



STATE OF TEXAS ?
 COUNTY OF HAYS ?

ON THIS THE 20th DAY OF NOVEMBER A.D., 2001, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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
LINDA C. FRITSCH	DEPUTY COUNTY CLERK

WITH THE FOLLOWING MEMBER ABSENT: JAMES L. POWERS, COUNTY JUDGE;

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Senior Court Member Commissioner Russ Molenaar presided over the member in absence of the County Judge and he called the meeting to order and gave the invocation. Commissioner Burnett led the Court in the Pledge of Allegiance to the Flags.

PRESENTATION BY JERRY BORCHERDING CONCERNING THE PROPOSAL FOR REGIONAL COOPERATION TO REDUCE OZONE LEVELS (O3 FLEX PLAN)

Road Supt/Enginner Jerry Borcherding gave a presentation regarding the O3 Flex Plan (update). He advised that the Court will need to take action in December to make a commitment to the regions plan – the plans intent is to reduce ozone levels. Mr. Borcherding stressed that the effort is voluntary and we can do as little or as much as we want to. The plan has been emailed to all members of the court (55 pages). He provided members with the executive summary of the plan which discusses the most pressing items and addresses what Hays County is expected to do (voluntarily). He asked the court to get familiar with the plan so that they will be up to speed when it is presented to the EPA. He spoke of Control Measures, of which some, the road dept, is already doing. Jerry Borcherding stated that he will be coming back to the court to discuss further the implications of some of the control measures and he should have the cost figures. The 8 hr standard is still in litigations (we are in non-compliance of that at this time) – we are in compliance of the 1 hour standard – the regional effort will delay any formal action by EPA until 2007. Part of the plan is education – the county may have to have an Ozone Officer to make sure that control measures are being implemented. We do need to show an effort – there is great cooperation within the region with other entities.

19912 APPROVE THE COMMISSIONERS' COURT MINUTES OF NOVEMBER 9 AND NOVEMBER 13, 2001

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the Commissioners' Court Minutes of November 9, 2001 and November 13, 2001 as presented by the County Clerk. All present voting "Aye".

19913 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$189,136.82. All present voting "Aye".

Public Safety Svcs	\$ 387.00	Fines	\$ 1,361.45	Lease Prnt	\$ 6,480.98
Auditors Office	\$ 1,661.30	Extension Office	\$ 824.95	Grants Admin	\$ 247.30
Juvenile Prob	\$ 912.53	Comm & Soc Svcs	\$ 1,250.00	Indigent Care	\$ 5,752.60
Transfer Station	\$ 6.25	Bldg Mtc. Dept.	\$ 3,315.85	Civic Center	\$ 371.68
Countywide Oper	\$ 657.95	Tax A/C Office	\$ 1,240.12	District Clerks Ofc	\$ 262.36
Sheriffs Office	\$ 8,385.34	Jail Operations	\$ 22,623.73	County Judge	\$ 13.18
Co Court at Law 1	\$ 77.00	District Attys Office	\$ 202.04	J.P 1-2	\$ 20.00
J.P. 3	\$ 20.95	J.P. 5	\$ 220.81	Constable 1	\$ 107.00
Constable 2	\$ 4,771.00	Constable 3	\$ 19.56	Constable 4	\$ 184.10
Constable 5	\$ 92.66	Dist Court Oper	\$ 1,229.15	Precinct 4	\$ 252.41
Computer Svcs	\$ 1,986.26	Fire Marshal/EMC	\$ 769.97	TJPC CCAP Grant	\$ 469.00
911 Adrrs Mtc	\$ 800.00	Juv Justice Alt Ed	\$ 59.97	R&B Operations	\$ 95,465.47
Precinct 4	\$ 40.00	Right of Way	\$ 1,640.00	R&B Gen Credit	<\$57.69>
Sheriff Abandon Veh	\$ 91.49	Parks Fund	\$ 59.06	Rec Mng/Co Clerk	\$ 222.44
Health Svcs Grants	\$ 19,347.85	Courthouse Security	\$ 29.95	Medical/Dental Insur	\$ 1,103.15
Sheriffs Drug Forf Fund	\$ 951.23	Family Health Svcs	\$ 3,207.42		

19914 APPROVE UTILITY PERMIT #01518

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Utility Permit #01518 on TreeTop Way issued to Time Warner Cable. All present voting "Aye".



19915 AWARD BID FOR THE PIPE FENCE FOR DUDLEY JOHNSON PARK TO FALCON FENCE IN THE AMOUNT OF \$20,050.00

Six bids were received for pipe fence for Dudley Johnson park: Central Texas Curbs Inc. (Wimberley) = \$21,052.50 Tri-County AG Svc. (New Braunfels) = \$ 26,950.00 Falcon Fence (Kyle) = \$ 20,500.00 Dynamic Solution (San Marcos) = \$ 33,507.00 Kustom Fence (New Braunfels) = \$ 32,915.00 A Better Fence Co/Star Fence (San Marcos) = \$53,032.25. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to award bid for the pipe fence for Dudley Johnson Park to low bidder Falcon Fence in the amount of \$20,050.00. All present voting "Aye".

19916 APPROVE RECLASSIFICATION OF POSITION IN THE HUMAN RESOURCES DEPARTMENT FROM A SAFETY OFFICER TO A SAFETY SPECIALIST

Personnel Coordinator Luis Gonzales stated that he would like to remove the responsibilities of the safety officer and put it in his office reclassified to reflect Safety Specialist so that he can guide that position (less responsibility and Grade reduction from a Grade 24 to a Grade 21). This position has been vacant since the end of October. The savings could possibly be used to create a personnel assistant at a later date. Commissioner Carter spoke of making personnel changes only during the budget process. Mr. Gonzales stated that he would like for the new person to come in at Grade 21 as a Safety Specialist rather than fill the position of Safety Officer. Commissioner Molenaar spoke of duties of Safety Specialist. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve reclassification of position in the Human Resources Department from a Safety Officer (Grade 24) to a Safety Specialist (Grade 21/Step 1). All present voting "Aye".

19917 [PCT. 2 #01-2-06R] RUBY RANCH PHASE 8 * RELEASE ROAD CONSTRUCTION FISCAL SECURITY

Environmental Health Director Allen Walther gave staff recommendation for release of road construction security. The Road Department has inspected and approved the construction of the roads and drainage of the roads. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to release road construction fiscal security (Letter of Credit #0270 = \$458,038.28) for Ruby Ranch Phase 8. All present voting "Aye".

19918 [PCT. 2 #01-2-063] GREAT HILLS SECTION 3A * APPROVE FINAL PLAT

Environmental Health Director Allen Walther spoke of this being a phased development. He gave staff recommendation for final plat approval. A letter from Developer indicates that that 2'X3' boxed concrete culverts will be installed for Railyard Drive and Railyard Drive will be paved when they pave Great Hills 3A (in about 6 weeks). A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Great Hills Section 3A". All present voting "Aye".

19919 [PCT. 2 #01-2-088] RJ SUBDIVISION * APPROVE PRELIMINARY PLAT

Environmental Health Director Allen Walther spoke of this being a 2 lot subdivision fronting on Hwy 150 & a private road (Creekside Dr). He gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat of "RJ Subdivision". All present voting "Aye".

19920 [PCT. 2 #01-2-089] WESTSIDE CROSSING COMMERCE PARK SECTION 2 * APPROVE PRELIMINARY PLAT

Environmental Health Director Allen Walther spoke of this being a 2 lot commercial subdivision located on CR210. He gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat of "Westside Crossing Commerce Park Section 2". All present voting "Aye".

Clerk's Note: Agenda Item #11 RE: BROOKSIDE ELEMENTARY SCHOOL SUBDIVISION was pulled from the agenda - no discussion and no action taken.

19921 [PCT. 3 #01-3-086] STEVE BROWN SUBDIVISION * APPROVE PRELIMINARY PLAT

Environmental Health Director Allen Walther spoke of this being a 3 lot subdivision - there is inadequate ROW on Flite Acres Road and staff had requested additional dedication of right-of-way. The Developer has declined dedication of additional RO-W. County requirements have been met and he gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar To approve preliminary plat of "Steve Brown Subdivision". All voting "Aye".

**19922 [PCT. 4 #02-4-44A] SIERRA WEST SECTION 3 * APPROVE FINAL PLAT**

Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Sierra West Section 3A". All present voting "Aye".

19923 [PCT. 4 #01-4-090] HOMESTEAD AT GATLIN CREEK REPLAT OF LOTS 1-4 * APPROVE FINAL PLAT AND WAIVE PUBLIC NOTIFICATION

Environmental Health Director Allen Walther spoke of this being a resubdivision of 4 lots into 8 lots. The request to waive public notification in this case is based upon the information that the developers are the owners of all the lots in the subdivision – no land has been conveyed to another party. Plat Note #12 restricts lots to rainwater collection – individual water wells are prohibited. He gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "Homestead at Gatlin Creek Replat of Lots 1-4" and waive public notification. All present voting "Aye".

19924 [PCT. 4 #01-4-38] HEATHER HILLS * APPROVE FINAL PLAT

Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Heather Hills". All present voting "Aye".

Clerk's Note: Agenda Item #16 Re: CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON DEC. 4, 2001 IN THE COVES OF CIMMARON was PULLED – no discussion and no action taken.

19925 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE OFFICE OF THE GOVERNOR – CRIMINAL JUSTICE DIVISION FOR \$57,000 AND TO EXECUTE CONTRACT

Grants Administrator Richard Salmon explained this grant: Federal law mandates the Violence Against Women Act Program. Hays County has been using grant funds and county match to operate the program for the past six years. Grant funds are provided through CAPCO by way of the Office of the Governor/Criminal Justice Division. The current grant pays for the salary, benefits, and training and supplies expenses of the District Attorney's VAWA Prosecutor Tara Stanislaus. This year the grant request will include monies for a ½ time Investigator to assist the VAWA Prosecutor to locate victims and witnesses for the court. The VAWA Prosecutor spends a great deal of time locating witnesses. The grant request will increase from the current amount of \$47,027 to \$57,000 and the current cash match will increase from \$23,690 to \$28,387. This year CAPCO has requested a 6month and 9month budget. Since this is a mandated program the county will eventually have to take over the program in the future. As long as the state and the federal government are providing grant funds, it is advantageous for Hays County to leverage county funds in this fashion. A recent Performance 2000 Review conducted by the State indicates the Hays County VAWA Program is operating efficiently and in compliance with all program guidelines. District Attorney's Office Manager Carolyn Brown spoke of DA Investigators being overloaded at this time with subpoenas and phone calls to be made. She spoke of difficulty in locating victims and keeping up with them. She spoke of requirements of Investigators and the number of investigators in Williamson County. Commissioner Carter asked about the numbers in Comal County. Carolyn Brown advised that Comal County has 4 Investigators and their population is 20,000+ less than Hays County. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant request to the Office of the Governor – Criminal Justice Division for \$57,000 and to execute a contract. Commissioner Ingalsbe, Commissioner Carter, and Commissioner Burnett voting "Aye". Commissioner Molenaar abstained due to the fact that he Co-Chairs a committee of the Governor's Criminal Justice Division.

19926 ACTION REGARDING BID ON PROPERTY HELD IN TRUST (DELINQUENT TAX PROPERTY)

Tax Assessor-Collector Luanne Caraway spoke of this property [Lot 49 J.M. Stone Addition – City of San Marcos] having been previously approved by the County, but rejected by the City of San Marcos on a bid of \$5,001. Bid has been increased to \$6,500.00 and the City has now approved the new bid – she recommended acceptance at this time. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to accept bid of \$6,500.00 for Lot 49 J.M. Stone Addition – property held in trust. All present voting "Aye".



19927 ADOPT A RESOLUTION FOR THE HAYS COUNTY APPRAISAL DISTRICT CASTING VOTES FOR NOMINATED BOARD MEMBERS TO THE HAYS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

County Judge's Executive Assistant Dan Dement advised that Pete Islas (Central Appraisal District Chief Appraiser) indicated that the county has, in the past, assisted the City of San Marcos and Wimberley ISD to get their nominees on the board since they do not have enough votes to guarantee membership for their entity. Commissioner Carter asked for additional information from CAD in the future so court members will know which nominees represent which entities. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to adopt a resolution casting votes the Hays County Appraisal District Board of Directors – votes being cast as follows: 956 votes for Luanne Caraway (Hays County), 450 votes for Jane Hughson (City of San Marcos), and 100 votes for Dan McDevitt (Wimberley ISD). All present voting "Aye".

OFFICIAL BALLOT TO SELECT SEVEN (7) BOARD OF DIRECTORS 2002-2003	
NOMINEES	VOTES CAST
Kirkham, Clavin	
Wycoff, Tom	
Caraway, Luanne	956
Skiles, Rick	
McDevitt, Dan	100
Hughson, Jane	450
Villanpando, Michael	
Irwin, Gordon	

The above votes were cast by Resolution of the governing body of HAYS COUNTY COMMISSIONERS' COURT at its Meeting convened on November 20, 2001.

**RESOLUTION OF THE HAYS COUNTY COMMISSIONERS COURT
CASTING VOTES FOR THE HAYS COUNTY APPRAISAL DISTRICT
BOARD OF DIRECTORS**

**STATE OF TEXAS
COUNTY OF HAYS**

WHEREAS, Hays County has 1,506 votes to select members of the Hays County Appraisal District Board of Directors; and
WHEREAS, the number of votes to be elected to the Hays County Appraisal District Board of Directors equals 875; and
WHEREAS, Hays County may distribute its remaining votes among any number of candidates,
NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, THAT:
Hays County hereby casts its votes as follows:
1. 956 votes for Luanne Caraway
2. 450 votes for Jane Hughson
3. 100 votes for Dan McDevitt

ADOPTED THIS THE 20TH DAY OF NOVEMBER, 2001.

Clerk's Note: Agenda Item #20 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072, TEXAS GOVERNMENT CODE, TO DISCUSS THE COMMERCIAL LEASE OF O'REILLY AUTO PARTS AT THE HAYS COUNTY JUSTICE CENTER was **PULLED** - no discussion and no action taken.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 4th DAY OF DECEMBER, 2001.

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

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

