



OCTOBER 14, 2003

VOL S PG 815

STATE OF TEXAS ☆

COUNTY OF HAYS ☆

ON THIS THE 14th DAY OF OCTOBER A.D., 2003, 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 GONZALES INGALSBE; 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.

PUBLIC COMMENT

Jim Green (San Marcos) spoke about Envision Central Texas process – he feels like the petition is a self selected survey with no controls and no security and is an unreliable survey. He spoke of areas in north Texas that are opposing regional government.

21359 ADOPT A PROCLAMATION DECLARING OCTOBER 20-26, 2003 AS "RED RIBBON WEEK" IN HAYS COUNTY

Sue Cohen and students from Hernandez Middle School presented members of the court with "Red Ribbon Week" T-shirts and ribbons. She spoke of events to be held during that week. **A motion was made by Judge Powers, seconded by Commissioner Molenaar to adopt a Proclamation declaring October 20-26, 2003 as "Red Ribbon Week" in Hays County. All present voting "Aye".**

21360 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve payment of county invoices in the amount of \$484,642.75 as presented by the County Auditor. All present voting "Aye".

21361 APPROVE BUDGET AMENDMENT 04-01

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve Budget Amendment No. 04-01 as proposed by the County Auditor. All present voting "Aye".

21362 APPROVE SPECIFICATIONS FOR "ANNUAL CONTRACT FOR ELECTRICAL SERVICES" AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve specifications for "Annual Contract for Electrical Services" and authorize Purchasing to solicit for bid and advertise. All present voting "Aye".

21363 APPROVE CONTRACT RENEWAL WITH THE HAYS-CALDWELL COUNCIL ON ALCOHOL AND DRUG ABUSE

This agreement is a cooperative effort to provide substance abuse services and programs for the citizens of Hays and Caldwell Counties. **A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve contract renewal with the Hays-Caldwell Council on Alcohol and Drug Abuse. All present voting "Aye".**



21364 APPROVE GRANT RENEWAL AND AGREEMENT WITH THE REGIONAL AUTO THEFT ENFORCEMENT TASK FORCE AND EXECUTE CONTRACT

This group was created to form a mutual aid law enforcement task force to cooperate in criminal investigations and law enforcement in combating auto theft in Central Texas. The salary and benefits of Officer Richard Rutledge in the Sheriff's Office are paid through this grant. Travis County is the manager for the administration of the grant, which is utilized to support Task Force operations. Travis County allocates funding and equipment in accordance with provisions of the grant. This is the 6th year Hays County will be participating in this grant. **A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve grant renewal and agreement with the Regional Auto Theft Enforcement Task Force and execute contract for \$51,372.00. All present voting "Aye".**

21365 ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF HEALTH LABORATORIES [T1-170]

Health Department Director Gay Helmly spoke of this being a service we have always had, however, they are requiring a formal contract at this time. The services provided are laboratory tests and reporting. **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to enter into an agreement with the Texas Department of Health Laboratories. All present voting "Aye".**

21366 [PCT. 3 #03-3-059] MT. SHARP RANCHES REPLAT OF LOTS 6 & 7 (2 LOTS) * APPROVE FINAL PLAT AND WAIVE PUBLIC NOTIFICATION REQUIREMENTS [T1-199]

Environmental Health Director Allen Walther advised that the revision is to the common lot line – he gave staff recommendation for final plat approval and waiver of public notification. **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve final plat and waive public notification requirements for "Mt. Sharp Ranches Replat of Lots 6 & 7". All present voting "Aye".**

21367 [PCT. 3 #03-3-073] PALOMA BLANCA (4 LOTS) * APPROVE FINAL PLAT

Environmental Health Director Allen Walther gave staff recommendation for final plat approval. **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve final plat of "Paloma Blanca". All present voting "Aye".**

21368 [PCT. 3 #03-3-077] BLANCO VALLEY RANCHES (10 LOTS) * APPROVE PRELIMINARY PLAN AND GRANT VARIANCE TO LARGE TREES IN RIGHT-OF-WAY [T1-218]

Environmental Health Director Allen Walther advised that this is a 10 lot subdivision – variance request is to allow large trees to remain in the right-of-way – it is understood that these are privately maintained roads and would not become county maintained in the future without removal of the trees - the variance request to testing requirement was withdrawn. **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve preliminary plan and grant a variance to trees in the right-of-way in "Blanco Valley Ranches". All present voting "Aye".**

21369 [PCT. 4 #02-4-016] HIDDEN CREEK RANCH PHASE 1 REPLAT OF LOTS 19A AND 20A * (4 LOTS) * APPROVE PRELIMINARY PLAN [T1-241]

Environmental Health Director Allen Walther gave staff recommendation for preliminary plan approval. **A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plan of "Hidden Creek Ranch Phase 1 Replat of Lots 19A and 20A". Commissioner Carter, Commissioner Burnett, Commissioner Molenaar and Judge Powers voting "Aye". Commissioner Carter voting "No".**

CLERK'S NOTE: AGENDA ITEM #11 RE: [PCT. 2 #99A-2-062] PARK 35 SOUTH SECTION 1 * ACCEPT CONSTRUCTION OF ROAD AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION FISCAL SECURITY, WAIVE MAINTENANCE FISCAL SECURITY AND ACCEPT ALL ROADS IN "PARK 35 SOUTH, SECTION 1" INTO THE COUNTY MAINTENANCE SYSTEM WAS PULLED.

CLERK'S NOTE: AGENDA ITEM #12 RE: [PCT. 2 #99A-2-074] PARK 35 SOUTH SECTION 3 * ACCEPT CONSTRUCTION OF ROAD AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION FISCAL SECURITY, WAIVE MAINTENANCE FISCAL SECURITY AND ACCEPT ALL ROADS IN "PARK 35 SOUTH, SECTION 3" INTO THE COUNTY MAINTENANCE SYSTEM WAS PULLED.



CONSIDER ACCEPTANCE OF ROADS IN GOFORTH VILLAGE INTO THE HAYS COUNTY ROAD MAINTENANCE SYSTEM

Commissioner Carter spoke of roads in Goforth Village versus roads in Creekside Landing and other roads the county has accepted for county maintenance. Road Supt/Engineer Jerry Borchering advised that he has collected background information on Goforth Village – there are sections of the road in pretty bad shape – a lot of drainage work needs to be done. Jacqueline Cullom Murphy spoke of research she is doing and she will come back to the court with that information. **A motion was made by Commissioner Carter to accept the roads in “Goforth Village” into the Hays County Road Maintenance System. Motion died for lack of a second.**

21370 [PCT. 4 #03-4-019] **LA VENTANA SECTIONS 4 & 5 * ACCEPT THE CONSTRUCTION OF ROAD AND DRAINAGE IMPROVEMENTS AND RELEASE CONSTRUCTION FISCAL SECURITY** [T1-516]

Road Supt/Engineer Jerry Borchering gave staff recommendation for acceptance and release. The roads are privately maintained and no maintenance security is necessary. **A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to accept the construction of road and drainage improvements and release of construction fiscal security for “La Ventana Sections 4 & 5”. All present voting “Aye”.**

21371 **CALL FOR A PUBLIC HEARING ON OCTOBER 28, 2003 TO ESTABLISH TRAFFIC REGULATIONS (STOP SIGNS) IN VISTAS OF SAWYER RANCH [PCT. 4]** [T1-533]

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to call for a public hearing on October 28, 2003 to consider establishing traffic regulations by placing STOP signs in “Vistas of Sawyer Ranch”. All present voting “Aye”.

21372 **HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) ON CERRO VISTA DRIVE [PCT. 1]** [T1-541]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. **A motion was made by Commissioner Carter, seconded by Commissioner Burnett to establish traffic regulation of 20MPH speed limit on Cerro Vista Drive in Precinct 1. All present voting “Aye”.**

21373 **HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) AT THE ENTRANCE OF SOUTHRIDGE ESTATES ON CREST CIRCLE DR.** [T1-555]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. **A motion was made by Commissioner Carter, seconded by Commissioner Burnett to establish traffic regulation of 20MPH speed limit at the entrance of “Southridge Estates” on Crest Circle Drive in Precinct 1. All present voting “Aye”.**

CLERK’S NOTE: AGENDA ITEM # 18 RE: SET POLICY ON RESALE OF PROPERTY HELD IN TRUST WAS PULLED. NO DISCUSSION AND NO ACTION TAKEN.

21374 **APPROVE AN INTERLOCAL AGREEMENT TO PROVIDE ADDRESSING SERVICES TO THE CITY OF DRIPPING SPRINGS** [T1-569]

Environmental Health Director Allen Walther spoke of this being a standard agreement. The county will provide 911 addressing services which consist of assigning an address for each addressable structure, vacant or not; approve street names submitted in new subdivisions in the City; assign addresses to all newly accepted and approved subdivisions in the City; update and maintain the Master Street Addressing Guide for the local telephone company for all addresses in the City; and provided copies of addressed plats to all emergency services, county appraisal district, and postal service. **A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve an interlocal agreement to provide addressing services to the City of Dripping Springs. All present voting “Aye”.**



21375 ENACT AN ORDER DECLARING AN EMERGENCY PURSUANT TO SECTION 111.010, TEXAS LOCAL GOVERNMENT CODE, TO AUTHORIZE 2003-2004 FISCAL YEAR FUNDING OF THE HAYS COUNTY SOIL AND WATER CONSERVATION DISTRICT [T1-596]

Dr. Frank Zimmerman spoke of importance of monitoring the dams. Cresencio (Cris) Perez, District Conservationist for HCSWCD, spoke of service they provide - the district gets State funding which is matched by County funding. Proposed budget amendment No. 04-02 transfers \$4,400 from contingencies line item #01-414-5399 to SWCD#351 line item #01-407-5853. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to enact an Order declaring an emergency pursuant to Section 111.010 Texas Local Government Code to authorize 2003-2004 Fiscal Year funding of the Hays County Soil and Water Conservation District. Commissioner Carter, Commissioner Burnett, and Commissioner Molenaar voting "Aye". Judge Powers voting "No".**

Court convened into closed executive session at 10:00 a.m. and reconvened into open meeting at 10:15 a.m.

21376 EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO MEET WITH LEGAL COUNSEL REGARDING HAYS COUNTY V. JOSEPH ALEXANDER, CAUSE NO. 6944-C, HAYS COUNTY COURT-AT-LAW WITH ACTION TO ACCEPT SETTLEMENT OFFER [T1-700]

A motion was made by Commissioner Molenaar, seconded by Judge Powers to accept settlement offer in Cause No. 6944-C styled Hays County vs. Joseph Alexander in Hays County Court at Law and authorize legal counsel Ellie Dietz to finalize settlement details with assistance of special counsel and Commissioner Molenaar. All present voting "Aye".

Court was adjourned.

I, LEE CARLISLE, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on OCTOBER 14, 2003.



**LEE CARLISLE, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS**