



STATE OF TEXAS 0  
 COUNTY OF HAYS 0

ON THIS THE 8<sup>th</sup> DAY OF OCTOBER 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>RUSS G. MOLENAAR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LEE CARLISLE</b>	<b>COUNTY CLERK</b>

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PCT. 3 WILLIAM "BILL" BURNETT, AND 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**

Senior Deputy County Clerk Bobbie Coley received a 10 year service pin from County Clerk Lee Carlisle. District Attorney Investigator John Roppolo received a 10 year service pin from Office Manager Carolyn Brown. Lira Coronado of the Road Department was not present, however, he has earned a 5 year service pin

**20599 APPROVE THE COMMISSIONERS' COURT MINUTES OF OCTOBER 1, 2002**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of October 1, 2002 as presented by the County Clerk. All present voting "Aye".

**20600 APPROVE PAYMENT OF COUNTY INVOICES**

County Auditor Bill Herzog advised that a \$300 invoice from Industrial Communications needs to be pulled (3 checks = \$300 in the Sheriff's Office budget). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve payment of county invoices as recommended by the County Auditor (\$169,024.66 less \$300 = \$168,724.66). All present voting "Aye".

Auditors Office	\$ 83.14	Treasurers Office	\$ 1,304.56	Extension Office	\$ 337.83
Grants Admin	\$ 86.30	Juvenile Probation	\$ 4,804.51	Comm & Social Svcs	\$ 5,000.00
Indigent Care	\$ 496.27	Transfer Station	\$ 185.03	Building Maintenance	\$ 4,098.12
Environ Health	\$ 302.88	Civic Center	\$ 1,397.16	Countywide Oper	\$ 6,893.60
Sheriffs Office	\$ 6,397.33	Jail Operations	\$ 17,138.31	County Judges Office	\$ 51.60
Human Resources	\$ 109.95	District Attorneys Ofc	\$ 62.34	J.P. 1-2	\$ 40.00
J.P. 2	\$ 161.28	J.P. 5	\$ 62.00	Dept of Public Safety	\$ 861.15
Constable 1	\$ 92.42	Constable 3	\$ 318.02	Constable 4	\$ 1,108.49
Constable 5	\$ 519.22	District Court Oper	\$ 20,171.11	Co & JP Court Oper	\$ 792.18
Precinct 1	\$ 287.23	Precinct 2	\$ 36.13	Precinct 3	\$ 330.61
Veterans Admin Ofc	\$ 723.70	Computer Svcs	\$ 5,995.67	DPS/L&W	\$ 234.99
Fire Marshal/EMC	\$ 742.29	Assoc Judge/Family	\$ 77.99	Spec Counsel Ofc	\$ 135.00
Comm Court Exp	\$ 388.80	Truancy Ofcr Grant	\$ 539.90	General Fund Credit	<\$5.64>
R&B Operations	\$ 58,829.61	Right of Way	\$ 73.11	R&B Gen Credit	<\$45.00>
Hays Co Parks Fund	\$ 931.56	Rec Mng/Co Clerk	\$ 4,046.93	Health Svcs Grants	\$ 4,184.94
Hays Co Juv Center	\$ 3,724.51	Sheriffs Drug Forf	\$ 158.10	Family Health Svcs	\$ 2,755.99
Tobacco Settlement Fund	\$1,751.58	Road Bond S.2001	\$ 9,951.81		

**20601 APPROVE UTILITY PERMITS #1607, #1609, & #1611**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Utility Permit #1607 on CR151/Bunton Road issued to C4D-I, Ltd., #1609 on CR127/High Rd & Plum Creek issued to Goforth Water Supply, and #1611 on CR190/Creek Road issued to Creek Road Ranch Inc. All present voting "Aye".

**20602 ACCEPT INTERNAL EXAMINATION REPORT ON TAX ASSESSOR-COLLECTOR**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to accept internal examination report of the Tax Assessor-Collector's office. All present voting "Aye".



**20603 APPROVE RENEWAL OF THE ANNUAL OFFICE SUPPLY CONTRACT FOR ONE (1) ADDITIONAL YEAR AS PROVIDED IN THE ORIGINAL CONTRACT WITH CONVENIENCE OFFICE SUPPLY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to renew the annual office supply contract with Convenience Office supply for one (1) additional year as provided in the original contract. All present voting "Aye".

**20604 APPROVE SPECIFICATIONS FOR PRESCRIPTION AND OVER THE COUNTER DRUGS FOR HAYS COUNTY JAIL AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve specifications for prescription and over-the-counter drugs for the Hays County Jail and authorize the Purchasing Department to solicit for bids and advertise. All present voting "Aye".

**20605 WOODBROOK [PCT 2 #01-2-025] \* EXTENSION OF PRELIMINARY PLAT \* DENIED**

[T1-76] Tom Watts (Ralph Harris Surveyor Inc.) requested an extension of the preliminary plat of "Woodbrook" – it will be onsite built homes rather than mobile homes – the first 12 lots are ready for preliminary approval. Environmental Health Director Allen Walther advised that staff will not make a recommendation for the extension of time – problems occurred between the owners and the water supply corp. and should have been resolved timely. Commissioner Molenaar and Commissioner Ingalsbe advised that they will support staff on this request and the Court agreed to deny request for extension of time for the preliminary plat. No action was taken.

**20606 HARLOW SUBDIVISION [PCT 2 #02-2-001] \* APPROVE FINAL PLAT [T1-146]**

Environmental Health Director Allen Walther advised that this subdivision complies with requirements for final plat approval and he gave staff recommendation for that approval. A motion was made by Commissioner Carter, seconded by Commissioner Molenaar to approve final plat of "Harlow Subdivision". All present voting "Aye".

**20607 HAYS COUNTRY OAKS ESTATES [PCT 2 #02-2-074] \* APPROVE PRELIMINARY PLAT**

[T1-162] Environmental Health Director Allen Walther gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat of "Hays Country Oaks Estates". All present voting "Aye".

**20608 CALL FOR A PUBLIC HEARING ON OCTOBER 22, 2002 TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMITS) FOR APPALOOSA WAY AND BRIDLE PATH [T1-171]**

A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing on October 22, 2002 to establish traffic regulations (speed limits) for Appaloosa Way and Bridge Path. All present voting "Aye".

**20609 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS AT TIGER LANE AND BELL SPRINGS ROAD IN THE DRIPPING SPRINGS AREA [T1-182]**

Judge Powers declared the public hearing open – no public input was received and the public hearing was closed. Commissioner Molenaar spoke of need for a STOP sign on Bell Springs Road at its intersection with Tiger Lane. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to establish traffic regulations of a STOP sign on Bell Springs Road at its intersection with Tiger Lane. All present voting "Aye".

**20610 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A COMMERCIAL LEASE AGREEMENT BETWEEN HAYS COUNTY AND WIMBERLEY PROFESSIONAL MANAGEMENT SERVICES INC. FOR PRECINCT 3 OFFICE SPACE [T1-207]**

A motion was made by Commissioner Molenaar, seconded by Judge Powers to authorize the County Judge to execute a commercial lease agreement between Hays County and Wimberley Professional Management Services Inc. for Precinct 3 office space. All present voting "Aye".



**20611 ACTION TO PARTICIPATE WITH THE CITY OF SAN MARCOS IN THE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM [T1-230]**

Commissioner Ingalsbe advised that we have participated in this event in the past – participation will cost the county up to \$3,000 which she suggested be paid from countywide operations – the event will be held October 26<sup>th</sup>. County Auditor Bill Herzog suggested that payment be made out of the transfer station budget which has \$6,000 in it for household waste. Transfer Station Manager Jerry Pinnix stated that he thought the \$6,000 in the Transfer Station budget was for the Drippings Springs/Wimberley event. It was agreed that the money will be replaced if necessary. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize participation with the City of San Marcos in the household hazardous waste collection program in the amount of \$3,000 to be funded out of line item #409-5459 in the Transfer Station Budget. All present voting “Aye”.

**20612 APPROVE PAYMENT OF ZEP MANUFACTURING COMPANY INVOICE IN WHICH NO PURCHASE ORDER WAS OBTAINED [T1-307]**

County Auditor Bill Herzog advised that the Building Maintenance Dept. did not get a purchase order for merchandise purchased from Zep Manufacturing Company, therefore, Commissioners' court approval is needed before payment of the invoice is made (\$409.15). A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve the payment of \$409.15 to Zep Manufacturing Company for an invoice in which no purchase order was obtained. All present voting “Aye”.

**20613 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A 9-1-1 ADDRESSING GRANT FROM CAPCO AND EXECUTE CONTRACT FOR UP TO \$41,864 [T1-323]**

Environmental Health Director Allen Walther advised that this is a re-occurring grant and he recommends approval of the grant. Commissioner Molenaar spoke of signs having road names now instead of county road numbers and problems that has created. Allen Walther advised that this grant is for supplies and there should be enough money in signage to address these concerns. A motion was made by Commissioner Molenaar, seconded by Judge Powers to authorize the County Judge to accept a 9-1-1 Addressing Grant from CAPCO and execute contract for up to \$41,864.00. All present voting “Aye”.

**20614 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A 9-1-1 GRANT FROM CAPCO AND EXECUTE A CONTRACT FOR UP TO \$250 [T1-380]**

Environmental Health Director Allen Walther advised that this is a re-occurring grant that will be used by the Hays County Sheriff's Office to purchase supplies and maintenance of 9-1-1 equipment. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to accept a 9-1-1 supplies/maintenance grant from CAPCO and execute a contract for up to \$250. All present voting “Aye”.

**20615 ADOPT A RESOLUTION ENDORSING ACCEPTANCE OF SUGGESTIONS OF THE GENERAL PUBLIC INTO A LIST OF NATURAL RESOURCES THAT MAY BE CONSIDERED FOR PARK LAND IN HAYS COUNTY [T1-394]**

County Clerk Lee Carlisle read the proposed resolution. [T1-427] Jackie Craig urged the court to vote for this agenda item. She stated that the survey that was done addressed the types of parks, we are now talking about the sites and citizen input is important. [T1-442] Chris North spoke of Commissioner Carter trying to derail the parks plan from its inception - this discussion is totally unnecessary – all features of this plan and all natural features were discussed ad nauseam in the last two years and in the last year with consultants. The majority of the parks board will request the court to restore the plan to its original form and spirit – the parks board is the public and are representative of the public – the court needs to adopt the plan so that we can get on with the business of implementing the plan and writing grants. Judge Powers felt like the resolution does not affect the parks plan. Chris North advised that the planning process was about getting public input – the parks plan is a fluid document and it is suppose to be revisited – this plan was the compromise. She feels like Kyle and Buda should start pulling their weight (for east side recreational facilities) and not put it on the backs of county taxes. She felt like the people in Hays County (according to the survey) are not interested in ball fields and soccer fields, they are interested in preserving our natural resources, protecting our ground water, and saving our cultural heritage. She feels like taking Jacobs Well out of the plan is wrong. Commissioner Molenaar stated that he doesn't need a resolution for him to receive input from his constituents or anybody in Hays County – he is aware of concerns about this resolution undermining the hard work done by the Parks Board, however, he doesn't believe this resolution does undermine anything the parks board has done. Chris North spoke of need to start with a plan – a basic list – and she feels like we need to implement the stuff in the plan now – there is always time for public input. [T1-586] Pat Moore advised that she concurs with Commissioner Molenaar – there has not been enough public input and there are citizens that would like to provide input. Commissioner Carter stated that this is a chance to let people know that we are still accepting public input.



[T1-610] Jim Green felt like the court will do what is right and will maintain control over the political trust that the people of the county have given them. We may find that there are people out there that would know pieces of land that would be excellent for parks that the court is not aware of. He would like to see a publicized list that would encourage people to come forward with suggestions. The Commissioners' Court is representative of the people – they are elected – the parks board is not elected. Mr. Green suggested asking the people who have lived here for many years for their input – now it is time for the Commissioners' Court to have more of a hand on where the money goes. He spoke of list of sites in the master plan are broad and you need to remember that land on the river, creeks, etc. may not be obtainable. He sees nothing wrong with the resolution. Commissioner Ingalsbe agreed that we need to accept public suggestions which she will do whether we have a resolution or not – she doesn't know why we need a resolution to accept public suggestions. She asked if the Parks Board has had an opportunity to review this resolution. Commissioner Carter stated that a number of the members of the board have notified her that they appreciate this – there are other people that would like input. Jim Green feels like this does not undermine anything and it is a chance for board members to look at other places – he feels like this resolution can be used to publicize and encourage public input. Commissioner Ingalsbe stated that she is not against the resolution – she just doesn't understand why a resolution needs to be in place to accept public suggestions on park areas. Commissioner Molenaar stated that he represents the people of Precinct 4 and he doesn't need a resolution to receive public input. He participated in a couple of parks board meetings and every citizen had an opportunity to be a part of this. Chris North spoke of monthly parks meetings that are held and Commissioners Court meeting and anyone can give their suggestions for additions to the parks plan – that is the process – you do not want to get so specific in a master plan that your hands are tied by it. Judge Powers advised that he has no problem with this resolution or with Jacobs Well – the master plan is a living document and will change from time to time – this resolution is saying that we are not closing the door to anybody's idea – we need to be available and accessible and we are committed to that. The Court is responsive to the Parks Board input. Commissioner Ingalsbe advised that she doesn't want her vote to appear that she is not open to public input – she will continue to be open to public input. A motion was made by Judge Powers, seconded by Commissioner Carter to approve a resolution endorsing acceptance of suggestions of the general public into a list of natural resources that may be considered for park land in Hays County. Commissioner Carter, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Ingalsbe voting "No".

**RESOLUTION ENDORSING ACCEPTANCE OF SUGGESTIONS OF THE  
GENERAL PUBLIC INTO A LIST OF NATURAL RESOURCES THAT MAY BE  
CONSIDERED FOR PARK LAND IN HAYS COUNTY**

*WHEREAS, "Hays county residents rank river/creek access as the No. 1 public recreational facility need in Hays County" along with the need for playgrounds, fishing lakes, trails, and camping sites, and*

*WHEREAS, Hays County Commissioners Court wishes to include the suggestions of Hays County residents in considering locations for future parks sites, and*

*WHEREAS, fairness to all areas of the county is a necessary and a vital component of any plan or activity of county government; now therefore, be it*

*RESOLVED, that the Commissioners' Court of Hays County of the State of Texas, hereby welcomes public input to a list of possible park locations in each of the four county commissioners; precincts that may be considered by the Hays County Commissioners Court. (The list is not a survey or public opinion poll, but simply suggested locations for the commissioners to investigate for suitability as county park land).*

**Clerk's Note: Agenda Item # 19** RE: EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 TO MEET WITH LEGAL COUNSEL TO DISCUSS POTENTIAL LITIGATION RELATING TO THE DEVELOPMENT OF THE POLO SPRINGS COUNTRY CLUB GOLF COURSE **was PULLED. No discussion and no action taken.**

Court was adjourned.

**MINUTES APPROVED IN OPEN COURT ON THE 15<sup>th</sup> DAY OF OCTOBER, 2002**

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

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

