



OCTOBER 1, 2002

VOLUME S PG 541

STATE OF TEXAS ☞
 COUNTY OF HAYS ☞

ON THIS THE 1ST DAY OF OCTOBER 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 Ingalsbe led the Court in the Pledge of Allegiance to the Flags.

PRESENTATION BY TODD VOTTELER, PH.D. REGARDING WATER AVAILABILITY

Todd Votteler, Director of Policy for the Blanco River Authority, gave a presentation regarding the Edwards Aquifer – about half of the State is covered by groundwater conservation district. The GBRA (10 county district) has 4 aquifers in its district. He spoke of flow of aquifers and the endangered species in the springs. He spoke of the Endangered Species Act which caused the creation of the Edward Aquifer Board to manage the aquifer so that there is enough water to protect the endangered species. They are interested in making sure there are limitations on the aquifer during the drought years – river flow during drought are from the springs. He spoke of trying to prepare for the next 50 years with new regional and state water plan and trying to provide water to 40 million Texans in the future – we need to limit the pumping out of the aquifer. Mr. Votteler spoke of pumping permits that were issued that exceed the limits set out by the State – they are trying to buy back those pumping rights to reduce the amount of water being pumped out of the aquifer. He spoke of San Antonio being the major pumper out of the Edwards Aquifer (primarily lawn irrigation) and he spoke of critical period management rules. He spoke of J17 (a monitored well in San Antonio) which measures the level of the aquifer – does not track well with the springs in times of drought – need to also use the springs as a guide for drought management. Mr. Votteler spoke of this being the time to address water issues rather than waiting for a drought – take action before you get into a crisis. He spoke briefly of the Trinity aquifer which is connected to the Edwards aquifer. Senate Bill 2 has specific authority for certain counties. Commissioner Molenaar spoke of Hays County rules developed under Senate Bill 1 and voiced his concerns. Commissioner Carter asked about sustainability. Todd Votteler spoke of making adjustments in water usage – people are using less water for irrigation (dry land farming or not farming) – try to prepare and not assume that you won't get caught in a prolonged drought. Commissioner Carter spoke in support of the Comal County rules. Commissioner Molenaar spoke of need to get together with other entities (GBRA, LCRA, etc) to get legislation passed regarding public water systems. Todd Votteler advised that a funding source is needed for the new water plan.

20587 APPROVE THE COMMISSIONERS' COURT MINUTES OF SEPTEMBER 24, 2002

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of September 24, 2002 as presented by the County Clerk. All voting "Aye".

20588 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 \$297,680.31 as presented by the County Auditor. All voting "Aye".

Public Safety Svcs	\$ 154.00	Fines	\$ 362.65	TDHCA Funds PassThru	\$ 408.36
State Funded Grants	\$ 1,061.78	Auditors Office	\$ 1,032.83	Treasurers Office	\$ 165.00
Extension Office	\$ 1,173.68	Grants Admin	\$ 60.50	Juvenile Prob Office	\$ 3,966.73
Elecion Admin	\$ 5,431.20	Transfer Station	\$ 715.00	Building Maint Dept.	\$ 14,487.25
Environ Health	\$ 1,333.70	Civic Center	\$ 2,130.79	Countywide Oper	\$ 30,270.94

General Fund Credit	<\$124.08>	Rd & Bridge Oper	\$ 91,268.13	Anticip Notes '95 Proj	\$ 7,842.87
Hays Co Parks Fund	\$ 87.43	Rec Mng/Co Clerk	\$ 889.74	Law Library Fund	\$ 1,514.15
Juvenile Center	\$ 7,143.25	Sheriffs Spec Proj	\$ 16.61	Sheriffs Drug Forf Fund	\$ 20.51
Family Health Svcs	\$ 487.05	Justice Crt Tech	\$ 1,238.74	Certif of Oblig Series '97	\$ 967.13
DOJ/Equip & Tech	\$ 274.83	Rd Bond S. 2001	\$ 14,149.68		

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME S PG 542

OCTOBER 1, 2002

20589 APPROVE BUDGET AMENDMENT 02-43 (FY 2002)

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Budget Amendment No. 02-43 (FY2002). All voting "Aye". [See 12 page budget amendment in file – end of fiscal year adjustments]

20590 HAYS COUNTRY OAKS RESUBDIVISION OF LOT 22 BLOCK C [PCT 2 #02-2-061] * APPROVE PRELIMINARY PLAT [T1-631]

Environmental Health Director Allen Walther advised that this is a 2 lot subdivision (Lot 22A & 22B) with access on Country Oaks Drive – it does not comply with our current lot size requirement, however, this property has been developed with two residences on it since 1995 (prior to our current rules). He gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat to approve preliminary plat of "Hays Country Oaks Resubdivision of Lot 22 Block C. All voting "Aye".

20591 LA VENTANA PHASE 1 REPLAT OF HOMESITES H-9 & H-10 [PCT 4 #02-4-075] * APPROVE FINAL PLAT AND WAIVE PUBLIC NOTIFICATION [T1-649]

Environmental Health Director Allen Walther advised that this is a consolidation of two lots into one. He recommended waiving public notification requirement and hear the final plat in one reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "La Ventana Phase I Replat of Homesites H-9 & H-10 and waive public notification. All voting "Aye".

20592 LA VENTANA PHASE 1 REPLAT OF HOMESITES H-21 & H-22 [PCT 4 #02-4-076] * APPROVE FINAL PLAT AND WAIVE PUBLIC NOTIFICATION [T1-663]

Environmental Health Director Allen Walther advised that this is a consolidation of two lots into one. He recommended waiving public notification requirement and hear the final plat in one reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "La Ventana Phase I Replat of Homesites H-21 & H-22 and waive public notification. All voting "Aye".

20593 LA VENTANA PHASE 1 REPLAT OF HOMESITES H-26 & H-27 [PCT 4 #02-4-077] * APPROVE FINAL PLAT AND WAIVE PUBLIC NOTIFICATION [T1-675]

Environmental Health Director Allen Walther advised that this is a consolidation of two lots into one. He recommended waiving public notification requirement and hear the final plat in one reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "La Ventana Phase I Replat of Homesites H-26 & H-27 and waive public notification. All voting "Aye".

20594 APPROVE THE "2003 SHERIFF AND CONSTABLE FEES" [T1-686]

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the "2003 Sheriff and Constable Fees" as recommended. All voting "Aye".

HAYS COUNTY, TEXAS
SHERIFF AND CONSTABLE FEES * 2003

CITATION - ALL COURTS	\$ 50.00
EXECUTING A DEED	\$ 30.00
EXECUTING A BILL OF SALE	\$ 30.00
FORCIBLE DETAINER	\$ 50.00
INJUNCTION	\$ 50.00
NOTICE OF PUBLICATION	\$ 50.00

WRIT OF POSSESSION – Removal of persons & personal property from a premises	\$ 75.00
WRITS - ALL OTHER	\$ 75.00

COMMISSION for collecting money on an **Execution or Order of Sale** when the same is made by a sale. Total Judgment amount to be broken down as follows:

For the first	\$ 5,000.00	=	10%
\$ 5,001.00 up to	\$20,000.00	=	5%
\$20,001.00 and	UP	=	2%

When the money is collected **without a sale**, the fee shall be 1/2 of the above rates.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



OCTOBER 1, 2002

VOLUME S PG 543

20595 APPROVE CHANGES TO THE COUNTY PURCHASING POLICY [T1-693]

County Auditor Bill Herzog spoke of this being on the agenda last week and the court wanted to review it before taking action. They are trying to exempt some purchases from PO policy. Exemptions for purchase order will be those coming before the court for approval such as professional services, formal bids, recurring contracts, utilities, annual maintenance contracts, and all purchases with fixed amounts approved by the commissioners court. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve changes to the County Purchasing Policy. All voting "Aye".

20596 ACCEPT DONATION OF EMULSION TANKS [T1-722]

Road Supt/Engineer Jerry Borcharding advised that the owner of Rogers Materials in Buda has contacted the county and proposes to donate two 4,000 gallon emulsion tanks for county use – they are free and he recommends acceptance. The county would be responsible for transporting the tanks to county property – these items are in good repair and would be of great value to Road Department Operations. A motion was made by Commissioner Carter, seconded by Commissioner Burnett to accept donation of emulsion tanks for use by the Road Department. All voting "Aye".

20597 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL WORK AUTHORIZATION NO. 1 TO WORK AUTHORIZATION NO. 2 WITH TURNER, COLLIE & BRADEN, INC. FOR THE HAYS COUNTY ROAD BOND PROGRAM (MT. GAINOR) [T1-748]

Commissioner Burnett spoke of this road bond project (Mt. Gainor Road). The Court authorized the middle section of this project and the supplemental agreement is for another section. Traffic counts were taken by the road department. He spoke of survey work being done, preliminary design is prepared and a meeting is held to determine r-o-w needs, public meeting is held before the final design phase. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the County Judge to execute Supplement Work Authorization No. 1 to Work Authorization No.2 with Turner, Collie & Braden Inc. for the Hays County Road Bond Program (Mt. Gainor). All voting "Aye".

20598 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL WORK AUTHORIZATION NO. 3 TO WORK AUTHORIZATION NO. 1 WITH TURNER, COLLIE & BRADEN, INC. FOR THE HAYS COUNTY ROAD BOND PROGRAM RELATING TO THE PROJECT MANAGEMENT [T1-848]

Commissioner Burnett advised that this relates to Project Management by Turner, Collie & Braden (TCB). We are nearing the end of that contract and this work authorization is for 1 additional year on that contract. There is more involvement in negotiations regarding TxDot Projects. Bob Austin (TCB) spoke of comparisons being made – he spoke of adding tasks as they go along – that is why they are coming back with supplement work authorizations. He spoke of working with TxDot to insure that when they have funding with roadways it will work along with county funding. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the County Judge to execute a Supplement Work Authorization No. 3 to Work Authorization No. 1 with Turner, Collie & Braden, Inc. for the Hays County Road Bond Program relating to the Project Management in the amount of \$99,960.00. All voting "Aye".

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

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

