



STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 22nd DAY JULY OF A.D., 2003, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

JAMES L. POWERS
DEBBIE GONZALES INGALSBE
H. S. "SUSIE" CARTER
RUSS G. MOLENAAR
LINDA C. FRITSCH

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 4
DEPUTY COUNTY CLERK

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PCT. 3 WILLIAM "BILL" BURNETT; 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.

21156 APPROVE THE COMMISSIONERS' COURT MINUTES OF JULY 8TH AND JULY 15TH, 2003

Commissioner Carter asked for correction to Minutes of July 15, 2003 – ending quotation mark is missing on page 750 line 10. A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve the Commissioners' Court Minutes of July 8, 2003 and July 15, 2003 with correction as noted by Commissioner Carter. All present voting "Aye".

21157 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve payment of county invoices in the amount of \$377,798.82 as presented by the County Auditor. All present voting "Aye".

State Shared Rev	\$ 3,543.13	Public Safety Svcs	\$ 149.25	Judicial Services	\$ 237.21
Fines	\$ 14,345.42	Expenditure Refunds	\$ 225.00	TDHCA Funds	\$ 408.36
Auditor's Office	\$ 511.89	Treasurer's Office	\$ 102.06	Grants Admin	\$ 5.00
Juvenile Probation	\$ 961.91	Indigent Care	\$ 18,068.08	Building Mtc.	\$ 13,989.05
Environ Health	\$ 711.78	Countywide Operating	\$ 27,772.17	Tax A/C	\$ 41.56
District Clerk	\$ 292.22	Sheriff's Office	\$ 12,534.32	Jail Operations	\$ 37,205.22
Co Court @ Law 1	\$ 277.00	District Attorney	\$ 1,119.76	J.P. 1-1	\$ 145.00
J.P. 1-2	\$ 138.00	J.P. 2	\$ 471.48	J.P. 4	\$ 239.30
J.P. 5	\$ 371.64	Constable 1	\$ 107.00	Constable 3	\$ 633.56
Constable 4	\$ 45.62	District Court Oper	\$ 4,798.39	Precinct 2	\$ 42.86
Precinct 3	\$ 779.98	Precinct 4	\$ 415.95	Veterans Admin	\$ 660.00
Computer Services	\$ 4,165.89	DPS/License & Wghts	\$ 120.00	Fire Marshal/EMC	\$ 145.00
Assoc Judge/Family	\$ 18.17	Animal Control	\$ 17,500.00	Spec Counsel Ofc	\$ 6.50
Comm Crt Expenses	\$ 340.50	CJD/VOCA Grant	\$ 275.93	CJD/VAWA Grant	\$ 199.29
CJD/Truancy Ofcr	\$ 251.48	CAPCO/Solid Waste	\$ 73.04	TJPC/Title IV/Juv	\$ 780.00
CJD/Juv Acct Grant	\$ 434.80	TJPC/Juv Just Alt Ed	\$ 37.48	Gen Fund Credit	< \$ 399.41 >
R&B/State Shared Rev	\$ 19,233.58	R&B Operations	\$ 166,418.00	R&B Gen Credit	< \$ 6.77 >
Hays Co Parks Fund	\$ 270.75	Rec Mng/Co Clerk	\$ 523.00	Co Rec Preserv	\$ 12,099.75
Health Svcs Grants	\$ 2,794.94	Law Library Fund	\$ 4,231.50	Juvenile Center	\$ 3,289.40
Sheriff Bail Bond Fund	\$ 35.91	Sheriff Spec Proj	\$ 84.92	Courthouse Sec	\$ 771.89
Sheriffs Drug Forf	\$ 406.17	Family Health Svcs	\$ 952.94		

21158 APPROVE THE MAY 2003 TREASURER'S REPORT

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve the May 2003 Treasurer's Report. All present voting "Aye".

21159 APPROVE BUDGET AMENDMENT NO. 03-34

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve Budget Amendment No. 03-34 as proposed by the County Auditor. All present voting "Aye".



AMENDMENT
NO. 2003-34
FY 2003 BUDGET
07-22-03

FUND NO. 01
FUND TITLE GENERAL FUND

APPROPRIATION <u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION		AMENDMENT
	BEFORE <u>AMENDMENT</u>	INCREASES	DECREASES
			AS <u>AMENDED</u>
<u>DISTRICT CLERK (416):</u>			
01-416-5473 Copier Lease	7,900	1,700	9,600
01-416-5212 Postage	8,100	1,710	9,810
01-416-5489 Telephone	4,000	100	4,100
01-416-5160 Insurance	50,489		(2,600)
01-416-5213 Books	250		(175)
01-416-5215 Records Supply	200		(200)
01-416-5321 Dues and Bonds	1,758		(200)
01-416-5391 Other	235		(235)
01-416-5411 Office Equipment Maintenance	250		(100)
		<u>3,510</u>	<u>(3,510)</u>

Transfer for (2) Copiers Lease, needed postage from personnel and other savings

BUILDING MAINTENANCE (410):

01-410-5451 Contract Building Maint	15,400	2,150	17,550
01-410-5458 Contract Janitorial	34,600	4,293	38,893
01-410-5311 Travel	1,500		(993)
01-410-5231 Medical Kit Supplies	475		(300)
01-410-5457 A/C Maintenance	34,600		(4,500)
01-410-5473 Equipment Rental	800		(400)
01-410-5419 Misc Equipment Maint	1,000		(250)
		<u>6,443</u>	<u>(6,443)</u>

Transfer for Maintenance and Janitorial from various savings

DISTRICT ATTORNEY (423):

01-423-5212 Postage	3,500	1,200	4,700
01-423-5160 Insurance	80,893		(1,200)

Transfer for needed postage from personnel savings

CONSTABLE, PCT.2 (432):

01-432-5271 Fuel	3,300	400	3,700
01-432-5489 Telephone	1,400	650	2,050
01-432-5331 Cont Ed	200		(200)
01-432-5211 Office Supply	500		(150)

COUNTYWIDE (414):

01-414-5399 Contingencies	48,570		(700)
		<u>1,050</u>	<u>(1,050)</u>

Transfer as approved by Commissioners' Court 7-15-03

CONSTABLE, PCT. 5 (435):

01-435-5331 Cont Ed	1,100	110	1,210
01-435-5417 Equipment Maintenance	450		(110)

Transfer for balance of training expense

FUND NO. 03
FUND TITLE ROAD & BRIDGE GENERAL FUND

ROAD & BRIDGE OPERATIONS (438):

03-438-5271 Fuel	176,000	10,000	186,000
03-438-5351 Materials	1,954,144	50,000	2,004,144
03-438-5262 Signs/Barricades	43,000	3,000	46,000
03-438-5448 Contract Road Work	934,598	20,000	954,598
03-438-5212 Postage	470	105	575
03-438-5021 Staff	2,167,635		(73,105)
03-438-5160 Insurance	320,960		(10,000)
		<u>83,105</u>	<u>(83,105)</u>

Transfer for materials, fuel and contract road work from personnel savings

FUND NO. 10
FUND TITLE HEALTH SERVICES GRANTS FUND

TDH/TB GRANT (465):

10-465-5219 Supplies	625		(200)
10-465-5311 Travel	1,400	200	1,600

Transfer for in-county travel between clinics

**21160 APPROVE REFUND OF OVERPAYMENT ON TAXES**

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve refund of overpayment on taxes in the amount of \$530.96 on Lot 2A Blk 2 Blanco Gardens as submitted by the County Tax Assessor-Collector. All present voting "Aye".

21161 ADOPT THE EARLY VOTING SCHEDULE FOR THE SEPTEMBER 13, 2003 CONSTITUTIONAL AMENDMENT ELECTION

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to adopt the Early Voting Schedule for the September 13, 2003 Constitutional Amendment Election. All present voting "Aye".

Location of Main Early Voting Polling Place

County Elections Administrator's Office
401-C Broadway St.
San Marcos, Texas 78666-7751

Dates and Hours for Early Voting

Aug. 28 & 29, 2003 8:00 AM to 5:00 PM
Sep. 2,3,4,5,8 & 9, 2003 8:00 AM to 5:00 PM
Sep. 6, 2003 (Saturday) 10:00 AM to 4:00 PM

Temporary Branches for Early Voting**Location of Temporary Branch Early Voting****Polling Places**

Kyle City Hall
101 South Burleson St., Kyle, Texas 78640

Dripping Springs ISD Office
510 W Mercer St., Dripping Springs, Texas 78620

Wimberley ISD Administration Office
14401 Ranch Rd 12, Wimberley, Texas 78676

Buda City Hall
121 N. Main St., Buda, Texas 78610

Dates and Hours for Early Voting

Sept. 3, 2003 11:00 AM to 7:00 PM
Sept. 8, 2003 11:00 AM to 7:00 PM

Sept. 2, 2003 11:00 AM to 7:00 PM
Sept. 9, 2003 11:00 AM to 7:00 PM

Aug. 28, 2003 11:00 AM to 7:00 PM
Sept. 4, 2003 11:00 AM to 7:00 PM

Aug. 29, 2003 11:00 AM to 7:00 PM
Sept. 5, 2003 11:00 AM to 7:00 PM

Any voter who is entitled to vote an early ballot by personal appearance may do so at the Main Early Voting Site or any Temporary Branch site.

Address for Applications for Early Voting by Mail

Hays County Elections Administrator
P. O. Box 907, San Marcos, Texas 78667-0907
Attention: Early Voting Clerk

21162 AWARD BID #2003-B07 "EQUIPMENT WITH OPERATOR" TO CENTRAL TEXAS ROADS

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to award bid #2003-B07 "Equipment with Operator" to Central Texas Roads. All present voting "Aye".

21163 AWARD BID #2003-B05 "BRUSH CUTTING AND OTHER SERVICES" TO ASPLUNDH TREE EXPERT CO.

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to award Bid #2003-B05 "Brush Cutting and Other Services" to Asplundh Tree Expert Company. All present voting "Aye".

21164 AUTHORIZE COUNTY JUDGE TO ACCEPT GRANT FROM THE TEEEX OFFICE OF DOMESTIC PREPAREDNESS FOR \$331,228

This is a Domestic Preparedness Assessment (DPA) grant for a total of \$331,228 from the Texas A&M University Office of Domestic Preparedness. NO match required from Hays County and Texas A&M Engineering Extension Service will do all procurement. A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to authorize County Judge to accept grant from the TEEEX Office of Domestic Preparedness for \$331,228. All present voting "Aye".

21165 APPROVE OUT OF STATE TRAVEL FOR KRISTY PHILLIPS, R.N, B.S.N (COMMUNICABLE DISEASE NURSE) ICE II CONFERENCE IN BALTIMORE, MARYLAND AND ICE I CONFERENCE IN PHOENIX, ARIZONA

A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve out of State travel for Kristy Phillips, R.N. B.S.N. (Communicable Disease Nurse) ICE II Conference in Baltimore, Maryland and ICE I Conference in Phoenix, Arizona. All present voting "Aye".



21166 [PCT. 3 #03-3-054] **CREEKSIDE @ WIMBERLEY** (1 LOT) * **APPROVE FINAL PLAT** [T1-81]

Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve final plat of "Creekside @ Wimberley". All present voting "Aye".

21167 [PCT. 1 #03-1-057] **CREEK'S LANDING * ACCEPTANCE OF ALL STREETS WITHIN CREEK'S LANDING INTO THE COUNTY ROAD MAINTENANCE** [T1-88]

Streets have been re-inspected for deficiencies, all items on punch-list were corrected and two year maintenance period has been completed. Street names: Creek's Landing Drive and Joe Robinson Drive. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to accept streets in the "Creek's Landing" subdivision into the county road maintenance system. Commissioner Ingalsbe, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

21168 [PCT. 2 #00-2-052] **COVES OF CIMARRON SECTION 2 PHASE 5 * ACCEPTANCE OF ALL STREETS WITHIN COVES OF CIMARRON SECTION 2 PHASE 5 INTO THE COUNTY ROAD MAINTENANCE SYSTEM AND RELEASE OF MAINTENANCE FISCAL SECURITY** [T1-165]

Streets have been re-inspected for deficiencies, all items on punch-list were corrected. The two year maintenance period has been completed. Street names: Prickly Pear Pass, Nopal Lane, and Saguaro Drive. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to accept streets within Coves of Cimarron Section 2 Phase 5 into the County Road Maintenance System and release the maintenance fiscal security. All present voting "Aye".

21169 [PCT. 4 #00-4-026] **CREEK ROAD RANCH SECTION 1 * ACCEPTANCE OF THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION FISCAL SECURITY, AND ACCEPT THE MAINTENANCE FISCAL SECURITY** [T1-184]

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept construction of street and drainage improvements, release construction fiscal security, and accept the maintenance fiscal security for "Creek Road Ranch Section 1". All present voting "Aye".

21170 **PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (STOP SIGNS) ON PRICKLY PEAR PASS** [T1-192]

Judge Powers declared the public hearing open – no public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding advised that this would allow placement of STOP signs at Aster Cove and Redbud Drive along Prickly Pear Pass - with traffic stopping on Prickly Pear Pass at those two locations. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulations – STOP signs at Aster Cove and Redbud Drive along Prickly Pear Pass – with traffic stopping on Prickly Pear Pass. All present voting "Aye".

DISCUSSION OF DOCUMENT RECEIVED FROM THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING REGARDING STATEMENTS MADE ON PLATS

[T1-210] Commissioner Carter spoke of final plat with "preliminary plat" stamped on it – she called the State Board of Professional Land Surveyors Executive Director Sandy Smith who said that preliminary in red only belongs on a preliminary plat. She stated that Jon Thompson (County Subdivision Coordinator) has also talked with Sandy Smith and we are no longer allowing developers to stamp "preliminary" on final plats. A FAX MEMO from Sandy Smith was submitted for the record which referred to Board Rule 663.18(c) as follows: Board Rule 663.18 c) Preliminary documents released from a surveyor's control shall identify the purpose of the document, the surveyor of record and the surveyor's registration number, and the release date. Such preliminary documents shall not be signed or sealed and shall bear the following statement in the signature space: "Preliminary, this document shall not be recorded for any purpose." Preliminary documents released from the surveyor's control which include this text in place of the surveyor's signature need not comply with the other minimum standards promulgated in this chapter.

21171 **APPROVE INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND CITY OF DRIPPING SPRINGS ON SPORTSPLEX DRIVE** [T1-240]

This is the final agreement to be signed on this project – Interlocal Agreements with the Dripping Springs ISD, NW Hays County ESD#5, North Hays County ESD#1, and Dripping Springs Library District were approved on May 13, 2003 (S/703 #21014). The purpose of the agreement is to provide for the upgrading of Sportsplex Drive (a certain roadway used by the public) and the conveyance of that roadway to the City of Dripping Springs. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve interlocal agreement between Hays County and the City of Dripping Springs on Sportsplex Drive. All present voting "Aye".



21172 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PUBLIC UTILITY EASEMENT ON A 0.4096 ACRE TRACT WHERE THE HAYS COUNTY LAW ENFORCEMENT CENTER IS CURRENTLY LOCATED TO THE CITY OF SAN MARCOS TO PROVIDE ENHANCED WASTEWATER CAPACITY TO CERTAIN AREAS [T1-295]

Road Supt/Engineer Jerry Borcharding advised that this easement will not interfere with future plans of the county and he supports the request. The City provided the survey and the proposed easement overlaps the existing easement held by the LCRA – the project will provide better wastewater capacity to areas from Umland Road to points north of the Blanco River and facilitate future development within this area. A discussion was had regarding the county providing easements free of charge to the City of San Marcos and the City charging the County for wastewater fees, etc. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to authorize the County Judge to execute a public utility easement on a 0.4096 acre tract where the Hays County Law Enforcement Center is currently located to the City of San Marcos to provide enhanced wastewater capacity to certain areas. All present voting "Aye".

21173 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF NIEDERWALD RELATING TO 911 ADDRESSING [T1-377]

Services provided by Hays County 911 Addressing – as long as there is appropriate funding available and following the guidelines adopted by the Hays County Commissioners' Court on January 14, 1991, the County, with the assistance and cooperation of the City, shall perform and provide the following services: (A) Assign an address for each addressable structure vacant or not. (B) Approve street names submitted for new subdivisions in the City. (C) Assign addresses to all newly accepted and approved subdivisions in the City. (D) Update and maintain the Master Street Addressing Guide (MSAG) for the local telephone company for all addresses in the City. (E) Provide copies of addressed plats to all emergency services, county appraisal district, and postal service. Services provided by the City of Niederwald – the City with the assistance and cooperation of the County, shall provide the following services: (A) Include Hays County 911 Addressing on all steps of subdivision review. The County must approve all new street names for the City. (B) Provide six copies of all newly accepted and approved subdivision plats in the City. (C) Provide to the County 911 Addressing Office copies of all signed ordinances, with legal descriptions and maps, concerning all new annexations. (D) Inform County 911 Addressing Office of current or future addressing problems and assist in a resolution. (E) Provide all previous addressing information from when the City was performing the addressing duties. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to authorize the County Judge to execute an interlocal agreement with the City of Niederwald relating to 911 Addressing. All present voting "Aye".

21174 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF KYLE RELATING TO 911 ADDRESSING [T1-385]

Services provided by Hays County 911 Addressing – as long as there is appropriate funding available and following the guidelines adopted by the Hays County Commissioners' Court on January 14, 1991, the County, with the assistance and cooperation of the City, shall perform and provide the following services: (A) Assign an address for each addressable structure vacant or not. (B) Approve street names submitted for new subdivisions in the City. (C) Assign addresses to all newly accepted and approved subdivisions in the City. (D) Update and maintain the Master Street Addressing Guide (MSAG) for the local telephone company for all addresses in the City. (E) Provide copies of addressed plats to all emergency services, county appraisal district, and postal service. Services provided by the City of Niederwald – the City with the assistance and cooperation of the County, shall provide the following services: (A) Include Hays County 911 Addressing on all steps of subdivision review. The County must approve all new street names for the City. (B) Provide six copies of all newly accepted and approved subdivision plats in the City. (C) Provide to the County 911 Addressing Office copies of all signed ordinances, with legal descriptions and maps, concerning all new annexations. (D) Inform County 911 Addressing Office of current or future addressing problems and assist in a resolution. (E) Provide all previous addressing information from when the City was performing the addressing duties. A motion was made by Commissioner Carter, seconded by Commissioner Molenaar to authorize the County Judge to execute an interlocal agreement with the City of Kyle relating to 911 Addressing. All present voting "Aye".

Court recessed into closed executive session at 9:30 a.m. and reconvened into open meeting at 10:15 a.m.

21175 EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, REGARDING THE ACQUISITION OF REAL PROPERTY FOR PARK LAND WITH ACTION [T1-401]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize Commissioner Ingalsbe to forward an offer to purchase approximately 43 acres of land located adjacent to Dudley Johnson Park and said offer to include a real estate contract executed by the County Judge. Commissioner Ingalsbe, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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21176 EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, REGARDING THE ACQUISITION OF REAL PROPERTY FOR THE BURIAL OF INDIGENTS WITH ACTION [T1- 414]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize Commissioner Ingalsbe to forward an offer to purchase 3.35 acres of land located off Old Bastrop Highway and said offer to include a real estate contract executed by the County Judge, cost of conveyance including closing documents and title insurance will be paid out of Precinct 1 budget. All present voting "Aye".

COURT WAS ADJOURNED.

MINUTES APPROVED IN OPEN COURT ON THE 29th DAY OF JULY, 2003.

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

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

