



STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 5th DAY OF FEBRUARY A.D., 2002, 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.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Sheriff Don Montague presented a retirement plaque to Lawrence Formolo (1989-2001) Sheriff Don Montague advised that he will be presenting 5 year service pins to Kurt Domke & Wesley Hensley. Judge Powers presented a 5 year service pin to Commissioner Pct. 3 William "Bill" Burnett. Judge Charles Ramsay presented Charles Gordon a 15 year service pin. The District Attorney's Office Manager Carolyn Brown presented a 15 year service pin to Pam Maldonado

20055 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 WITH ACTION TO RELEASE COMMERCIAL LEASE [T1-96]

The court convened into closed executive session at 9:05 a.m. and reconvened into open meeting at 9:40 a.m. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to release O'Reilly Auto Parts from any further legal obligation under their commercial lease with Hays County, with rent payments to be discontinued with their vacation of the lease property, and such time to be negotiated by special counsel. All voting "Aye".

20056 APPROVE THE COMMISSIONERS' COURT MINUTES OF JANUARY 29, 2002

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the Commissioners' Court Minutes of January 29, 2002 as presented by the County Clerk. All voting "Aye".

20057 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 \$309,750.77 as presented by the County Auditor. All voting "Aye".

Public Safety Svcs	\$ 1,320.00	Fines	\$ 567.00	Auditor's Office	\$ 726.87
Treasurer's Office	\$ 405.94	Extension Office	\$ 697.08	Grants Admin Office	\$ 105.12
Juvenile Prob Office	\$ 656.71	Comm & Social Svcs	\$ 7,500.00	Transfer Station	\$ 6.99
Building Mtc. Dept.	\$ 6,601.47	Environ Health	\$ 497.72	Civic Center	\$ 3,134.01
Countywide Oper	\$ 40,478.91	Tax A/C Office	\$ 1,989.17	Sheriff's Office	\$ 6,975.58
Jail Operaitons	\$ 28,786.92	Co Judge's Office	\$ 62.34	Human Resources	\$ 339.44
District Attorney Ofc	\$ 20,155.01	J.P. 2	\$ 15.79	J.P. 3	\$ 1.31
J.P. 5	\$ 110.88	DPS	\$ 500.00	Constable 1	\$ 295.00
Constable 2	\$ 18.16	Constable 3	\$ 27.25	Constable 4	\$ 76.93
Constable 5	\$ 168.22	Co & JP Court Oper	\$ 1,870.62	Precinct 1	\$ 177.74
Precinct 2	\$ 228.13	Precinct 3	\$ 92.07	Precinct 4	\$ 93.47
Veterans Admin Ofc	\$ 600.00	Computer Services	\$ 49,807.46	Fire Marshal/EMC	\$ 344.43
TJPC CCAP Grant	\$ 202.50	Special Counsel Ofc	\$ 107.77	Comm Court Expenses	\$ 70.00
Juvenile Acct Grant	\$ 22.50	Juv Justice Alt Ed	\$ 83.24	Gen Fund Credit	<\$5.22>
R&B Operations	\$ 113,779.91	Right of Way	\$ 440.94	R&B Gen Fund Credit	<\$33.92>
Hays Co Parks Funds	\$ 96.00	Rec Mng/Co Clerk	\$ 72.45	Helath Svcs Grants	\$ 386.00
Courthouse Sec Fund	\$ 43.00	Sheriff's Drug Forf	\$ 642.25	Cedar Oaks Mesa Wtr	\$ 4,338.62
Tobacco Settlement	\$ 1,088.75				



20058 APPROVE UTILITY PERMITS #01538 & #01539

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Utility Permit #01538 on CR205/Dacy Lane and #01539 on CR122/Bebee Road issued to the City of Kyle. All voting "Aye".

20059 APPROVE REFUND OF DOUBLE PAYMENTS ON TAXES

The following applications were submitted for approval of tax refunds:

Plum Creek Ph I Sec 1-A Lot 9 Blk F	\$ 3,308.71
Woodcreek Section 9-B Lot 61	\$ 2,772.62
Cimarron park 3 Ph 3 Lot 11 Blk D	\$ 2,308.13
28.5891 acres Edward Burleson Survey	\$ 1,774.38
Dan McKie #2 Lot 4 Blk 5	\$ 916.39
Nickels subdivision Lot A - 5 acres	\$ 2,399.58
Turkey Hollow Lot 16B	\$ 1,922.84
Woodcreek Section 11 Lot 51	\$ 3,311.74
Woodcreek Section 20 Lot 11	\$ 4,008.70

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

20060 APPROVE BUDGET AMENDMENT 02-11

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Budget Amendment No. 02-11 as proposed by the County Auditor. All voting "Aye".

AMENDMENT NO. 2002-11 FY 2002 BUDGET 02-05-02					
FUND NO. 01 FUND TITLE GENERAL FUND					
LINE ITEM - EXPENDITURES	APPROPRIATION BEFORE		AMENDMENT		APPROPRIATION AS AMENDED
	AMENDMENT		INCREASES	DECREASES	
GRANTS ADMINISTRATION (404):					
01-404-5213 Books	510			(150)	360
01-404-5331 Cont Ed	400			(400)	-0-
REVENUE:					
01-363-3637 Fire Dept Funding Guides	-0-		650		650
COMPUTER SERVICES (456):					
01-456-5712 Data Proc Equipment	129,000		1,200		130,200
			1,200	1,200	
<i>* Fund computer system/monitors from Grants budget and sales of Grant booklets received; transfer to Computer Services for purchase amount</i>					
TRANSFER STATION (409):					
01-409-5414 Equipment Maintenance	3,000	2,500			5,500
01-409-5452 Trash Haul	70,000			(2,500)	67,500
<i>Transfer for compactor repair</i>					
FUND NO. 03 FUND TITLE ROAD & BRIDGE GENERAL FUND					
LINE ITEM - EXPENDITURES	APPROPRIATION BEFORE		AMENDMENT		APPROPRIATION AS AMENDED
	AMENDMENT		INCREASES	DECREASES	
ROAD & BRIDGE GENERAL OPERATIONS (438):					
03-438-5219 Small equipment & supplies	6,000		3,000		9,000
03-438-5160 Insurance	307,942			(3,000)	304,942
<i>Transfer personnel savings for equipment and supplies</i>					

20061 AUTHORIZE OUT OF STATE TRAVEL FOR STEVE FLOYD TO ATTEND THE ANNUAL ESRI USERS CONFERENCE IN SAN DIEGO, JULY 8-12

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize out-of-state travel for Steve Floyd (GIS) to attend the annual ESRI Users Conference in San Diego July 8-12, 2002. All voting "Aye". This annual training expenditure is in the current budget.



20062 APPROVE THE RE-APPOINTMENT OF SUSAN LEFLER, PAULA HAMILTON, SCOTT WILSON AND STEVE WINDHAGER TO THE PARKS AND OPEN SPACE ADVISORY BOARD

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the re-appointment of Susan Lefler, Paula Hamilton, Scott Wilson and Steve Windhager to the Parks and Open Space Advisory Board. All voting "Aye".

20063 APPROVE SPECIFICATIONS FOR ANNUAL HAULING SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

Road Dept. Supt/Engineer Jerry Borcharding requested an amendment on page 5 Section 2.4: "Bidder will have eight (8) trucks available to the County for hauling services at all times". A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Specifications for Hauling Services (Bid #2002-B07) with amendment to Section 2.4 as requested by the County Road Supt/Engineer. All voting "Aye".

20064 [PCT. 4 #02-4-007] LA VENTANA PHASE 2 SECTION 2 REPLAT OF HOMESITES 210-212 * WAIVE PUBLIC NOTIFICATION AND APPROVE FINAL PLAT [T1-152]

Environmental Health Director Allen Walther advised that this is combining 3 lots into 2 which meets the precedent of approving the plat in one reading and waiving public notification. He gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to waive public notification and approve final plat of "La Ventana Phase 2 Section 2 Replat of Homesites 210-212. All voting "Aye".

20065 [PCT. 4 #01-4-094] FROG POND INN * APPROVE FINAL PLAT [T1-170]

Environmental Health Director Allen Walther advised that this is a commercial subdivision and he gave staff recommendation for final approval. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve final plat of "Frog Pond Inn". All voting "Aye".

20066 CALL FOR A PUBLIC HEARING TO BE HELD ON FEBRUARY 19, 2002 TO ESTABLISH TRAFFIC REGULATIONS (STOP SIGN) AT THE INTERSECTION OF CR140(EAST POST RD.) AND CR 158 [T1-182]

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to call for a public hearing to be held on February 19, 2002 to establish traffic regulations (STOP signs) at the intersection of CR140/East Post Road and CR158. All voting "Aye".

20067 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON HY ROAD, BRIDGES LANE, AND DODGEN TRAIL [T1-191]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Dept. Supt/Engineer Jerry Borcharding recommended setting speed limits as follows: 35 MPH and a "No Passing" sign on Hy Road, 30MPH on Dodgen Trail & Bridges Lane. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulations of 35 MPH speed limit with "No Passing" on Hy Road, 30 MPH speed limit on Dodgen Trail, and 30 MPH speed limit on Bridges Lane. All voting "Aye".

20068 CALL FOR A PUBLIC HEARING ON FEBRUARY 19, 2002 TO ESTABLISH TRAFFIC REGULATIONS: STOP SIGN (LONESOME TRAIL AT JENNIFER LANE), YIELD SIGN (LONESOME TRAIL AT JENNIFER LANE, TRAILS END AT BUFFALO SPEEDWAY, COWPOKE CANYON AT PURPLE SAGE) [T1-213]

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to call for a public hearing on February 19, 2002 to consider establishing traffic regulations on Lonesome Trail at Jennifer Lane (STOP sign) and YIELD signs on Lonesome Trail at Jennifer Lane, Trails End at Buffalo Speedway, and Cowpoke Canyon at Purple Sage. All voting "Aye".

20069 CANVASS ELECTION RETURNS FOR THE VILLAGE OF JACOBS WELL INCORPORATION [T1-245]

Elections Administrator Joyce Cowan provided election returns for the Village of Jacobs Well Incorporation which was held on February 2, 2002. The proposition was: "The Incorporation of the Village of Jacobs Well as a Type A general-law municipality". There were 48 votes FOR and 130 AGAINST – the proposition FAILED. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept the election returns for the Village of Jacobs Well Incorporation as canvassed. All voting "Aye".



20070 APPROVE APPOINTMENT OF JACQUELINE SCHAFER TO THE PARKS AND OPEN SPACE ADVISORY BOARD [T1-282]

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve appointment of Jacqueline Schafer to the Parks and Open Space Advisory Board. All voting "Aye".

Clerk's Note: Agenda Item #17 RE: AUTHORIZE VIRGINIA IBARRA, CLERK, JUSTICE OF THE PEACE, PRECINCT 1, PLACE 1 TO WORK TWO TO FOUR HOURS OF OVERTIME PER WEEK FOR A PERIOD OF APPROXIMATELY ONE MONTH TO ACCOMPLISH THE TASK ASSOCIATED WITH NEW REGULATIONS, AND AMEND THE BUDGET ACCORDINGLY WAS **PULLED FOR FURTHER INFORMATION. No DISCUSSION AND NO ACTION TAKEN.** [T1-290]

COURT WAS ADJOURNED.

MINUTES APPROVED IN OPEN COURT ON THE 12TH DAY OF FEBRUARY, 2002.

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

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

