



STATE OF TEXAS *
 *
 COUNTY OF HAYS *

ON THIS THE 24th DAY OF JULY, 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 Carter led the Court in the Pledge of Allegiance to the Flags.

19621 APPROVE THE COMMISSIONERS' COURT MINUTES OF JULY 17, 2001

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of July 17, 2001 as presented by the County Clerk. All voting "Aye".

19622 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$ 431,766.27 as presented by the County Auditor. All voting "Aye".

State Shared Rev	\$ 213,371.76	Public Safety Svcs	\$ 17,821.19	Fines	\$ 2,423.05
Auditor's Office	\$ 579.44	Treasurers Office	\$ 431.64	Extension Office	\$ 449.00
Grants Admin	\$ 97.69	Juvenile Probation	\$ 2,216.70	Election Admin	\$ 9.54
Transfer Station	\$ 7,459.38	Building Mtc. Dept.	\$ 7,971.61	Environ Health	\$ 438.12
Countywide Oper	\$ 7,286.38	District Clerk's Office	\$ 720.00	Sheriffs Office	\$ 11,459.38
Jail Operations	\$ 40,711.71	County Crt @ Law 1	\$ 287.89	District Attorneys Ofc	\$ 214.45
Justice of the Peace 1-1	\$ 150.05	Justice of the Peace 1-2	\$ 138.00	Justice of the Peace 2	\$ 188.76
Justice of the Peace 4	\$ 145.00	Justice of the Peace 5	\$ 39.95	Constable 4	\$ 34.00
Constable 5	\$ 254.41	District Court Operations	\$ 28,373.70	Co & JP Court Oper	\$ 3,483.60
Veterans Admin Office	\$ 736.17	Computer Services	\$ 4,304.42	DPS/License & Wghts	\$ 120.00
Fire Marshal/EMC Office	\$ 741.24	Special Counsel Office	\$ 79.00	Commissioners Court Exp	\$ 344.88
Bulletproof Vests Grant	\$ 1,275.00	CJD/VOCA Grant	\$ 2,307.88	CJD/Truancy Ofcr Grant	\$ 199.99
CAPCO/Waste Task Force	\$ 27.87	CAPCO/911 Adrrs Mtc.	\$ 7.92	Juvenile Probation Grant	\$ 2,652.60
Juvenile Accountability Grant	\$ 1,260.42	Johnson/Heritage Visitor Cntr	\$ 440.00	General Fund Credit	<\$985.14>
R&B Operations	\$ 60,384.76	Precinct 1	\$ 285.78	Precinct 2	\$ 148.13
Precinct 4	\$ 493.50	R&B Gen Fund Credit	<\$539.59>	Sheriff Abandon Veh Fund	\$ 284.41
Hays Co Parks Fund	\$ 351.89	Rec Mng/County Clerk	\$ 9,604.53	Courthouse Security	\$ 29.95
Sheriffs Drug Forf Fund	\$ 112.25	Family Health Svcs	\$ 343.00		

19623 APPROVE BUDGET AMENDMENT #01-31

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve Budget Amendment #01-31 as proposed by the County Auditor. All voting "Aye".

AMENDMENT NO. 2001-31 FY 2001 BUDGET 7-24-01				
FUND NO. 01				
FUND TITLE GENERAL FUND				
APPROPRIATION AMENDMENT APPROPRIATION BEFORE AS				
LINE ITEM - EXPENDITURES	AMENDMENT	INCREASES	DECREASES	AMENDED
ANIMAL CONTROL (494):				
01-494-5365 Animal Care	200		265	465
01-494-5391 Other	-0-		25	25
01-494-5101 FICA/RET	8,622		(290)	8,332
			<u>290</u>	<u>(290)</u>
<i>Transfer for needed vet expense</i>				



					AMENDMENT NO. <u>2001-31</u> FY 2001 BUDGET 7-24-01
FUND NO. <u>01</u>					
FUND TITLE <u>GENERAL FUND</u>					
	APPROPRIATION BEFORE	AMENDMENT INCREASES	DECREASES	APPROPRIATION AS AMENDED	
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>	
<u>CJD/VICTIMS OF CRIME GRANT (705):</u>					
01-705-5021 Staff	52,608		23,188	75,796	
01-705-5101 FICA/RET	8,784		4,872	13,656	
01-705-5160 Insurance	6,666		1,667	8,333	
01-705-5191 Travel Allowance	-0-		1,200	1,200	
01-705-5219 Supplies	12,603		4,320	16,923	
01-705-5311 Travel	5,345		1,250	6,595	
01-705-5346 Worker Comp	232		40	272	
01-705-5719 Equipment	1,500		<u>2,400</u>	3,900	
			<u>38,937</u>		
			<u>DECREASE:</u>	<u>INCREASE:</u>	
01-381-2705 CJD/VOCA Grant			72,641	<u>38,937</u>	111,578
<i>Budget additional funds to grant 7-1-01 thru 6-30-02</i>					
<u>CAPCO/911 ADDRESSING MAINTENANCE GRANT (727):</u>					
01-727-5021 Staff	85,314		8,125	93,439	
<u>COUNTYWIDE OPERATIONS (414):</u>					
01-414-5399 Contingencies	39,263		(8,125)	31,138	
<i>Transfer September 2001 salary cost to county from contingencies</i>					
FUND NO. <u>10</u>					
FUND TITLE <u>HEALTH SERVICES GRANTS FUND</u>					
	APPROPRIATION BEFORE	AMENDMENT INCREASES	DECREASES	APPROPRIATION AS AMENDED	
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>	
<u>TDH/CHILD HEALTH/FEE GRANT (469):</u>					
10-469-5448 Contract Services	17,000		2,800	19,800	
10-469-5391 Other	3,216		(1,800)	1,416	
10-469-5219 Equipment	3,000		<u>(1,000)</u>	2,000	
			<u>2,800</u>	<u>(2,800)</u>	
<i>Transfer for medical/lab services</i>					
<u>TDH/IMMUNIZATION GRANT (708):</u>					
10-708-5219 Supplies	6,062		10,000	16,062	
10-708-5101 FICA/RET	20,175		(4,000)	16,175	
10-708-5160 Insurance	13,876		<u>(6,000)</u>	7,876	
			<u>10,000</u>	<u>(10,000)</u>	
<i>Transfer for vaccine from personnel savings</i>					

19624 APPROVE REFUND OF DOUBLE PAYMENTS AND/OR OVERPAYMENTS ON TAXES

The following applications were submitted by the County Tax Assessor-Collector requesting refund of double payments and/or overpayments on taxes:

Lot 627 Sunset Canyon Section 3 = \$ 3,915.53 erroneous payment

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

19625 APPROVE UTILITY PERMITS #01486 & #01487

The following Utility Permits were submitted for approval by the Road Department: #01486 on CR159/Yarrington Road issued to the City of Kyle and #01487 on Sunrise Canyon Road issued to Severn Trent Service Inc. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve Utility Permits # 01486 & 01487 as submitted by the Road Department. All voting "Aye".



19626 APPROVE INTERLOCAL AGREEMENT WITH CAPCO FOR 9-1-1 MAINTENANCE

This interlocal agreement provides CAPCO funding in the amount of \$41,864.00 to help maintain 9-1-1 maintenance service – funds have been drastically cut from prior years. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve interlocal agreement with CAPCO for 9-1-1 maintenance. All voting “Aye”. [See agreement in file]

19627 APPROVE INTERLOCAL AGREEMENT WITH CAPCO-PSAP

The County receives \$250 each year for PSAP (Public Service Answering Points) supplies. All funds including SWTSU funds pass through the county. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve interlocal agreement with CAPCO-PSAP. All voting “Aye”. [See agreement in file]

19628 RESUBDIVISION OF KYLE HEIGHTS SECTION 2 LOT 11 [PCT. 2- 01-2-049] * APPROVE PRELIMINARY PLAT [T1-41]

Environmental Health Director Allen Walther advised that this is a two lot subdivision with county road frontage - he gave staff recommendation for preliminary approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat of “Kyle Heights Section 2 Resubdivision of Lot 11”. All voting “Aye”.

19629 APPROVE SUPPLEMENTAL INSURANCE PACKAGE PRESENTED BY BENCHMARK FOR THE HAYS COUNTY EMPLOYEES [T1-53]

John Mitchell (Benchmark Insurance) spoke of compiling and presenting information to the insurance committee that has received a recommendation for court approval. Commissioner Ingalsbe advised that this is optional insurance that will be offered to county employees. Commissioner Molenaar advised that this insurance company provided the most options of all companies being considered. John Mitchell advised that they are using AFLAC to provide a personal accident expense plan, short-term disability plan, and a cancer plan - there is also a life insurance policy (whole life), term insurance, and a vision plan being made available through other sources. This insurance will be purchased by the employee with no cost to the county. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve the supplemental insurance package presented by Benchmark to the Insurance Committee for Hays County employees. All voting “Aye”.

19630 AMEND THE FY2002 BUDGET CALENDAR [T1-141]

County Auditor Bill Herzog spoke of need to amend the FY2002 budget calendar – we will not receive a certified tax roll until tomorrow – need to postpone the County Judge’s proposed budget until July 31st and change the 6:30p.m. workshop meeting on July 26th to August 2nd. Workshops will be from July31st through Aug 10th. A motion was made by Judge Powers, seconded by Commissioner Molenaar amend the FY2002 Budget Calendar as proposed by the County Auditor. All voting “Aye”.

FY2002 BUDGET CALENDAR AMENDED		
MARCH	30 th	BUDGET WORKSHEETS SENT TO ALL DEPARTMENTS
APRIL	27 th	BUDGET WORKSHEETS DUE BACK FROM DEPARTMENTS
MAY	31 st	BUDGET WORKSHEETS AND COPY OF REQUESTS TO COUNTY JUDGE COPIES OF BUDGET REQUESTS TO COUNTY COMMISSIONERS
JUNE 1 - JULY	3 rd	COUNTY JUDGE PREPARES BUDGET PROPOSAL AND MEETS WITH DEPARTMENT HEADS AS NEEDED
JULY	25 th	CHIEF APPRAISER CERTIFIES APPROVED APPRAISAL ROLL
JULY	31 st	COUNTY JUDGE PRESENTS HIS PROPOSED BUDGET TO COMMISSIONERS' COURT AND FILES A COPY WITH THE CO CLERK
JULY 24 - AUG	10 TH	BUDGET WORKSHOPS AT 10:00 AM (AUG. 2 ND MEETING AT 6:30 PM)
AUGUST	7 TH	VOTE ON PROPOSED TAX RATE INCREASE AND SCHEDULE PUBLIC HEARING (IF NECESSARY)
AUGUST	19 TH	PUBLISH NOTICE OF PUBLIC HEARING ON TAX RATE INCREASE
AUGUST	21 ST	BUDGET NOTICES MAILED TO ELECTED OFFICIALS; PUBLISH ELECTED OFFICIALS' SALARIES, SUMMARY OF BUDGET; PUBLISH NOTICE OF HEARING ON BUDGET
AUGUST	28 TH	PUBLIC HEARING ON TAX RATE (IF NECESSARY) NOTICE #1 PUBLISHED AT LEAST 7 DAYS BEFORE PUBLIC HEARING NOTICE #2 PUBLISHED AFTER HEARING BUT BEFORE MEETING TO VOTE ON TAX RATE - 6:30 PM
AUGUST	31 ST	PUBLISH 2 ND NOTICE ON TAX RATE INCREASE
SEPTEMBER	4 TH	PUBLIC HEARING ON BUDGET; ADOPT BUDGET & SET SALARIES *1---1:30 PM
SEPTEMBER	5 TH	SET TAX RATE AND LEVY TAXES *2---10:00 AM
SEPTEMBER	24 TH	FILE FINAL APPROVED BUDGET WITH COUNTY CLERK

*1 - At least 11 days prior to this meeting, must publish Elected Officials' Salaries
At least 11 days prior to this meeting, but before 30 days, publish notice of Budget hearing and summary of budget. Must be after the 15th day of the month; next following month Budget prepared.

*2 - Must be at least 3 days, but not more than 14 days after Public Hearing on Tax Rate



DISCUSSION REGARDING REDISTRICTING PLAN GP [T1-165]

Commissioner Carter spoke of having asked people to be co-sponsors to approve Redistricting Plan GP. She introduced the Barrera family (co-sponsors of Plan GP) and they sang a song. Mr. Barrera spoke of being a faith based family and he feels like the courts duty is to represent them in the righteous way. [T1-308] Ernie Murry stated that each Commissioner needs an opportunity to explain their perspective. He read a resolution adopting redistricting Plan GP: *"Whereas the overwhelming outcry from the public at the Redistricting hearings has been for the concepts set forth in Plans G and P, and Whereas these concepts involve keeping the precincts as compact and geographically unchanged as possible, and Whereas the present and future growth of Kyle make it impossible to keep all the city within any one precinct, Whereas Hays County can meet the Traditional Redistricting Principles most strongly supported by Hays county citizens who attended the redistricting meetings. Therefore be it resolved that Hays County Commissioners court adopt the basic concepts of Plans G and P as Plan GP in accord with public opinion. These concepts place the majority of Kyle in precinct one and extends precinct 2 west to Hwy 290."* Mr. Murry spoke of protecting the peoples voting rights. Commissioner Burnett spoke of adopting a plan that is legal. Ernie Murry spoke of creating compact precincts to encourage voter participation and protecting voters rights. [T1-555] Mr. Murry stated that he did not suggest that the court automatically adopt the plan presented today – any plan should be taken before Joyce Cowan and Steve Floyd to correct any small mapping errors (reconfiguration of small boundaries that may pose a problem to voters) and keep boundaries on major thoroughfares. He spoke of Ralph Gonzales' concerns regarding minority population added to Precinct 1 might be dominated by prison inmates and undocumented workers who are counted in the census but are not eligible to vote and do not participate in politics. This should be brought to the attention of the Rios Law Firm. He asked for feedback from Commissioners. [T1-621] Commissioner Ingalsbe spoke of members of the Republican Party that have been very open and adamant about wanting to make Precinct 2 a republican precinct to insure a win for the next election and she does not believe that is what this process is about. Ernie Murry stated that he agrees with her entirely – he then read from newspaper articles and emails in the redistricting booklet. He stated that the rights of the voters and people should be considered foremost. Judge Powers spoke of two opponents running in Precinct 2 that will be redistricted out by the proposed plan and it is important that the court not do that – he stated that he will vote for what is in the best interest of Hays County. He spoke of trying to protect Susie Carter. Mr. Murry spoke of resolution passed by the City of Kyle (he read the resolution). Commissioner Carter spoke of city people rarely having anything to do with county government. Commissioner Molenaar spoke of 71 emails he received regarding people in his precinct that don't want to be in precinct 2 - he represents the people of precinct 4 whether they are republicans or democrats and he votes for all the people. He spoke of people in the Kyle area that want to stay in Pct. 2 and he will represent all the people. [T1-985] Ernie Murry spoke of public comments at public hearings - he does not understand how the interest of Kyle is better served in precinct 2 instead of precinct 1. Judge Powers advised that the City of Kyle has made it clear what they want and he has worked closely with all the Mayors in Hays County - counties and cities do need to work together. He feels like you can maintain Kyle and Buda together. Commissioner Burnett spoke of affecting other people and he would like to hear from all the affected people (such as people in the Dripping Springs area). [T1-1103] Commissioner Carter spoke of talking to Mike Cox and his philosophy is "the Commissioner of the Precinct affected should probably have the best feel of how the people feel and how they are affected and how they should be changed if they have to be changed – which is the case. She spoke of pct. 2 being largely a rural precinct (5 or 6 small towns) and Kyle (20% of the interest in Pct. 2) is not predominating Pct. 2 - it is on the border - county government represents the rural interests. She spoke of politicians wanting to be in Pct. 2 and the people want Kyle to be in precinct 1. [T1-1201] Commissioner Ingalsbe spoke of statements that Mr. Murray made to her in her office. Ernie Murry spoke of protecting the individual voting rights of the people - he spoke of problem with putting partisan politics ahead of politics of the people – there are individual politicians putting their personal interest ahead of the others. He asked about stakeholders. Commissioner Burnett spoke of the Kyle Mayor coming to the Commissioners' Court and making a presentation to keep Kyle in Pct. 2. Ernie Murry spoke of Kyle being 20% of the voters. Commissioner Carter spoke of no plan keeping all of Kyle in Pct. 2. [T1-1353] Ernie Murry spoke of boundaries of Kyle and San Marcos being close. Commissioner Molenaar spoke of establishing boundary lines. Ernie Murry spoke of future expansion of Kyle will be towards San Marcos and the Pct. 1 Commissioners can deal better with city issues - as the city of Kyle grows, that growth will occur in different precincts. [T1-1497] Commissioner Carter spoke of calling Bickerstaff, Heath & Smiley and their response was that there is no legal requirement for a county to avoid splitting a City and Todd Giberson (redistricting analyst with the Attorney Generals Office) stated that you could refer people to the videos (public hearings) where Korbel admits that the Dept. of Justice does not care whether the city limit lines are split – so our attorney has admitted that splitting a city is not a big deal. [T1-1527] Commissioner Burnett spoke of the Rios Law Firms response that if you take a city that has past a resolution against their will and put it in another commissioners' precinct – a minority commissioner, against her will – it will not approve such a plan. He spoke of traditional redistricting principles being that you try to keep cities in tact. [T1-1581] Commissioner Carter stated that both Bickerstaff and Todd Giberson say that the Dept. Of Justice is only concerned about retrogression in the minority precinct. Ernie Murry spoke of benefits in having Pct. 3 & Pct. 4 coming into San Marcos (far stretched out). He encouraged the court to make sure that all small areas are taken care of - when people are confused they do not bother to vote. He believes any final plat should be run by legal counsel and that questions asked by Ralph Gonzales are answered and take the time and effort to consider Plan GP. [T1-1830] Bob Barton spoke of wanting to meet with Ernie Murry on why Kyle wants to stay in Pct. 2 (cooperative efforts between the cities of Kyle & Buda in building a community center, having single member districts within our school board, etc.). He stated that he is bothered by this new plan moving 5,000 people and he spoke about there not being much difference in the politics of Pct. 223 & 227 (both voted for George Bush in the last election). Mr. Barton spoke of the east side having a heavier minority than the west side. He spoke of the Kyle City council voting to keep Kyle in Precinct 2 - there is no real reason to move Kyle out of Pct. 2. Mr. Barton stated that many of the people supporting this plan, and others, do not live in any precincts around there.



[T1-1936] Jackie Craig spoke of being confused about what Kyle wants – she feels like Plan GP will keep Kyle whole by putting it into Pct. 1. [T1-1977] Jim Sykes stated that he doesn't want any Commissioner ruled out of their precinct and he supports Plan GP. [T1-2007] Amy Parham (Buda resident) urged the court to look beyond intimidation tactics and do what is right for Hays County. She stated that Kyle & Buda share too many things to be torn apart now – both are rural and suburban, both rally around the same school district, both are slow moving and fast growing. Party doesn't matter in Pct. 2 - she supports keeping Kyle in Pct. 2. [T1-2030] Charlie Johnson (Kyle resident) supports keeping Commissioner Carter in Pct. 2 - he opposes Plan GP - some of these plans keep 90% + of Kyle in Pct. 2. He read from a newspaper article written by Commissioner Carter - he presented 2000 election result figures for all Republican vs. Democrat contested races on the ballot in Precinct 2. [T1-2121] Bonnie Tull spoke of being a new resident of Pct. 4 and she has not been able to research all the plans being considered – she spoke of not wanting to vote on plans that have had little exposure. She sees no reason for dividing a small development (Goldenwood subdivision) that is surrounding by ranchland. Mrs. Tull supports Plans A, B, C, D, & O that does not split their neighborhood – they prefer to stay in Precinct 4. They are against Plans G, K, L, & M and prefer not to have Plan H, I, J, P, & Q. [T1-2174] Mary Bollinger (Dacy Lane resident) spoke of redistricting not being a simple thing - there are many types of people with many different ideas. She spoke of having to live with the courts decision for the next 10 years. She wants to preserve her area and she wants the court to be fair. [T1-2305] Susan Meckel spoke of community issues she has been involved in (city/county/regional/statewide environmental, personal health & welfare, and political issues). She spoke of her involvement in the Kyle community and now in the redistricting issue. She spoke in support of Commissioner Carter. She asked for time to digest the new plans and allow the public to exam these plans. She supports keeping Pct. 2 in tact so they can keep their conservative edge. [T1-2477] Lyle Bollinger spoke of having voted for both parties - he is perturbed by additional maps (several he has never seen). [T1-2565] Lindell Bollinger spoke of wanting to keep northern Voting Pct. 227 in Pct. 2. He is disappointed to hear statements of public officials stating that the opinion of an Elected Official of a small city carries more weight than the citizens who vote the politicians in office. Every argument used to keep Kyle in Pct. 2 applies to those who live outside of the city limits of Kyle. [T1-2700] Ed Mihalkanin (San Marcos resident) spoke of ill will generated by this issue and he feels like the court will make the best decision in the best interest of the county and its citizens. He asked the court to consider 3 issues: [1] not approve a plan that keeps San Marcos divided into 3 precincts, [2] not to approve a plan that splits up any existing communities into two or more precincts, and [3] not to approve a plan that removes a sitting Commissioner from a precinct in which he/she currently resides. Mr. Mihalkanin stated that he respects the community of interest that exists in rural communities but he asked the people who live in the rural areas to acknowledge and accept that a community of interest exist in a municipality in a county. [T1-2766] Commissioner Carter spoke of people wanting Plan G (the conservative plan) - Plan GP is a combination of Plan G & P. She spoke of petitions and speakers being for Plan G - counties control rural issues and cities control city issues. She spoke of special considerations that need to be taken into account such as requests by River Mountain Ranch and Rolling Wood that would like to be in Precinct 3 and areas of San Marcos that would like to be in Precinct 3. The resolution is to set a general pattern that can be manipulated – what we have is not set in stone but will give us a basic concept to work on. She spoke of preserving the established voting pattern A motion was made by Commissioner Carter to adopt resolution adopting Redistricting Plan GP, with consideration that we can and will look at the neighborhoods with strong concerns. [T1-2872] Commissioner Burnett stated that we will adopt a plan that is the will of the people but he thinks that the supporters of Plan GP are strictly Susie Carter supporters that are trying to systematically do away with candidates against her for re-election and he will not support any plan that takes Pct. 3 solely into San Marcos and putting Dripping Springs and Wimberley together. Motion died for lack of a second

19631 ADOPT A RESOLUTION CREATING COUNTY COMMISSIONER PRECINCTS IN ACCORDANCE WITH THE FEDERAL VOTING RIGHTS ACT FOR SUBMISSION TO THE UNITED STATES DEPARTMENT OF JUSTICE [T1-2906]

[T1-2979] Randall Robinson (Dripping Springs resident – member of various boards and committees) advised that he has knowledge of what is going on in the Dripping Springs area and he cannot support Plan GP - there is an area in Pct. 443 that is in the Dripping Springs school district and Dripping Springs ETJ and does not belong in Precinct 2 - it is separate from issues (wastewater issues, etc) related to the City of Kyle (Pct. 2) - he spoke of EMS boundaries needing to be considered. Mr. Robinson stated that if you consider the voting rights of people in Pct. 443, they will be best represented in Pct. 4. He supports Modified Plan N. [T1-3082] Mary Bollinger spoke of being in the Buda/Kyle area and they will not be best represented by being in Pct. 1. She does not think it is fair to make a community Democratic when it is Republican. Commissioner Burnett spoke of minority issues that must be addressed and election results reflecting Democratic vs. Republican. Commissioner Molenaar advised that there are 10 plans that keep the Bollinger family in Precinct 2. [T1-3311] Commissioner Carter stated that Todd Giberson analyzed scenarios where you keep Kyle in - it makes Pct. 2 Democrat – where you put Kyle in Precinct 1, it strengthens the Republican status – if you keep Kyle in it makes a 46% opportunity for Republican, so you are making a choice whether you want Pct. 2 to be Democrat or Republican. Commissioner Burnett asked legal counsel if it was highly illegal for us to consider a plan based on that? Special Counsel Jacqueline Cullom Murphy advised that it is troubling. [T1-3344] Lyle Bollinger stated that he stands by what he stated in the previous item. [T1-3354] Lindell Bollinger spoke of not believing that there are that many plans that keep him in Pct. 2. He stated that he does not vote straight tickets - he cares who will vote for his community. He supports taking the population closest to San Marcos into Pct. 1. [T1-3495] Wally Kinney spoke of being upset by what he has heard today - he is a Republican and he does not support what Ernie Murry said today - he spoke of it being 50 miles from Pct. 441 to San Marcos area in Pct. 4. The goal is to try and keep boundaries as close as to what they are now without the appearances of gerrymandering. He spoke of no one being able to determine where the growth will be - he supports the Modified N plan. He spoke of Commissioner Molenaar listening to his constituents and doing what they want.



[T1-3725] A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to adopt Redistricting Plan Modified N (leaving Precinct 442 & 443 in tact, taking half of Precinct 227, leaving Commissioner Carter in her precinct, and takes half of 446 in San Marcos) creating County Commissioner Precincts and to furthermore send this map to staff and the Rios Law Firm for further evaluation prior to submission to the United States Department of Justice. Commissioner Carter spoke of Plan N not taking into consideration the prisoners at the Wackenhut Facility – she stated that Todd Giberson saw problems with Modified Plan N. Commissioner Molenaar, Commissioner Burnett, Commissioner Ingalsbe and Judge Powers voting “Aye”. Commissioner Carter voting “No”. [See map in file]

**RESOLUTION
OF THE
HAYS COUNTY COMMISSIONERS' COURT
ADOPTING COUNTY COMMISSIONER PRECINCT LINES**

NOW ON THIS 24TH DAY OF JULY, 2001, a motion was made by Russ Molenaar and seconded by Debbie Ingalsbe to adopt new commissioner precinct lines in Hays County, Texas.

WHEREAS, the new commissioner precinct lines will be used for County Commissioner elections and are reflected on the map attached hereto and labeled as “Exhibit A”; and

WHEREAS, implementation of the new commissioner precinct lines shall be delayed pending preclearance by the United States Department of Justice as required by Section 5 of the Federal Voting Rights Act, 42 U.S.C. § 1973c.

NOW, THEREFORE, the Hays County Commissioners' Court indicating their vote below hereby adopts the attached map as the Hays County Commissioner Precincts.

DATED THIS 24TH DAY OF JULY, 2001.

19632 ACCEPT BIDS ON PROPERTY HELD IN TRUST [T1-132]

The following bids for property held in trust (delinquent tax property) were submitted for approval:

1. Woodcreek Section 3 Block 3 Lot 18	\$ 3,000.00	81% recovery	Approved by WISD
2. Woodcreek Section 9A Lot 254	\$ 1,185.51	32% recovery	Approved by WISD
3. Woodcreek Section 9A Lot 246	\$ 306.00	0% recovery	Approved by WISD
4. Woodcreek Section 9A Lot 226	\$ 955.00	30% recovery	Approved by WISD
5. Woodcreek Section 8 Lot 205	\$ 1,735.51		Rejected by WI SD
6. Woodcreek Section 8 Lot 81	\$ 735.51		Rejected by WI SD

A motion was made by Commissioner Burnett, seconded by Judge Powers to accept bid offers for property held in trust that were approved by the Wimberley ISD (items #1-4) and reject bid offers for those properties rejected by the Wimberley ISD (items #5 & #6). All voting “Aye”.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 31ST DAY OF JULY, 2001.

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

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

