



STATE OF TEXAS 0  
 COUNTY OF HAYS 0

ON THIS THE 29<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>WILLIAM "BILL" BURNETT</b>	<b>COMMISSIONER, PCT. 3</b>
<b>RUSS G. MOLENAAR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LINDA C. FRITSCHÉ</b>	<b>CHIEF DEPUTY 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.

**Clerk's Note: Commissioner Carter was not present when the meeting began.**

**PRESENTATION OF RETIREMENT AWARD TO JAMES S. COLEY**

A retirement plaque was presented to James S. Coley by District Attorney Office Administrator Carolyn Brown. She thanked him for an excellent job. Jim Coley has served as the Chief Investigator in the District Attorney's office from January 1989 to October 2002.

**Clerk's Note: Agenda Item #2 RE: PRESENTATION BY CARTER BURGESS ON THEIR FINAL REPORT OF THE HAYS COUNTY GOVERNMENT CENTER was PULLED.**

**Judge Powers advised that former County Clerk Ronnie Dannelley passed away and his funeral will be held today at 11:00 a.m.**

**20642 APPROVE THE COMMISSIONERS' COURT MINUTES OF OCTOBER 22, 2002**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of October 22, 2002 as presented by the County Clerk. All present voting "Aye".

**20643 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 \$423,305.64 as presented by the County Auditor. All present voting "Aye".

State Shared Rev	\$ 2,815.20	Public Safety Svcs	\$ 123.65	Financial Admin	\$ 47.36
Fines	\$ 60.00	TDHCA Funds	\$ 4,408.35	Auditor's Office	\$ 1,197.86
Treasurer's Office	\$ 112.67	Extension Office	\$ 682.59	Grants Admin	\$ 522.49
Juvenile Probation	\$ 413.51	Election Admin	\$ 273.40	Comm & Soc Svcs	\$ 21,833.34
Indigent Care	\$ 6,547.00	Transfer Station	\$ 130.57	Building Mtc. Dept.	\$ 8,568.55
Environmental Health	\$ 611.55	Civic Center	\$ 3,068.14	Tax A/C	\$ 459.13
District Clerk's Office	\$ 81.11	Sheriff's Office	\$ 13,104.03	Jail Operations	\$ 41,079.29
County Judge's Office	\$ 282.92	Human Resources	\$ 189.63	Co Court @ Law 1	\$ 47.40
District Attorney's Office	\$ 585.00	J.P. 2	\$ 162.82	J.P. 3	\$ 164.09
J.P. 4	\$ 258.58	J.P. 5	\$ 313.06	DPS	\$ 778.14
Constable 1	\$ 196.96	Constable 2	\$ 103.90	Constable 3	\$ 34.45
Constable 4	\$ 247.50	Constable 5	\$ 214.11	District Court Oper	\$ 10,600.08
Co & JP Court Oper	\$ 4,205.67	Precinct 3	\$ 201.48	Precinct 4	\$ 651.06
Veterans Admin Office	\$ 833.65	Computer Services	\$ 7,974.19	DPS/Lic & Wgts	\$ 697.21
Animal Control	\$ 643.84	CJD/VOCA Grant	\$ 144.04	Title I Juv Prob Grant	\$ 5,473.20
Juvenile Acct Grant	\$ 39.83	Juv Justice Alt Ed	\$ 167.64	<b>General Fund Credit</b>	<b>&lt;\$167.60&gt;</b>
Road & Bridge Oper	\$ 151,548.60	Right of Way	\$ 20.66	Hays Co Parks Fund	\$ 162.26
Rec Mng/County Clerk	\$ 210.85	Co Rec Preserv Fund	\$ 19,500.00	Health Svcs Grants	\$ 7,383.39
Law Library Fund	\$ 43.90	Juvenile Center	\$ 16,114.19	Sheriff Bail Bond	\$ 437.00
Sheriff Spec Proj Fund	\$ 335.00	Medical/Dental Insur	\$ 4,013.60	Sheriffs Drug Forf	\$ 76.71
Family Health Svcs	\$ 10,149.72	DOJ/Eqpt & Tech	\$ 21.86	Rd Bond S.2001	\$ 17,431.15



**20644 APPROVE BUDGET AMENDMENT 03-01**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Budget Amendment No. 03-01 as proposed by the County Auditor. All present voting "Aye".

				AMENDMENT NO. 2003-01 FY 2003 BUDGET 10-29-02
FUND NO. <u>01</u>				
FUND TITLE <u>GENERAL FUND</u>				
	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<b><u>DOJ/COPSHIRE '02 GRANT (706):</u></b>				
01-706-5717 Law Enf Equipment	-0-	286,870		286,870
<b><u>REVENUE:</u></b>		<b><u>DECREASE:</u></b>	<b><u>INCREASE:</u></b>	
01-381-2706 COPS MORE '02 Grant	-0-		286,870	286,870
<i>Budget new Grant and in-kind match already budgeted in Sheriff equipment</i>				
<b><u>CAPCO/SOLID WASTE GRANT (726):</u></b>				
01-726-5391 Other	-0-	1,000		1,000
01-726-5611 Construction	-0-	10,000		10,000
01-726-5719 Equipment	-0-	10,000		10,000
<b><u>REVENUE:</u></b>		<b><u>DECREASE:</u></b>	<b><u>INCREASE:</u></b>	
01-384-4726 CAPCO/Solid Waste Grant	-0-		21,000	21,000
<i>Budget new Grant – compactor and concrete pad/wall</i>				
FUND NO. <u>35</u>				
FUND TITLE <u>FAMILY HEALTH SERVICES FUND</u>				
<b><u>PERSONAL HEALTH (412):</u></b>				
35-412-5219 Miscellaneous Supply	-0-	200		200
<b><u>REVENUE:</u></b>		<b><u>DECREASE:</u></b>	<b><u>INCREASE:</u></b>	
35-367-3674 Private Contributions	-0-		200	200
<i>Budget to account for contributions received for toys for Health Clinic lobby</i>				

**20645 APPROVE UTILITY PERMIT #1613**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Utility Permit #01613 on CR129/Cotton Gin Road issued to Time Warner Cable. All present voting "Aye".

**20646 APPROVE THE REFUND OF OVERPAYMENT OF TAXES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve the refund of overpayment of taxes related to 0.47 acres Amasa Turner Survey [Acct#R18426] in the amount of \$1,732.94 (taxes for 1996, 1995 & 2000). All present voting "Aye".

**20647 APPROVE CONTRACT TO PURCHASE CAD SYSTEM SOFTWARE UPGRADE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve contract [software lease agreement with The Software Group Inc.] to purchase CAD System Software Upgrade (\$10,000 from line item #01-456-5421). All present voting "Aye".

**20648 APPROVE THE REAPPOINTMENT OF COMMISSIONER INGALSBE TO THE SAN MARCOS ECONOMIC DEVELOPMENT COUNCIL**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve the re-appointment of Commissioner Debbie Ingalsbe to the San Marcos Economic Development Council. All present voting "Aye".

**20649 AWARD BID FOR "PRESCRIPTION & OVER THE COUNTER DRUGS" FOR THE HAYS COUNTY JAIL TO THORPE LANE PHARMACY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to award the bid for "prescription & over-the-counter drugs" for the Hays County Jail to Thorpe Lane Pharmacy. All present voting "Aye".



**CLERK'S NOTE: Commissioner Carter came to the meeting at this time.**

**20650 RANCH @ PORTER CREEK, SECTION 1 AMENDED PLAT [PCT 2 #02-2-033] \* APPROVE AMENDED FINAL PLAT [T1-61]**

Environmental Health Director Allen Walther advised that an error was made on the line & curve tables and the amended plat reflects the corrections. He gave staff recommendation for approval of amended final plat. This subdivision is located in Pct. 1 and not in Pct. 2. A motion was made by Judge Powers, seconded by Commissioner Burnett to approve final plat of "Ranch @ Porter Creek Section 1 Amended Plat". All voting "Aye".

**20651 RANCH @ PORTER CREEK, SECTION 1 [PCT 2 #02-2-033] \* ACCEPT COMPLETION OF ROAD CONSTRUCTION, RELEASE OF CONSTRUCTION FISCAL SECURITY AND ACCEPTANCE OF ROAD MAINTENANCE FISCAL SECURITY [T1-90]**

Environmental Health Director Allen Walther advised that this subdivision is in Pct. 1 and not Pct. 2. - he gave staff recommendation for acceptance of road construction, release of construction fiscal security (cash bond), and acceptance of road maintenance fiscal security (maintenance bond). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to accept completion of road construction, release construction fiscal security and accept road maintenance fiscal security for "Ranch @ Porter Creek Section 1". All voting "Aye".

**20652 HAYS COUNTRY OAKS BLOCK C LOT 22 REPLAT [PCT 2 #02-2-061] \* PUBLIC HEARING AND APPROVE FINAL PLAT [T1-101]**

Judge Powers declared the public hearing open – no public input was received and the public hearing was closed. Environmental Health Director Allen Walther advised that this is a lot being divided into two parcels – he gave staff recommendation for final approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Hays Country Oaks Block C Lot 22 Replat". All voting "Aye".

**20653 CRESTVIEW RANCH, LOTS 1 & 1A, REPLAT [PCT 4 #02-4-085] \* WAIVE PUBLIC NOTIFICATION AND APPROVE FINAL PLAT [T1-117]**

Environmental Health Director Allen Walther advised that this replat is the adjustment of a common lot line between two adjacent tracts– he recommends waiving of public notification. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to waive public notification and approve final plat of "Crestview Ranch Replat of Lots 1 & 1A". All voting "Aye".

**20654 BARTON CREEK RANCH SECTION 3 REPLAT OF LOTS 78 & 79 [PCT 4 #02-4-081] \* WAIVE PUBLIC NOTIFICATION AND APPROVE FINAL PLAT [T1-130]**

Environmental Health Director Allen Walther advised that this replat is the adjustment of a common lot line between two adjacent tracts. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to waive public notification and approve final plat of "Barton Creek Ranch Section 3 Replat of Lots 78 & 79". All voting "Aye".

**20655 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS (30 MPH) FOR SATTERWHITE ROAD ON NOVEMBER 12, 2002 [T1-145]**

Road Supt/Engineer Jerry Borcharding spoke of need to formally establish a speed limit on Satterwhite Road. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing to be held on November 12, 2002 to consider establishing traffic regulations (30MPH speed limit) on Satterwhite Road. All voting "Aye".

**20656 CALL FOR A PUBLIC HEARING TO CHANGE TRAFFIC REGULATIONS (FROM 40MPH TO 30 MPH) FOR JERRY'S LANE ON NOVEMBER 12, 2002 [T1-162]**

A request was made to change the speed limit on Jerry's Lane from 40MPH to 30MPH. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing on November 12, 2002 to change traffic regulations (from 40MPH to 30 MPH speed limit) for Jerry's Lane. All voting "Aye".

**20657 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT SIGNS) ON INTERIOR ROADS IN SAWYER RANCH SUBDIVISION AND SAWYER RANCH ROAD, ALSO KNOWN AS CR 164, ON NOVEMBER 12, 2002**

[T1-178] A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to call for a public hearing on November 12, 2002 to consider establishing traffic regulations (speed limit signs) on interior roads in Sawyer Ranch Subdivision and Sawyer Ranch Road – AKA CR164. All voting "Aye".



**20658 WERTH RANCH SUBDIVISION [PCT 4 #97-4-005] \* ACCEPT ROAD AND DRAINAGE IMPROVEMENTS [MIRELA ANNE LANE] INTO COUNTY ROAD MAINTENANCE SYSTEM [T1-195]**

Road Supt/Engineer Jerry Borcharding advised that inspections have been completed, punch list issued, and all deficiencies corrected – he gave staff recommendation for acceptance of Mirela Anne Lane (road and drainage improvements) into the county road maintenance system. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to accept “Mirela Anne Lane” in the Werth Ranch Subdivision into the county road maintenance system. All voting “Aye”.

**20659 WAIVE THE DEVELOPMENT PERMITTING FEES FOR THE NORTH HAYS COUNTY OPTIMIST CLUB & FOUNDATION [T1-214]**

The Optimist Club is in the process of expanding and developing a PUBLIC park east of I35. Currently there are baseball fields needing final completion (grass), a large playscape, a basketball court, soccer fields, formed and graded, and a road. Other amenities that will be added are restrooms and picnic areas. The property is fenced and consists of 20 acres with the possibility of acquiring approximately 72 additional acres. The Optimist club received a \$90,000.00 grant from the Burdine-Johnson Foundation, of that \$50,000 - \$60,000 will be spent on the park with the remaining \$30,000 - \$40,000 used as leverage to pursue matching grants. Environmental Health Director Allen Walther advised that it is county policy to waive county fees (approx. \$300) for non-profit organizations - the \$10 State fee is still required. He gave staff recommendation for approval. Mrs. Ruby Dickerson (VP of NHCOC&F) gave her appreciation to the court. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to waive the development permitting fees for the North Hays County Optimist Club & Foundation. All voting “Aye”.

**20660 APPROVE FUNDING FOR THE SAN MARCOS AREA RECOVERY TEAM TO PURCHASE A PORTABLE GENERATOR [T1-254]**

Commissioner Molenaar spoke of previous request from SMART for funding – he recommended approval for funding for a generator in the amount of \$1325 – to be funded out of line item 01-439-5353 and 01-442-5353 (Precinct 1 & 4 Special projects line items). A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve funding to purchase a portable generator for the San Marcos Area Recovery Team in the amount of \$1,325 - \$662.50 from Pct. 1 line item #01-439-5353 and \$662.50 from Pct. 4 line item #01-442-5353. All voting “Aye”.

**20661 APPOINT MELISSA GONZALES, JUDGE BETH SMITH, CELINA BLEY AND KATHY HANSEN TO THE HAYS COUNTY CHILD WELFARE BOARD [T1-284]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to appoint Melissa Gonzales (Director of Roxanne's House) , Judge Beth Smith (J.P. Pct. 2Kyle), Celina Bley (Director of Public Information for SMCISD), and Kathy Hansen (Curriculum Director of SMCISD) to the Hays County Child Welfare Board. All voting “Aye”.

**20662 AUTHORIZE THE COUNTY JUDGE TO EXECUTE WORK AUTHORIZATION NO. 10 WITH TURNER, COLLIE & BRADEN, INC./LOOMIS AUSTIN, INC. FOR THE HAYS COUNTY ROAD BOND PROGRAM (WIMBERLEY BY-PASS) [T1-301]**

Commissioner Burnett spoke of the Wimberley By-Pass project. This contract is heavy on stakeholder meetings and getting public input. This project is more of a planning project than the building of a roadway. – a heavy emphasis on environmental analysis. Three possible alignments will be put forth at the public meetings. Bob Sutton (TC&B) spoke of this being the first phase (project study) – they will looking for an alignment for the project – subsequent phases of preliminary design and final design will follow. A motion was made by Commissioner Burnett, seconded by Judge Powers to authorize the County Judge to execute Work Authorization No. 10 with Turner, Collie & Braden, Inc./Loomis Austin, Inc. for the Hays County Road Bond Program (Wimberley By-Pass) to include Exhibit B. All voting “Aye”.

**COURT WAS ADJOURNED.**

**MINUTES APPROVED IN OPEN COURT ON THE 12<sup>th</sup> DAY OF NOVEMBER, 2002.**

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

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

