Ofc	\$ 51.99
Juvenile Probation	\$ 838.27	Indigent Care	\$ 176.00	Transfer Station	\$ 4,102.75
Building Mtc. Dept.	\$ 6,698.72	Civic Center	\$ 643.78	Countywide Operations	\$ 109,182.27
Tax Assessor-Collector	\$ 1,447.62	Sheriff's Office	\$ 19,774.82	Jail Operations	\$ 19,111.77
County Judge's Office	\$ 8.11	County Court at Law 1	\$ 190.00	Justice of the Peace 1-1	\$ 147.61
Justice of the Peace 1-2	\$ 138.00	Justice of the Peace 2	\$ 279.56	Justice of the Peace 3	\$ 75.00
Justice of the Peace 4	\$ 145.00	Constable 1	\$ 165.24	Constable 2	\$ 360.55
Constable 3	\$ 129.94	Constable 4	\$ 398.08	District Court Operations	\$ 1,353.40
County & JP Court Operations	\$ 5,113.54	Computer Services	\$ 443.32	County Court at Law 2	\$ 251.00
TJPC Salaries Grant	\$ 778.00	DPS/License & Weights	\$ 120.00	Fire Marshal/EMC Ofc	\$ 145.00
TJPC CCAP Grant	\$ 3,451.74	Commissioners Court Exp	\$ 340.50	CJD/VOCA Grant	\$ 184.48
General Fund Credit	<18,126.67>	Road & Bridge Operations	\$ 54,070.64	Precinct 2	\$ 26.69
Precinct 3	\$ 72.00	Precinct 4	\$ 111.30	R&B General Credit	<\$65.75>
Parks Administration	\$ 56.19	Records Mng/Co Clerk	\$ 503.00	Sheriff Spec Proj Fund	\$ 307.65
Medical & Dental Insurance	\$ 831.00	Sheriffs Drug Forf Fund	\$ 626.96	Family Health Svcs	\$ 343.00
Tobacco Settlement Fund	\$ 1,175.00				

19447 APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Utility Permit No. 01462 on Railyard Drive to Time Warner Cable and No. 01465 on Post Road to Grande Communications as submitted by the Hays County Road Department. All present voting "Aye".

19447 APPROVE BUDGET AMENDMENT NO. 01-20

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Budget Amendment No. 01-20 as proposed by the County Auditor. All present voting "Aye".



				AMENDMENT NO. 2001-20 FY 2001 BUDGET 4-24-01
FUND NO. 01 FUND TITLE GENERAL FUND				
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	AMENDMENT		APPROPRIATION AS
	AMENDMENT	INCREASES	DECREASES	AMENDED
EXTENSION OFFICE (403):				
01-403-5011 Department Head	8,607	359		8,966
01-403-5021 Staff	62,202	882		63,084
01-403-5101 FICA/RET	11,600		(1,241)	10,359
<i>Transfer for approved 5% from 12-1-00</i>				
FUND NO. 35 FUND TITLE FAMILY HEALTH SERVICES FUND				
PERSONAL HEALTH (412):				
35-412-5448 Contract Services	70,272	32,000		102,272
35-412-5480 Utilities (Kyle)	2,000	3,000		5,000
35-412-5431 Medical Services	5,000	3,000		8,000
35-412-5011 Department Head	43,336		(38,000)	5,336
<i>Transfer contract doctor services and Kyle utilities from personnel savings</i>				

19448 AWARD PROPOSAL FOR REMOVAL AND TRANSPORTING OF BODIES FOR AUTOPSIES AND OTHER MEDICAL TESTING TO AUSTIN MORTUARY SERVICE

Summary: The Purchasing Dept. received four (4) proposals and Austin Mortuary was the only facility that responded with pricing for the whole contract. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to award proposal for removal and transporting of bodies for autopsies and other medical testing to Austin Mortuary Service. All present voting "Aye".

Austin Mortuary Service
Austin, Texas

Re: Proposal #20P007 - Removal and Transport of Bodies for Autopsies and other Medical Testing

Austin Mortuary Service is pleased to offer the following bid for the above proposal:

- A. Standard Transports from Hays County to Travis County Medical Examiner:
 - 1. Removal (One Agent) \$250.00
Per body, maximum of 2 on single trip (plus mileage)
 - 2. Removal (Two Agent) \$350.00
Per body, maximum of 2 on single trip (plus mileage)
 - 3. Waiting time charges \$ 75.00/hr
(Charges only applicable if responding agent(s) must wait longer than 30 minutes from arrival time at scene for Justice of the Peace to release for transport)
 - 4. Mileage charges are determined by Precincts \$ 1.75/mile
Precinct 1 (San Marcos area): 30 miles = \$54.25
Precinct 2 (Kyle area): 22 miles = \$38.50
Precinct 3 (Wimberley area): 45 miles = \$78.75
Precinct 4 (Dripping Springs area): 25 miles = \$43.75
Precinct 5 (Buda area): 16 miles = \$27.20
 - 5. Travis County return transports \$175.00
Post autopsy (maximum of 2 bodies per trip) plus Applicable mileage charges
- B. Standard Transport from Hays County to Bexar County Medical Examiner (maximum total trips in one contract year is 2 (negotiable):
 - 1. Removal (One Agent) \$250.00
Per Body, maximum of 2 per single trip (plus mileage)
 - 2. Removal (Two agent) \$350.00
Per Body, maximum of 2 per single trip (plus mileage)
 - 3. Waiting time charges \$ 75.00/hr
(Charges only applicable if responding agent(s) must wait longer than 30 minutes from arrival time on scene for Justice of the Peace to release for transport)
 - 4. Mileage Charges are determined by Precincts \$ 1.75/mile
Precinct 1 (San Marcos area): 52 miles = \$91.00
Precinct 2 (Kyle area): 61 miles = \$106.75
Precinct 3 (Wimberley area): 66 miles = \$115.50
Precinct 4 (Dripping Springs area): 81 miles = \$141.75
Precinct 5 (Buda area): 68 miles = \$119.00
 - 5. Return transports from Bexar County post autopsy. \$175.00
Maximum of 2 bodies per single trip plus applicable mileage. Waiting time charges will apply if AMS personnel are to wait For autopsy to be performed.
- C. Equipment/General Price List
 - 1. Disaster Pouch * (Black or green, heavy duty) \$ 95.00
 - 2. Disaster Pouch * (White light duty) \$ 45.00
 - 3. Infection Control (Universal Precaution) \$ 25.00
Universal Precautions Charge will apply to each call
*Disaster Pouches will only be used when deemed necessary by removal personnel and only with Justice of the Peace's permission.



Austin Mortuary Service - Bid Proposal #20P007
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- D. **Mileage:** \$ 1.75/mi
 (Inter-precinct mileage charges will apply for the purpose of paperwork, etc. as deemed necessary by Justice of the Peace. Determined by Precinct)
 Pct. 1: (San Marcos area): 15.5 miles = \$27.13
 Pct. 2: (Kyle area): 11 miles = \$19.25
 Pct. 3: (Wimberley area): 22.5 miles = \$39.38
 Pct. 4: (Dripping Springs area): 12.5 miles = \$21.88
 Pct. 5: (Buda area): 8 miles = \$14.00
- E. **Response Time:**
 Will be determined by location and number of agents required for call.
- | | <u>Single Agent</u> | <u>Two Agent</u> |
|---------|---------------------|--------------------|
| Pct. 1: | 1 hour, 15 minutes | 1 hour, 30 minutes |
| Pct. 2: | 1 hour | 1 hour, 15 minutes |
| Pct. 3: | 1 hour, 30 minutes | 1 hour, 45 minutes |
| Pct. 4: | 1 hour, 30 minutes | 1 hour, 45 minutes |
| Pct. 5: | 1 hour | 1 hour, 15 minutes |
- F. **Chain of Custody:**
 When release (and all paperwork) has been obtained from Justice of the Peace, Austin Mortuary Service will transport directly to the designated Medical Examiner's office immediately upon leaving the scene. Body/paperwork/personal effects will be delivered and signed for by accepting Medical Examiner Office, as evidence by signature on delivery receipt. In the event the Travis County Medical Examiner's office is not available for immediate drop-off, the designated Justice of the Peace will be notified. Austin Mortuary Service will retain possession of the body(ies) and property at 1711 South First Street, Austin, Travis County, Texas until access is possible to the Travis County Medical Examiner's Office. The Justice of the Peace will be notified immediately of the arrival to Travis County Medical Examiner when delayed for any reason. Copies of all custodial paperwork will be attached to the invoice when submitted for payment.

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- G. In the event of required assistance from law enforcement personnel, proper universal precautions equipment will be furnished to all individuals assisting at no charge.

19449 AWARD THE FLEET CARD/FUEL MANAGEMENT BID TO FUELMAN (DIVISION OF TRIPLE S PETROLEUM) FOR THE INSTALLATION AND MANAGEMENT OF THE CARD READER SYSTEM AT THE LAW ENFORCEMENT CENTER AND THE FUEL MANAGEMENT TO TRIPLE S PETROLEUM FOR ALL OTHER LOCATIONS

Summary: The Purchasing Dept. received four bids: Triple S Petroleum Co. (Austin), Sac-N-Pac (San Marcos), Truman Arnold Co. (Temple), and Fuelman (Division of Triple S Petroleum). After review and favorable reference checks, it was determined that the lowest and best bid was Fuelman (Division of Triple S Petroleum) and Triple S Petroleum. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to award the Fleet Card/Fuel Management bid to Fuelman (Division of Triple S Petroleum) for the installation and management of the Card Reader System at the Law Enforcement Center and the Fuel Management to Triple S Petroleum for all other locations. All present voting "Aye".

19450 AWARD THE CEDAR OAKS MESA WATER SUPPLY AND PRODUCTION WELL IMPROVEMENTS PROJECT TO ODESSA PUMPS & EQUIPMENT

Summary: Four contractors participated in the bidding of the project. Odessa Pump and Equipment of Boerne is the low bidder. Hehl, Lee & Associates Inc. have checked with references regarding Odessa Pumps and Equipment's credentials and performance record and found them to be favorable. It is the recommendation of Hehl, Lee & Associates Inc., the Grants Department, and Purchasing Dept. to make the award to Odessa Pumps & Equipment. Funding is through TDHCA Grant Project #720311. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to award the Cedar Oaks Mesa Water Supply and Production Well Improvements Project to Odessa Pumps & Equipment in the amount of \$78,225.00. All present voting "Aye".

19451 RIVER MOUNTAIN RANCH LOT 69B * VARIANCE GRANTED RE: SHARED ACCESS DRIVEWAY REQUIREMENTS [7.6(a)(i) County Subdivision Rules] [T1-120]

Environmental Health Director Allen Walther advised that this lot is part of a recent resubdivision of Lot 69. It currently is accessed by a shared access driveway from River Mountain Road through Lot 69A. The proposal is to purchase fee simple access frontage onto River Mountain Road from a portion of Lot 68, thereby requiring a replat of Lot 68 and 69B. The request for variance is for the allowance of the prospective buyer to build a "guest home" on his property, which is not allowed under the Subdivision and Development Rules 7.6(a)(i) - No more than 3 single family residences may share use of the Shared Access Driveway. The new access would allow for Lot 69B to have direct physical access so as to reduce the number of trips on the prior recorded shared access driveway (independent access). Allen Walther advised that staff is supportive of his request - it will require a plat revision and a note on the plat restricting access for Lot 69B to the newly acquired access. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to grant a variance to Hays County Subdivision and Development Regulation Section 7.6(a)(i) regarding Shared Access Driveway requirements for "River Mountain Ranch Lot 69B". All present voting "Aye".



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19452 ALVAREZ SUBDIVISION - FINAL PLAT APPROVAL [T1-138]

Environmental Health Director Allen Walther advised that there will have to be a plat note added regarding base flood elevations. The lot is over five acres, therefore it is exempt from City of San Marcos subdivision requirements. He gave staff recommendation for approval of final plat. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to approve final plat of "Alvarez Subdivision". All present voting "Aye".

19453 COUNTRY VIEW ESTATES LOT 1 - FINAL PLAT APPROVAL [T1-150]

Environmental Health Director Allen Walther advised that this is one lot being developed as a manufactured Housing Rental Community – it is exempt from our current rules because it was under construction before the effective date of the rules. This has been approved by the City of Kyle and he gave staff recommendation for final approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "Country View Estates Lot 1". All present voting "Aye".

19454 BERNAL SUBDIVISION - PRELIMINARY PLAT APPROVAL [T1-164]

Environmental Health Director Allen Walther advised that this subdivision is in the ETJ of the City of San Marcos. Both lots will have separate independent access (one on SH21 and the other on CR266). He gave staff recommendation for preliminary approval. Property is being divided for placement of a communication tower. Commissioner Burnett asked about the location of this subdivision - TxDot will be doing some kind of project in this area. Allen Walther stated that they will get approval from TxDot before final approval of the plat. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to approve preliminary plat of "Bernal Subdivision". All present voting "Aye".

19455 THE VISTAS OF TUSTIN RANCH - PRELIMINARY PLAT APPROVAL [T1-205]

The Vistas of Tustin Ranch is a proposed 524 acre residential subdivision composed of 476 single-family lots and various open area lots. Each phase (5 phases) will be developed over an 18 month period, for a total time of 7.5 years. It is necessary to spread the development over this period of time in order for the market to absorb the proposed number of houses. Environmental Health Director Allen Walther advised that this subdivision is located southeast of FM1826. Staff will request a phased development agreement and he gave staff recommendation for preliminary approval. Water service is to be provided by LCRA water upon completion of the ESA for US Fish & Wildlife pursuant to the MOU agreed upon by the LCRA and USFWS. Wastewater service will be package plant treatment - this permit is being sought from TNRCC. This property lies within the Hays CISD & Dripping Springs ISD. There will be considerable open space due to floodplain area on the property. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "The Vistas of Tustin Ranch". All present voting "Aye".

Clerk's Note: Agenda Item #14 RE: Discussion and possible action to declare the week of May 1st, 2001 as Texas Two-Step Week for the county-wide coordination of efforts to control fire ants WAS PULLED. No action taken.

19456 AUTHORIZE COUNTY JUDGE TO ENTER INTO JOINT ELECTION AGREEMENT WITH THE CITY OF SAN MARCOS CONTINGENT ON CITY HOLDING A RUN-OFF ELECTION FOR CITY COUNCIL SEATS ON JUNE 2, 2001 [T1-3001]

A motion was made by Commissioner Burnett, seconded by Judge Powers to authorize the County Judge to enter into a Joint Election Agreement with the City of San Marcos contingent on the city holding a run-off election for City Council seats on June 2, 2001. All present voting "Aye".

STATE OF TEXAS
COUNTY OF HAYS

JOINT INTERLOCAL AGREEMENT

This Joint Election Agreement is made this the ____ day of April, 2001, between the City of San Marcos, Texas ("City") 630 East Hopkins, San Marcos, Texas 78666 and the County of Hays, 111 E. San Antonio St., San Marcos, Texas 78666 ("County"), pursuant to the Texas Election Code.

The City and County agree as follows:

Section 1. City and County agree to hold a joint election in the event that the City must hold a run-off election for City Council seat(s). The joint election will be held at the various polling places and election precincts hereinafter designated within the boundaries of Hays County on June 2, 2001, from the hours of 7:00 a.m. to 7:00 p.m., at which special joint election the qualified voters of the City will consider the election of a City Council Member, Place 1 and/or City Council Member Place 2, the qualified voters of Hays County will consider adopting or rejecting proposed Bond propositions as submitted by commissioners' Court.

Section 2. The election precincts for the City election shall be substantially the same precincts as those Hays County Election Precincts which are within the corporate limits of the City of San Marcos, and for Hays County the election precincts shall be all Hays County Election Precincts.



Section 3. That the shared polling places for each precinct for the City and County shall be as follows:

<u>Election Precincts:</u>	<u>Precinct #</u>	<u>Polling Place</u>
	111	Dunbar Center – 801 Martin Luther King Drive
	112	Guadalupe Hall – Corner of Churchill and Roosevelt
	113	Hays County Election Administrator's – 401C Broadway St.
	114	City Hall – 630 E. Hopkins
	116	Hernandez Middle School – 333 Stagecoach Trail
	120	C.M. Allen Homes Office – Off 801 River Road (Office on Sturgeon)
	330 & 334	Lamar Central Office Annex – 500 W. Hutchison
	336	Crockett Elem. School – 1300 Girard
	445 & 451	First American Lutheran Church – 130 W. Holland
	446	Travis Elem. School – 1437 Post Road
	447	

Section 4. It is agreed that all expenses incurred in the administration of this election where City and County are involved will be shared equally by City and County; and where only the County is involved, the expenditures will be paid by County, and where only City is involved will be paid by City.

Section 5. It is agreed by the parties to this Agreement that a common ballot will be used for the joint election. The ballot boxes holding the voted ballots for the election will be delivered by the Precinct Judges to the City Clerk and the Hays County Election Administrator at the Justice Center, 110 Martin Luther King Drive, San Marcos, Texas and these boxes will remain in the Hays County Election Administrator's custody, except that County agrees to deliver the boxes of voted ballots to the City if requested for canvass of the election or in the event the voted ballots are required for any court proceedings in which the City may be a party. County agrees to maintain custody of the ballot boxes containing the voted ballots for a minimum period of 22 months following the date of the election at which time County will dispose of the voted ballots in the manner prescribed by the Texas Election Code and will return those ballot boxes owned by the City to the City Clerk's office.

Section 6. Joint returns of the elections will be provided by the Central Counting Station to the Mayor, City Secretary, County Judge and the County Election Administrator following the tabulation. The City and the County will each maintain one original of the election returns.

Section 7. To facilitate the administration of the election, and as a convenience to the voters, during the early voting period of May 16, 2001 through May 29, 2001, the City agrees to designate the Hays County Election Administrator's Office, 401-C Broadway, San Marcos, Texas as the main early voting polling place for the City and the County agrees to designate San Marcos City Hall, 603 E. Hopkins, San Marcos, Texas as the temporary branch early polling place for the County. City and County further agree to maintain temporary branch early polling places for each other in accordance with Section 85.062, Election Code, V.T.C.A.

Section 8. On Election Day, all forms used in the conduct of the election, including but not limited to the poll list, signature roster, ballot registers, expense accounts, and all oaths and certificates will be used jointly by the two agencies. All forms will be returned to the Hays County Election Administrator who shall keep them in her custody for a minimum period of twenty-two months following the date of the election. County agrees to furnish the City with copies of any election documents upon City's request at no charge.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 1st DAY OF MAY, 2001.

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

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

