



MAY 28, 2002

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VOL S PG 419

STATE OF TEXAS 0  
 COUNTY OF HAYS 0

ON THIS THE 28<sup>th</sup> DAY OF MAY 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.

**20299 APPROVE THE COMMISSIONERS' COURT MINUTES OF MAY 16, 2002 AND MAY 21, 2002**

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of May 16, 2002 and May 21, 2002 as presented by the County Clerk. All voting "Aye".

**20300 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve payment of county invoices in the amount of \$ 394,627.10 as presented by the County Auditor. All voting "Aye".

Public Safety Svcs	\$ 1,484.44	Fines	\$ 3,017.41	Fed Funded Grants	\$ 15,502.08
Auditors Office	\$ 264.16	Treasurers Office	\$ 142.33	Extension Office	\$ 633.20
Grants Admin	\$ 800.00	Juvenile Prob Ofc	\$ 5,741.58	Election Admin	\$ 1,872.20
Comm & Soc Svcs	\$ 2,083.34	Indigent Care	\$ 8,490.43	Transfer Station	\$ 102.33
Bldg. Mtc. Dept.	\$ 8,138.96	Environmental Health	\$ 449.33	Civic Center	\$ 3,414.47
Countywide Oper	\$ 27,446.79	Tax A/C Office	\$ 606.32	Sheriff's Office	\$ 28,540.54
Jail Operations	\$ 44,197.92	County Judge's Office	\$ 371.50	Human Resources	\$ 744.71
District Atty's Office	\$ 200.35	J.P. 1-2	\$ 134.93	J.P. 2	\$ 1,035.63
J.P. 3	\$ 104.79	J.P. 4	\$ 302.17	J.P. 5	\$ 326.98
Dept of Public Safety	\$ 238.64	Constable 2	\$ 106.36	Constable 3	\$ 39.96
Constable 4	\$ 97.31	Constable 5	\$ 148.27	Dist Court Oper	\$ 12,739.92
Co & JP Crt Oper	\$ 5,936.50	Precinct 1	\$ 103.49	Precinct 2	\$ 19.95
Precinct 3	\$ 157.47	Precinct 4	\$ 279.84	Veterans Adm Ofc	\$ 768.74
Computer Svcs	\$ 8,661.63	TJPC Salaries Grant	\$ 2,000.00	DPS/Lic & Wghts	\$ 714.79
Fire Marshal/EMC	\$ 158.32	TABC Office	\$ 179.20	TJPC CCAP Grant	\$ 765.16
Comm Crt Expenses	\$ 290.74	TJPC/Title 4 Juv Prob	\$ 18,750.75	Juv Justice Alt Educ	\$ 124.38
Gen Fund Credit	<\$3.72>	R&B Operations	\$ 106,698.76	Right of Way	\$ 6,250.00
R&B Gen Fund Credit	<\$1.80>	Rec Mng/Co Clerk	\$ 3,997.50	Health Svcs Grants	\$ 198.20
Hays Co Juv Center	\$ 28,643.66	Sheriffs Spec Projs	\$ 182.52	Sheriffs Drug Forf	\$ 79.68
Family Health Svcs	\$ 8,868.24	DOJ/Eqpt & Tech Fund	\$ 500.00	Tobacco Settlement	\$ 8,475.14
Road Bon S.2001	\$ 22,315.58				

**20301 APPROVE UTILITY PERMIT #01581**

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Utility Permit #01581 on CR233/McCarty Lane issued to Grande Communications Inc. as submitted by the County Road Department. All voting "Aye".

**20302 ACCEPT INTERNAL EXAMINATION REPORT OF ELECTIONS ADMINISTRATION**

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to accept internal examination (audit) of the Elections Administration Office. All voting "Aye".



**20303 ACCEPT BUDGET AMENDMENT 02-25**

County Auditor Bill Herzog advised that he has concerns about transferring funds out of road materials (Road & Bridge Operations budget) which has only 20% funds remaining. A motion was made by Commissioner Carter, seconded by Commissioner Molenaar to accept Budget Amendment No. 02-25 with deletion of the Road & Bridge Operations budget amendment. All voting "Aye".

					AMENDMENT NO. 2002-25 FY 2002 BUDGET 05-28-02
FUND NO. 01 FUND TITLE <u>GENERAL FUND</u>					
LINE ITEM - EXPENDITURES	APPROPRIATION	AMENDMENT		APPROPRIATION	
	BEFORE	INCREASES	DECREASES	AS	
	AMENDMENT			AMENDED	
<b>COUNTY COURT AT LAW 1 (422):</b>					
01-422-5335 Time Payment Expense	4,400		(250)	4,150	
<b>FIRE MARSHAL (472):</b>					
01-472-5719 Emergency Equipment	6,950		(800)	6,150	
<b>COMPUTER SERVICES (456):</b>					
01-456-5712 Data Proc Equipment	132,412	1,050		133,460	
		1,050	(1,050)		
<i>Transfer for replacement printer and replacement monitor</i>					
<b>JUSTICE OF THE PEACE 3 (427):</b>					
01-427-5213 Books	210	150		360	
01-427-5335 Time Payment Expense	450		(150)	300	
<i>Transfer for needed expense</i>					
<b>DISTRICT COURT OPERATIONS (436):</b>					
01-436-5391 Other	600	100		700	
01-436-5192 Uniform Allowance	720		(100)	620	
<i>Transfer for needed uniform accessories</i>					
<b>TJPC/TITLE IV GRANT (741):</b>					
01-741-5719 Equipment	-0-	18,900		18,900	
01-741-5497 Residential	30,000	1,100		31,100	
<b>REVENUE:</b>					
01-384-2741 TJPC/Title IV Grant	30,000		20,000	50,000	
<i>Budget Grant Award</i>					
<b>CONSTABLE 2 (432):</b>					
01-432-5212 Postage	200	100		300	
01-432-5391 Other	1,202		(100)	1,102	
<i>Transfer for needed expense</i>					
FUND NO. 03 FUND TITLE <u>ROAD &amp; BRIDGE GENERAL FUND</u>					
<b>ROAD &amp; BRIDGE OPERATIONS (438):</b>					
03-438-5443 Consultants	52,000	20,000		72,000	
03-438-5351 Materials	1,999,666		(20,000)	1,979,666	
<i>Transfer for engineering/plans - non-Bond roads</i>					
FUND NO. 10 FUND TITLE <u>HEALTH SERVICES GRANTS FUND</u>					
<b>TDH/BIOTERRORISM GRANT (737):</b>					
10-737-5021 Staff	-0-	9,798		9,798	
10-737-5101 FICA/RET	-0-	1,618		2,156	
10-737-5160 Insurance	-0-	538		538	
10-737-5311 Travel	-0-	800		800	
10-737-5219 Supplies	-0-	1,200		1,200	
10-737-5391 Other	-0-	1,789		1,789	
		15,743			
<b>REVENUE:</b>					
10-381-6737 TDH/Bioterrorism Grant	-0-		15,743	15,743	
<i>Budget new grant this FY portion through 8/31/02</i>					



MAY 28, 2002

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VOL S PG 421

**Clerk's Note: Agenda Item #5** RE: HAYS COUNTY EMERGENCY ORDER PROHIBITING OUTDOOR BURNING was Pulled. No discussion and no action.

**PUBLIC COMMENT**

[T1-62] Antonio Carducci (Wimberley resident) spoke of Commissioner Carter voting against adding more Sheriff Deputies and he spoke of money spent in Hays County for law enforcement which is more than other comparable counties (per capita). He would like to see figures regarding this issue.

**20304 STARR SUBDIVISION** [PCT. 3 #02-3-018] \* **APPROVE FINAL PLAT** [T1-86]

Property Owners Paul Layne Starr and Todd Mackenzie propose to divide 13 acres into two lots (Lot 1 = 11 acres & Lot 2 = 2.00 acres). Public access is on Thompson Ranch Road. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve final plat of "Starr Subdivision". All voting "Aye".

**20305 SIMON ESTATES UNIT TWO LOT 1** [PCT. 3 #02-3-036] \* **APPROVE PRELIMINARY PLAT** [T1-97]

Property owner Harold E. Simon proposes to plat a 5.100 acres lot out of an original 36.075 acres tract with access on RR2325. Environmental Health Director Allen Walther gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve preliminary plat of "Simon Estates Unite 2 Lot 1". All voting "Aye".

**20306 DOUBLE "A" SUBDIVISION** [PCT. 4 #02-4-035] \* **APPROVE FINAL PLAT**

Property owner Teena M. Augustino proposes to divide 14.28 acres into 4 lots with access on CR190/Creek Road. 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 "Double A Subdivision". All voting "Aye".

**20307 CALL FOR A PUBLIC HEARING ON JUNE 11, 2002 TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) ON ROLAND LANE** [T1-119]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to call for a public hearing on June 11, 2002 to establish traffic regulations (speed limit) on Roland Lane. All voting "Aye".

**20308 SOUTHERN WOODS SUBDIVISION** [PCT. 2 #02-2-040] \* **CALL FOR A PUBLIC HEARING ON JUNE 18, 2002 TO CONSIDER ABANDONING A PUBLIC EASEMENT R-O-W** [T1-126]

Jerry Borcharding advised that he has reviewed documents submitted by the Homeowners' Association of Southern Woods, Inc. and he supports their request for abandonment of roadways in the subdivision. A public hearing is required before the court can take action. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing on June 18, 2002 to consider abandoning a public easement right-of-way in Southern Woods Subdivision. All voting "Aye".

**Clerk's Note: Agenda Item #12** RE: REPLACEMENT OF CELLULAR SERVICE/EQUIPMENT FOR THE EXTENSION OFFICE. No one appeared from the Extension Office and this item was pulled - no discussion and no action.

**20309 APPROVE PURCHASE OF VIDEO EQUIPMENT FOR CONSTABLE PRECINCT 3** [T1-170]

Constable Pct. 3 Ron Magill advised that the money for this purchase is in his budget (\$1500+) and this equipment will put him in compliance with Senate Bill1074. Commissioner Ingalsbe stated that she has asked Grants Administrator Richard Salmon to include the Constables in a grant request for video equipment. Ron Magill spoke of being advised by the Grants Dept. that it is not likely that we would receive that grant. No budget amendment is necessary. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the purchase of video equipment for Constable Precinct 3. All voting "Aye".



**20310 APPROVE TURNER COLLIE & BRADEN'S WORK AUTHORIZATION NO. 2 (DESIGN OF IMPROVEMENTS TO MT. GAINOR ROAD) [T1-229]**

Road Supt/Engineer Jerry Borcharding spoke of this being a bond road project. Action on this item will authorize beginning of the design work. Commissioner Burnett explained the procedure for bond road projects. He advised that work authorization must come before the court for approval. Bob Sutton (Turner Collie & Braden) spoke of proposals that were solicited and pre-qualification of various firms – they are in the process of negotiating “scope of work” and “fees” with various firms. There are 13 county bond roads and firms have been selected for 11 of those (2 exceptions: Hillside Terrace & Fischer Store Road). Mr. Sutton spoke of criteria being used – not all designs will be the same. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Turner Collie & Braden's Work Authorization No 2 (design of improvements to Mt. Gainor Road) not to exceed \$176,250.00. All voting “Aye”. [See copy of Work Authorization No. 2 in file]

**20311 DISCUSSION RELATING TO POTENTIAL REPLACEMENT FACILITIES FOR THE HAYS COUNTY JUSTICE CENTER AND ACTION TO RELOCATE CONSTABLE PRECINCT 1 OFFICE [T1-432]**

Environmental Health Director Allen Walther advised that additional information has been obtained. He advised that they are still looking at options - we could rent existing space or bring in temporary buildings – at this time, we have not been able to find space for lease. Temporary buildings can be leased – there are 3 possible sites (LEC, Civic Center, and the old Hospital Site). He spoke of positive and negative issues at each site. Allen Walther spoke of modular buildings that could be set up - he has been receiving faxes from companies offering temporary buildings. A fee schedule is needed for remediating equipment/furnishings being taken out of four offices currently being vacated. Commissioner Burnett spoke of buying a building (i.e. Staples, Electro-source, etc.) and retro-fitting it rather than building a new facility at the old hospital site. Judge Powers spoke of purchasing temporary buildings that could possibly be sold to school districts at a later date. Commissioner Molenaar spoke of need to continue with plans to build a multi-story building with a parking garage in order to address long-range planning for the future. Commissioner Burnett asked if the Purchasing Dept. could put together some bid specs for portable buildings. County Auditor Bill Herzog advised that because of the emergency you can avoid the bidding process, however, if we have adequate time then we should go ahead and proceed with the bidding process (a 6 week process). Allen Walther advised that we need to proceed as quickly as possible – we can request quotes which can be compared. Need to find out cost for purchase of buildings and time period for delivery and setup. Discussed pros and cons of each county site. Judge Powers prefers the LEC/Jail site (2 portable buildings already exist there). Justice Center Security Coordinator Chuck Fritsche spoke of LEC/Jail location and the problems with the creek and power line easements - there are drainage issues to be considered. Allen Walther asked that all the sites be looked at and the court can take action next week. Allen Walther suggested moving Constable Pct. 1 to the courthouse (use Historical Commission offices on 1<sup>st</sup> floor temporarily). Commissioner Burnett requested that we make sure that our courthouse grant is not jeopardized by this action. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to relocate Constable Pct. 1 office to the Courthouse (1<sup>st</sup> floor). All voting “Aye”.

**20312 APPROVE PURCHASE OF A CELL PHONE FOR INVESTIGATOR IN DISTRICT ATTORNEY'S OFFICE [T1-1026]**

A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve purchase of a cell phone for Investigator in the District Attorney's office. Commissioner Molenaar not present for the vote. All present voting “Aye”. Commissioner Ingalsbe spoke of need for all offices to provide information needed regarding cell phones.

**20313 DISCUSSION REGARDING AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF DRIPPING SPRINGS, DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT, DRIPPING SPRINGS YOUTH SPORTS ASSOCIATION, INC., DRIPPING SPRINGS LIBRARY DISTRICT AND THE NORTH HAYS COUNTY EMS DISTRICT NO. 1 PROVIDING FOR THE RECONSTRUCTION OF SPORTSPLEX DRIVE WITH ACTION COMMITTING FUNDS [T1-1088]**

Commissioner Molenaar explained the located of Sportsplex Drive – this road was taken in for county maintenance in 1989. New schools have been built since this road was accepted by the county and the City of Dripping Springs city limits goes all around the road but does not include it. Also located on this road is the Dripping Springs Library and the Fire/EMS station. He is proposing to rebuild the road at an approximate cost of \$349,000. He would like to commit \$355,000 for this project: \$180,000 from Pct. 4 road budget (Sycamore Creek Subdivision project) and \$175,000 from the county infrastructure line item. In return \$125,000 will be donated back to the county as follows: \$50,000 from the City of Dripping Springs, \$50,000 from the Dripping Springs ISD, \$10,000 each from Fire & EMS, and \$5,000 from the Dripping Springs Library District. Reconstruction needs to be done while school is out for the summer. Road Supt/Engineer Jerry Borcharding advised that the Road Department will be unable to complete this project this summer if he has to get bids and design work done. Discussion was had regarding bringing this road up to county standards rather than totally rebuilding it. Commissioner Molenaar spoke of need to make improvements adequate for Fire/EMS, school buses, etc.



MAY 28, 2002

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VOL S PG 423

The City of Dripping Springs will eventually annex this into the city limits. Jerry Borcharding spoke of plan to have Central Texas Roads (CTR) to start this summer with standard drawings and no bidding process – which could be done on an hourly basis. He spoke of relocation of utilities that would have to be accomplished before CTR could begin the project and he spoke of possible need for full set of plans which could delay the project for this summer. A motion by Commissioner Molenaar, seconded by Judge Powers to approve an interlocal agreement between Hays County and the City of Dripping Springs, Dripping Springs Independent School District, Dripping Springs Youth Sports Association Inc., Dripping Springs Library District and the North Hays County EMS District No. 1 providing for the reconstruction of Sportsplex Drive. ----motions withdrawn----

A motion was made by Commissioner Molenaar, seconded by Judge Powers to earmark \$175,000 of infrastructure funds for improvements to Sportsplex Road from FY2001-2002 budget – the funds may be rolled over and used next fiscal year. Commissioner Molenaar will go back to the various entities to re-negotiate the interlocal agreement. Commissioner Ingalsbe, Commissioner Carter, Commissioner Molenaar and Judge Powers voting “Aye”. Commissioner Burnett voting “No”.

**20314            AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN OPTION CONTRACT WITH THE CITY OF DRIPPING SPRINGS FOR THE PURCHASE OF 2.33 ACRES KNOWN AS THE “TRIANGLE” LOCATED AT THE INTERSECTION OF RANCH ROAD 12 AND HWY 290** [T1-1830]

Commissioner Molenaar advised that the City of Dripping Springs wants to purchase the “triangle” property from the county. Appraisal = \$228,000. Dripping Springs will get a feasibility study to see if they want to purchase it. Commissioner Burnett spoke of earmarking this money for the Sportsplex Road project. Commissioner Molenaar spoke of need to use this money to relocate county offices/substation. A motion by Commissioner Molenaar, seconded by Commissioner Burnett to authorize the County Judge to execute an option contract with the City of Dripping Springs for the purchase of 2.33 acres known as the “Triangle” located at the intersection of Ranch Road 12 and Hwy 290. All voting “Aye”.

**20315            AUTHORIZE THE CREATION OF A COMMITTEE TO RESEARCH FUNDING OPTIONS RELATING TO THE HAYS COUNTY OFFICE COMPLEX AND REPORT FINDINGS TO THE COMMISSIONERS' COURT** [T1-1910]

Judge Powers spoke of calls being received from companies providing funding options for buildings such as that being proposed for the Hays County Office complex. Commissioner Ingalsbe spoke of unavailability of Dan Wegmiller (financial advisor) – she suggested someone else be on the committee in his place. Dan Wegmiller could be consulted when necessary. A motion by Commissioner Burnett, seconded by Commissioner Ingalsbe to appoint Judge Powers, County Auditor Bill Herzog, Special Council Jacqueline Cullom Murphy, Financial Advisor Dan Wegmiller, and Purchasing Agent Cindy Maiorka to a committee to research funding options relating to the Hays County Office Complex and report their findings to the Commissioners' Court. All voting “Aye”.

**Court was adjourned.**

**MINUTES APPROVED IN OPEN COURT ON THE 2<sup>ND</sup> DAY OF JUNE, 2002.**

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

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

