



STATE OF TEXAS 0  
 COUNTY OF HAYS 0

ON THIS THE 2<sup>ND</sup> DAY OF APRIL A.D., 2002, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Judge Powers called the meeting to order and gave the invocation. Commissioner Ingalsbe led the Court in the Pledge of Allegiance to the Flags.

**PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Road Dept. Supv/Eng. Jerry Borchering presented Domingo Alaniz with a 15 year service pin. Chief Deputy Sheriff Sherman Brodbeck presented Betty Oldham with a 10 year service pin.

**20188 APPROVE THE COMMISSIONERS' COURT MINUTES OF MARCH 26, 2002**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of March 26, 2002 as presented by the County Clerk. All voting "Aye".

**20189 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 \$723,756.73 as presented by the County Auditor. All voting "Aye".

Licenses & Permits	\$ 490.00	Public Safety Svcs	\$ 515.51	/fubes	\$ 169.99
Auditor's Office	\$ 199.31	Treasurer's Office	\$ 150.00	Extension Office	\$ 332.01
Grants Admin Ofc	\$ 35.27	Juvenile Probation	\$ 625.51	Election Admin	\$ 13,233.33
Comm & Soc Svcs	\$ 157,926.25	Transfer Station	\$ 5,631.00	Bldg Mtc. Dept	\$ 4448.92
Environ Health	\$ 984.41	Civic Center	\$ 32.83	Countywide Oper	\$ 26,756.10
Tax A/C	\$ 212.62	District Clerk Ofc	\$ 399.47	Sheriffs Office	\$ 15,818.21
Jail Operations	\$ 4,962.37	County Judge's Ofc	\$ 316.50	Human Resources	\$ 544.85
Co Court at Law 1	\$ 202.75	District Attorney Ofc	\$ 523.84	J.P. 1-1	\$ 231.07
J>P. 1-2	\$ 409.85	J.P. 2	\$ 205.25	J.P. 3	\$ 63.63
DPS	\$ 599.21	Constable 2	\$ 108.37	Constable 3	\$ 37.37
Constable 4	\$ 138.95	Constable 5	\$ 464.86	District Court Oper	\$ 9,199.01
Co & JP Court Oper	\$ 3,367.45	Precinct 1	\$ 264.73	Precinct 2	\$ 191.95
Precinct 3	\$ 152.03	Precinct 4	\$ 132.53	Veterans Adm Ofc	\$ 1,302.25
Computer Services	\$ 1,320.21	DPS/Lic & Wgts	\$ 663.60	TJPC CCAP Grant	\$ 828.54
Animal Control	\$ 11,750.00	Spec Counsel Ofc	\$ 175.00	Auto Theft Task Force	\$ 37.50
911 Adrrs Mtc Grant	\$ 119.91	Solid Waste Chipper	\$ 28,000.00	Juv Justice Alt Ed Grant	\$ 162.29
General Fund Credit	<\$51.47>	Road & Bridge Oper	\$ 389,008.69	Right of Way	\$ 232.88
R&B Gen Fund Credit	<\$673.04>	Sheriff Abandon Veh	\$ 43.48	Hays Co Parks Fund	\$ 18,514.44
Rec Mng/Co Clerk	\$ 584.38	Co Rec Preservation	\$ 7,585.00	Health Svcs Grants	\$ 210.00
Law Library Fund	\$ 54.10	Hays Co Juv Center	\$ 448.50	Sheriff Spec Proj	\$ 31.97
Sheriffs Drug Forf	\$ 204.68	Justice Court Tech	\$ 10,201.50	Road Bond Series 2001	\$ 1,925.00

**Clerk's Note:** There were no Applications for Refund of double payments and/or overpayments on taxes submitted by the County Tax Assessor-Collector.

**20190 APPROVE UTILITY PERMIT #01555 ON CR122**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Utility Permit #01555 on CR122/Bee Bee Rd & Dacy Lane issued to the City of Kyle. All voting "Aye".

**20191 APPROVE BUDGET AMENDMENT 02-18**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Budget Amendment No. 02-18 as proposed by the County Auditor. All voting "Aye".



					AMENDMENT NO. <u>2002-18</u> FY 2002 BUDGET 04-02-02
FUND NO. <u>01</u>					
FUND TITLE <u>GENERAL FUND</u>					
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS	
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>	
<b><u>LCRA/FIRE MARSHAL (744):</u></b>					
01-744-5719 Equipment	-0-	18,000		18,000	
<b><u>REVENUE:</u></b>					
01-386-2744 LCRA/Fire Marshal <i>Budget new grant award</i>	-0-	18,000		18,000	
<b><u>JUSTICE OF THE PEACE 3 (427):</u></b>					
01-427-523 Books	150	120		270	
01-427-5335 Time Payment Expense <i>Transfer for law books</i>	570		(120)	450	
<b><u>BUILDING MAINTENANCE (410):</u></b>					
01-410-5458 Janitorial	25,000	5,100		30,100	
01-410-5241 Maintenance Supply	24,750		(450)	24,300	
01-410-5160 Insurance	43,162		(1,650)	41,512	
01-410-5451 Contract Building Repair	30,000		<u>(3,000)</u>	27,000	
		<u>5,100</u>	<u>(5,100)</u>		
<i>Transfer savings to Contract Janitorial</i>					
<b>FUND NO. <u>03</u></b>					
<b>FUND TITLE <u>ROAD &amp; BRIDGE GENERAL FUND</u></b>					
<b><u>ROAD &amp; BRIDGE OPERATIONS (438):</u></b>					
03-438-5324 Permits	-0-	334		334	
03-438-5351 Materials <i>Transfer for water pumping permit</i>	2,000,000		(334)	1,999,666	
<b>FUND NO. <u>07</u></b>					
<b>FUND TITLE <u>PARKS FUND</u></b>					
<b><u>PARKS ADMINISTRATION (487):</u></b>					
07-487-5219 Misc Equipment	300	500		800	
07-487-5713 Vehicle <i>Transfer for vehicle supplies</i>	23,400		(500)	22,900	
<b>FUND NO. <u>39</u></b>					
<b>FUND TITLE <u>JUSTICE COURT TECHNOLOGY FUND</u></b>					
<b><u>JUSTICE COURT TECHNOLOGY (629):</u></b>					
39-629-5712 Data Proc Equipment	14,000	4,500		18,500	
<b><u>REVENUE:</u></b>					
39-341-3412 P Court Tech Fee <i>Budget funds received for JP Courts' computers</i>	14,500		<u>4,500</u>	<u>19,000</u>	

**20192 APPROVE AWARD OF ASBESTOS ABATEMENT CONTRACT FOR THE HAYS COUNTY HEALTH DEPARTMENT**

Bids were submitted by Southwest constructor Services Inc. = \$9,696.00, Basic Industries Inc. = \$11,400.00, ARC Abatement Inc. = \$ 12,554.00, Sisk-Robb Incorporated = \$13,500.00, and Certified LVI = \$18,440.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve award of contract for Asbestos Abatement for the Hays County Health Department to low bidder Southwest Constructor Services, Inc. in the amount of \$9,696.00 as recommended by Jenkins Environmental Consulting. All voting "Aye".



**20193 APPROVE RENEWAL OF CONTRACT FOR MOWING OF GROUNDS (DUDLEY JOHNSON/KYLE LOG CABIN) FOR ONE (1) ADDITIONAL YEAR AS PROVIDED IN THE ORIGINAL CONTRACT WITH MAINTENANCE MANAGEMENT**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve renewal of contract for mowing of grounds (Dudley Johnson/Kyle Log Cabin) for one additional year as provided in the original contract with Maintenance Management. All voting "Aye".

**21094 APPROVE AN INCREASE TO THE GRANT AMOUNT ON A PREVIOUSLY APPROVED RESOLUTION FOR THE HAYS COUNTY TRUANCY PROGRAM**

**Summary:** CAPCO notified us that \$4,703 more in grant funds was available to Hays County on this project. No additional match is required. On 2/9/99 the Commissioners' Court authorized the submittal of a 5-year grant application to the Office of the Governor-Criminal Justice Division to start a truancy program in conjunction with the San Marcos and Wimberley School Districts. The application was approved and funds were accepted by the county on 8/16/99. This is the 4<sup>th</sup> year renewal grant application for \$18,811. Continued funding of the program is based on performance and availability of funds. The Hays County Truancy Program enforces compulsory school attendance laws pursuant to Texas Education Code Chapter 25 Section 25.096. This is an intervention program to prevent delinquent behavior, keep students in school and lowers juvenile crime in the county. The primary target group this year is Wimberley ISD; secondary target group is Dripping Springs ISD and Hays CISD. Night visits (6pm – 9pm) will continue to be made on a regular basis for WISD. Assistance to HCISD and DSISD will be on an "as needed" basis. The program will serve students who are in violation of the Texas Compulsory School Attendance Statute. San Marcos CISD has met their target levels and elected not to continue for now. Lamarr Peterson, Grants Auditor, advised that this is a continuation grant – it has increased in amount because other entities did not use their allocations. He explained how the county truancy program works – juvenile probation officers assist in this program. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve an increase to the Grant amount on a previously approved resolution for the Hays County Truancy Program from \$18,811 to \$23,514. All voting "Aye".

**21095 HOLIDAY WORLD AUSTIN [PCT. 2 #01-2-018] \* APPROVE FINAL PLAT [T1-147]**

This is a one lot subdivision (9.91 acres) located on IH35 east frontage road just south of FM2001. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Holiday World Austin". All voting "Aye".

**21096 COLLINS HEIGHTS [PCT. 2 #02-2-005] \* APPROVE FINAL PLAT [T1-155]**

This is a seven lot subdivision located on Rohde Road. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Collins Heights". All voting "Aye".

**21097 SILVER SPUR RANCHETTES SECTION 2 RESUBDIVISION OF LOT 9 [PCT. 4 #01-4-092] \* PUBLIC HEARING AND APPROVE FINAL PLAT [T1-164]**

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Public notification was sent to the property owners of this section of Silver Spur Ranchettes, however, no response has been received. Lot 9 is being divided into 4 tracts (Lots 9A-9D). Environmental Health Director Allen Walther gave staff recommendation for final approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve final plat of "Silver Spur Ranchettes Section 2 Resubdivision of Lot 9". All voting "Aye".

**21098 SIERRA WEST SECTION 4A [PCT. 4 #01-4-044B] \* APPROVE FINAL PLAT [T1-184]**

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 4A". All voting "Aye".

**21099 GRANT A PLATTING VARIANCE TO RONNIE BERTAGNA FOR 419+ ACRES ON COUNTY ROAD 114 (BEING DIVIDED INTO THREE TRACTS: 146.73, 158.91 & 113.80 AC) [T1-193]**

Environmental Health Director Allen Walther advised that a request for variance to platting was filed – there is limited access onto CR114 – they agree that there will be no further subdivision of these tracts – they are designated for one single family residence per tract. Commissioner Burnett spoke of CR114 going into Blanco County and looping back into Hays County – he does not feel this variance will increase the traffic very much. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to grant a platting variance to Ronnie Bertagna for 419+ acres being divided into three tracts located on CR114 [146.73 ac., 158.91 ac. & 113.80 ac.). All voting "Aye".



APRIL 2, 2002

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**21100 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS AT THE INTERSECTION OF COUNTRY OAKS DRIVE AND SCENIC OAK TRAIL IN THE BUDA AREA [T1-231]**

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supv./Engineer Jerry Borcharding spoke of STOP sign needed on Scenic Oak Trail. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulation of a STOP sign on Scenic Oak Trail at its intersection with Country Oaks Drive. All voting "Aye".

**21101 CONTINUATION OF THE SELECTION OF MEMBERS FOR THE HAYS COUNTY SALARY GRIEVANCE COMMITTEE PURSUANT TO 152.104 LGC**

Judge Powers selected the following members for the Hays County Salary Grievance Committee pursuant to Local Government Code 152.104: Helen Armanderiz, Eric Michael Shelton, Betty Moore, Waylan Dean Endsley, Charles Tobias Wade, Victor Rodrigues Marin, David Wayne Engel, Tina Lopez Guerrero, and James Edwin Bilbro.

**Clerk's Note:** Agenda Items RE: LOCAL OPTION ELECTION IN JUSTICE PRECINCT 2 & JUSTICE PRECINCT 5 were pulled. [T1-279] Additional time is needed to verify the signatures. John Hatch (a resident of Mountain City and a member of the Better Business for Hays Committee) gave his appreciation to the Elections Dept. for their hard work and he recognized four individuals for their volunteer efforts. He also thanked the County Clerk's office for their hard work preparing the petitions. Commissioner Carter spoke of extra hours put in by Elections Administrator Joyce Cowan and Sue Basham in trying to get the signatures verified.

**21102 APPROVE "REQUEST FOR QUALIFICATIONS" FOR ARCHITECT FOR THE PLANNING AND DESIGN OF THE HAYS COUNTY OFFICE COMPLEX AS RECOMMENDED BY THE BUILDING COMMITTEE [T1-326]**

Road Supt/Eng. Jerry Borcharding advised that the building committee feels like due to growth in Hays County it is time to consolidate county offices to provide for better space and eliminate the cost we have incurred for rental property – getting an architect involved would be helpful in the long range planning. Commissioner Carter spoke of high rent being paid. Commissioner Ingalsbe stated that this is the first step – there will be a lot of discussion before any decisions are made. Jerry Borcharding spoke of preparing a master plan – they will prepare a preliminary design to determine space requirements. Commissioner Molenaar spoke in support of consolidating our facilities. This will be a large project. Jerry Borcharding advised that the committee will present their recommendation for a firm and come back to the court. A workshop could be held with the court, architect and department heads to determine needs. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve "Request for Qualifications" for an Architect for the planning and design of the Hays County Office Complex as recommended by the County Building Committee. All voting "Aye".

**21103 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER ADDRESSED TO THE CITY OF KYLE REQUESTING ANNEXATION OF A PORTION OF COUNTY HIGHWAY 151 [T1-453]**

**Summary:** *The proposed letter will request that the city of Kyle extend their ETJ to include a portion of CR151, including the adjacent and adjoining public rights-of-way, thereto, beginning at the current southeastern most ETJ and extending southeasterly to a point parallel to the southeastern most property line of a 101.73 acre, ore or less, tract or parcel of land conveyed to C4D-1 Ltd., a Texas Limited Partnership by warranty deed recorded in Volume 1906 page 569 Document No. 01028837 of the Hays County Property Records and will further request that the City of Kyle annex the same property.*

Environmental Health Director Allen Walther advised that property owner is requesting annexation by the City of Kyle – it is necessary to also annex a portion of CR151 to make their corporate limits contiguous. Commissioner Carter spoke of need to advise Kyle that property annexed includes annexing the county road as well. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to authorize the County Judge to execute a letter addressed to the City of Kyle requesting annexation of a portion of county Highway 151. All voting "Aye".

**21104      AUTHORIZE THE HIRING OF JAMES BOOHER IN THE DISTRICT ATTORNEY'S  
OFFICE AT A GRADE 34 STEP 5    [T1-553]**

Environmental Health Director Allen Walther advised that this request has been reviewed by staff. Chief Criminal Investigator Jim Coley spoke of it being a never ending problem in the DA's office to keep qualified prosecutors – we are continuously hiring Assistant District Attorney's straight out of law school. He spoke of James Booher's previous employment with Hays County – he left to work in the Attorney General's office and he will come back to Hays County if he can come back at a higher salary. This is a promotion from the position he left. Allen Walther advised that he has between 10-11 years of experience and this is consistent with our policy. Commissioner Carter spoke of backup indicating to her that he is only qualified for a step 2. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the hiring of James Booher as Assistant District Attorney in the Hays County District Attorney's office at a Grade 34 Step 5. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No". MOTION PASSED.

**Court was adjourned.**

**MINUTES APPROVED IN OPEN COURT ON THE 9<sup>TH</sup> DAY OF APRIL, 2002.**

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**JAMES L. POWERS, COUNTY JUDGE**  
**H A Y S   C O U N T Y, T E X A S**

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**LEE CARLISLE, COUNTY CLERK**  
**H A Y S   C O U N T Y, T E X A S**

