



STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 18th DAY OF JUNE 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
H. S. "SUSIE" CARTER	COMMISSIONER, PCT. 2
WILLIAM "BILL" BURNETT	COMMISSIONER, PCT. 3
RUSS G. MOLENAAR	COMMISSIONER, PCT. 4
LEE CARLISLE	COUNTY CLERK

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PCT. 1 DEBBIE GONZALEZ INGALSBE; 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.

PUBLIC COMMENT

[T1-22] Brandi Keith advised that she came before the court four weeks ago and explained her situation – she spoke of being denied her easement rights on Little Arkansas Road into Wimberley. Ms. Keith advised that she has been denied postal service, trash service, cannot access her Bank, her friends or her family. She advised that when her friends and family try to venture to her house from Wimberley they are stopped, harassed and threatened with criminal trespass, etc. She urged the court to open up the old road, make necessary repairs and maintain it until the new roadway is complete. She spoke of need to place this item on the agenda for an open forum. Commissioner Burnett advised that there are legal issues regarding this matter that are not Commissioners' Court issues. [T1-65] Charles Soechting encouraged the court to investigate the accusations – he stated that Mr. O'Quinn is concerned about bridge failure if the old road is used and he is concerned about the great liability to the county. Mr. Soechting stated that a great deal of time and money has been spent (by Mr. O'Quinn) towing people out, even trespassers.

20356 APPROVE THE COMMISSIONERS' COURT MINUTES OF JUNE 11, 2002

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of June 11, 2002 as presented by the County Clerk. All present voting "Aye".

20357 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 \$ 359,253.85 as presented by the County Auditor. All present voting "Aye".

License & Permits	\$ 1,764.00	Public Safety Svcs	\$ 200.76	Fines	\$ 391.90
Interest Earnings	\$ 25.00	Auditors Office	\$ 838.15	Treasurers Office	\$ 190.76
Extension Office	\$ 449.00	Grants Admin	\$ 60.50	Juvenile Probation	\$ 52,721.19
Election Admin	\$ 118.87	Transfer Station	\$ 489.85	Building Mtc. Dept.	\$ 5,237.01
Environ Health	\$ 38,748.20	Civic Center	\$ 462.43	Countywide Oper	\$ 117,539.50
Tax A/C	\$ 241.76	District Clerks Office	\$ 378.23	Sheriffs Office	\$ 20,707.56
Jail Operations	\$ 1,500.10	Co Court at Law 1	\$ 267.00	District Attorneys Ofc	\$ 591.02
J.P. 1-1	\$ 193.03	J.P. 1-2	\$ 429.21	J.P. 2	\$ 160.66
J.P. 4	\$ 145.00	J.P. 5	\$ 20.00	DPS	\$ 329.86
Constable 1	\$ 107.00	Constable 2	\$ 90.05	Constable 3	\$ 34.18
Constable 4	\$ 23.91	District Court Oper	\$ 4,468.16	Co & JP Court Oper	\$ 2,698.50
Precinct 1	\$ 437.56	Precinct 4	\$ 188.48	Veterans Admin	\$ 227.92
Computer Services	\$ 1,158.87	Co Court at Law 2	\$ 63.06	TJPC Salaries Grant	\$ 2,000.00
DPS/ L&W	\$ 120.00	Fire Marshal/EMC	\$ 145.00	TJPC CCAP Grant	\$ 8,316.00
Special Counsel Ofc	\$ 29.22	Comm Court Exp	\$ 340.50	CJD/VOCA Grant	\$ 535.76
CJD/AWA Grant	\$ 1,379.18	Auto Theft Task Force	\$ 92.42	CJD/Truancy Ofcr	\$ 2.44
CAPCO/Waste Task	\$ 65.30	CJD/Juv Acct. Grant	\$ 49.99	Gen Fund Credit	<\$97.24>
R&B Operations	\$ 69,941.35	Right of Way	\$ 2,247.00	R&B Gen Fund Credit	<\$1,141.40>
Hays Co Parks Fund	\$ 3,902.66	Rec Mng/Co Clerk	\$ 642.41	Health Svcs Grants	\$ 756.00
Hays Co Juv Center	\$ 5,998.40	Hays Co I&S Fund	\$ 25.00	Sheriffs Spec Projects	\$ 695.00
Sheriffs Drug Forf	\$ 49.00	Family Health Svcs	\$ 968.72	Road Bond S.2001 Cnst	\$ 8,492.81

20358 APPROVE BUDGET AMENDMENT 02-28

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Budget Amendment No. 02-28 as proposed by the County Auditor. All present voting "Aye".



AMENDMENT NO. <u>2002-28</u> FY 2002 BUDGET 06-18-02				
FUND NO. <u>01</u> FUND TITLE <u>GENERAL FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	<u>APPROPRIATION</u>	<u>AMENDMENT</u>		<u>APPROPRIATION</u>
	<u>BEFORE</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AS</u>
<u>AMENDMENT</u>				<u>AMENDED</u>
AUDITOR (401):				
01-401-5331 Cont ed	4,500	1,500		6,000
01-401-5101 FICA/Ret	72,916		(1,500)	71,416
<i>Transfer for certification/education from personnel savings</i>				
CONSTABLE 2 (432):				
01-432-5417 Law Enf Eqpt Maint	1,000	181		1,181
01-432-5391 Other	1,102		(81)	1,021
01-432-5331 Cont Educ	600		(100)	500
		<u>181</u>	<u>(181)</u>	
<i>Transfer for needed expense</i>				
COMMISSIONER PCT 3 (441):				
01-441-5331 Cont Educ	3,000	1,600		4,600
01-441-5101 FICA/Ret	13,077		(400)	12,677
01-441-5160 Insurances	7,847		(50)	7,797
01-441-5211 Off. Supplies	405		(200)	205
01-441-5321 Dues & Bonds	200		(200)	0
01-441-5391 Other	50		(50)	0
01-441-5489 Telephone	4,016		(700)	3,316
		<u>1,600</u>	<u>(1,600)</u>	
<i>Transfer for needed expense</i>				
FUND NO. <u>03</u> FUND TITLE <u>ROAD AND BRIDGE GENERAL</u>				
ROAD OPERATIONS (438):				
03-438-5448 Contract Road	698,689	40,000		738,689
03-438-5357 TNRCC Abatement	30,000		(30,000)	-0-
03-438-5454 Dam Maintenance	10,000		(10,000)	-0-
		<u>40,000</u>	<u>(40,000)</u>	
<i>To cover needed expense</i>				

20359 APPROVE UTILITY PERMITS # 01586 & 01587

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Utility Permit #01586 on CR197/Henly Loop issued to Verizon, and #01587 on Scarlet Ridge (Heritage Oaks Subd) issued to Hill Country Water Supply. All present voting "Aye".

20360 APPROVE INTERNAL EXAMINATION REPORT ON JP-4

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve internal examination report on Justice of the Peace Pct. 4. All present voting "Aye".

20361 FASS SUBDIVISION [PCT. 3 #02-3-041] * APPROVE PRELIMINARY PLAT [T1-102]

Property Owner Marsha Fass proposes to create a one lot subdivision consisting of 4.17 acres (out of a 20.01 acre tract) with access on CR220/Mt. Sharp Road. Subdivision Coordinator Jon Thompson gave staff recommendation for preliminary plat approval. Staff has requested additional right-of-way on CR220, however, there is no guarantee that ro-w will be given. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve preliminary plat of "Fass Subdivision". All present voting "Aye".

20362 HAYS COUNTRY ACRES REPLAT OF LOTS 9-10 [PCT. 4#02-4-028] * APPROVE PRELIMINARY PLAT [T1-128]

Property owners James & Brenda Robinson propose to create a 4 lot subdivision out of an existing 2 lots. Access is on Fawn Meadow Drive and Chaparral Lane. Subdivision Coordinator Jon Thompson gave staff recommendation for preliminary plat approval. He stated that this replat is in the Dripping Springs ETJ, however, it is exempt from their review (tracts are over 5 acres each and have public access). A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Hays Country Acres Resubdivision of Lots 9 & 10". All present voting "Aye".

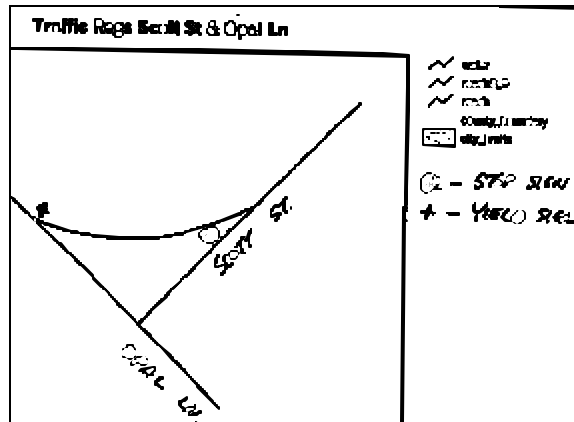


20363 CALL FOR A PUBLIC HEARING ON JUNE 25, 2002 TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT AND/OR STOP SIGNS) ON ROLAND LANE [T1-147]

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to call for a public hearing on June 25, 2002 to consider establishing traffic regulations (speed limit and/or Stop sign) on Roland Lane. All present voting "Aye".

20364 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS ON OPAL LANE AND SCOTT STREET IN THE KYLE AREA [T1-155]

Judge Powers declared the public hearing open – no public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding requested that the Court establish a Yield sign at Scott Street intersection with Opal and a STOP sign at Y where Opal intersects Scott Street. A motion was made by Commissioner Carter, seconded by Commissioner Molenaar to establish traffic regulations of a YIELD sign for Scott Street traffic onto Opal Lane and a STOP sign for Opal Street traffic onto Scott Street. All present voting "Aye".



20365 PUBLIC HEARING WITH ACTION TO ABANDON PUBLIC EASEMENT R-O-W IN THE SOUTHERN WOODS SUBDIVISION [TURNING WESTWAY DRIVE AND SOUTHERN DRIVE INTO PRIVATE ACCESS AND PRIVATELY MAINTAINED ROADS] [T1-175]

Judge Powers declared the public hearing open. Pat Wentworth, President of the Home Owners Association of Southern Woods Inc., presented documentation to members of the court to justify their request for abandonment and vacation of the public easement right-of-way (Resolution from the Buda City Council which transferred all of the Buda's ETJ in Southern Woods to the City of Hays, letter from the City of Hays granting permission to the HOA to proceed with taking the roads back from the county, Minutes of the HOA showing results of the vote concerning the roadways, legal description of the property, a copy of the Mapsco map showing the location of the 2 roads). Judge Powers declared the public hearing closed. A motion was made by Commissioner Carter, seconded by Judge Powers to abandon public easement right-of-way in the Southern Woods Subdivision and to authorize the County Judge to execute a conveyance of roads back to the Homeowners Association of Southern Woods. All present voting "Aye".

20366 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS IN THE SETTLEMENT AND FOX RIDGE IN THE SAN MARCOS AREA [T1-278]

Judge Powers declared the public hearing open – no public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding requested the Court to establish STOP signs at all intersections in The Settlement and Fox Ridge subdivisions in the San Marcos Area. STOP sign on the following roads at their intersection with Pioneer Trail: Rim Rock Lane, Oaks Shadow, Catclaw Cove, Oak Hollow, Timberidge Drive, and Elm Hollow. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to establish traffic regulations of STOP signs at all intersections with Pioneer Trail in The Settlement and Fox Ridge Subdivisions in the San Marcos area. All present voting "Aye".

20367 CONTINUATION OF SELECTION OF MEMBERS FOR THE HAYS COUNTY SALARY GRIEVANCE COMMITTEE PURSUANT TO 152.104 LGC.

Judge Powers made the following random selections for continuation of the Hays County Salary Grievance Committee process: Terry Wayne Jones, John Henry Wesson, Elisa Maria Rodriguez, Lorena Lizett Santoy, Earle Clinton Younts.

20368 APPROVE PURCHASE OF TWO (2) HANDHELD MOTOROLA HT1250 RADIOS FOR CONSTABLE PCT. 4 [T1-332]

Commissioner Molenaar advised that the radios Constable 4 has are not operating properly – funds are available in her budget to purchase 2 new units. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve purchase of two handheld Motorola HT1250 radios for Constable Precinct 4. All present voting "Aye".



20369 AUTHORIZE THE PAYMENT OF AN INVOICE (NO PURCHASE ORDER) FOR JUVENILE PROBATION IN THE AMOUNT OF \$724.73 [T1-346]

Chief Juvenile Probation Officer Ed Cooper advised that he failed to get a purchase order when he had repairs done to the department's 1995 Chev Caprice (front brake service) – funds are available in his budgeted line item for the repairs. A motion was made by Judge Powers, seconded by Commissioner Burnett to authorize the payment of an invoice for which no purchase order was obtained for Juvenile Probation in the amount of \$724.73 payable to Goodyear Auto Service Center. All present voting "Aye".

20370 ACTION REGARDING PROPERTY HELD IN TRUST [T1-369]

Bids have been received for two properties held in trust (delinquent tax property): (1) *Woodcreek Section 13 Lot 383: \$ 750.00 bid = 29% recovery* (2) *Woodcreek Section 13 Lot 38:\$ 750.00 bid = 29% recovery*. Both bids have been approved by the Wimberley ISD. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept bids for property held in Trust – Woodcreek Section 13 Lots 383 & 384 – as presented by the County Tax Assessor –Collector. All present voting "Aye".

20371 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH CARTER & BURGESS, INC. FOR A NEEDS ASSESSMENT AND PRELIMINARY DESIGN OF A HAYS COUNTY COMPLEX [T1-380]

Judge Powers advised that he and Special Counsel Jacqueline Cullom Murphy met with Carter & Burgess Inc. yesterday to work out the agreement. Jacqueline Cullom Murphy spoke of original draft and changes made. Commissioner Carter spoke of need to have other members of the committee look at this agreement. She provided information she obtained from the internet regarding cost for architectural services and she feels like the percentage to be charged is very important. Judge Powers advised that this agreement is for the conceptual plan only. Jacqueline Cullom Murphy advised that this is a limited scope of work. Steven Colston (Carter & Burgess) advised that they will be developing this information and he explained how architectural costs are determined – this agreement is not for a basic service agreement. The scope of this agreement would allow them to meet with departments and entities that would be in this facility and they would do an analysis of what size facility is needed. Commissioner Burnett spoke of there being questions regarding the agreement, however, there is an urgency to proceed with this project. Jacqueline Cullom Murphy advised that employees at the Justice Center are asking questions about their current situation. Commissioner Burnett suggested no action today – funding action needs to be posted on the agenda. Commissioner Molenaar advised that he has questions regarding expenses listed on the agreement. Commissioner Burnett spoke of previous action taken by the Court to authorize the County Judge & legal counsel to negotiate this contract. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize the County Judge to execute an agreement with Carter & Burgess Inc. for a needs assessment and preliminary design of a Hays County Complex - funding issues are to be resolved at a later date. Commissioner Molenaar, Commissioner Burnett, and Judge Powers voting "Aye". Commissioner Carter voting "No". MOTION PASSED.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 25TH DAY OF JUNE, 2002

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

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

