



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 2<sup>ND</sup> DAY OF DECEMBER A.D., 2003, 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>DEPUTY COUNTY CLERK</b>

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Judge Powers called the meeting to order and gave the invocation. Commissioner Carter led the Court in the Pledge of Allegiance to the Flags.

**21459 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$267,676.02 as presented by the County Auditor with addition of a check to Charles Nagel for contract work at the Civic Center. All voting "Aye".

**21460 APPROVE BUDGET AMENDMENT 04-06**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve Budget Amendment No. 04-06 as proposed by County Auditor. All voting "Aye".

**Clerk's Note:** Agenda Item #3 RE: APPROVE UTILITY PERMITS – No utility permits were submitted by the Road Department.

**21461 APPROVE AWARD FOR "POLICE MOTORCYCLE" BID #2004-B4 TO BARNETT HARLEY DAVIDSON FOR A BID PRICE OF \$15,870**

Purchasing received only one bid after sending out 7 bid packets. Funds were approved in the current budget. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve award for "Police Motorcycle" bid #2004-B4 to Barnett Harley Davidson for a bid price of \$15,870.00. All voting "Aye".

**21462** [PCT. 2 #03-2-002] **CASTRO'S SUBDIVISION** (2 LOTS) \* **APPROVE FINAL PLAN** [T1-35]

Environmental Health Director Allen Walther gave staff recommendation for approval of final plan – this subdivision has been approved by the City of Kyle. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plan of "Castro's Subdivision". All voting "Aye".

**21463** [PCT. 2 #03-2-051] **HAYS-967** (228 LOTS) \* **PRELIMINARY PLAN APPROVAL** [T1-44]

Charles O'Dell spoke of county policy regarding application information – they say they are going to get LCRA water, however, he feels like this cannot happen. He asked the court to make them prove that LCRA water is available before preliminary plan approval. Commissioner Molenaar spoke of giving developer time to get a source of water before the final plat – they will have to have it all together before final plat approval. Environmental Health Director Allen Walther advised that the risk is borne by the developer – if they are not able to get surface water, the developer will have to revise the plat. Commissioner Carter advised that she contacted LCRA and they say they have no LUE's available. Project Engineer Bryan Jordan (Jones & Carter) spoke of preparing the preliminary plan to match county regulations for surface water – they also went by City of Dripping Springs regulations – they intend to provide this subdivision with surface water – if they don't get surface water they will submit a revised preliminary plan that complies with county regulations. A motion was made by Judge Powers, seconded by Commissioner Molenaar to approve preliminary plan of "Hays-967" subdivision. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar and Judge Powers voting "Aye". Commissioner Carter abstained.



**21464 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS ON ASTER COVE AND PRICKLY PEAR PASS AND ALSO ON REDBUD DRIVE AND PRICKLY PEAR PASS (STOP SIGNS)** [T1-275]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding recommended a STOP sign on Aster Cove & Redbud Drive at Prickly Pear Pass intersection. **A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulation of STOP sign on Aster Cove and Redbud Drive at their intersection with Prickly Pear Pass. All voting "Aye".**

**21465 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS ON GREAT OAKS DRIVE AND PAMPASS PASS (SPEED LIMITS)** [T1-296]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Commissioner Burnett recommended a speed limit of 25MPH. **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to establish traffic regulation of 25MPH speed limit on Great Oaks Drive and Pampass Pass. All voting "Aye".**

**21466 CALL FOR A PUBLIC HEARING ON DECEMBER 16, 2003 TO ESTABLISH TRAFFIC REGULATIONS (STOP SIGN) ON LIME KILN ROAD AT THOUSAND OAKS DRIVE** [T1-313]

**A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to call for a public hearing on December 16, 2003 to establish traffic regulations (STOP signs) on Lime Kiln Road at Thousand Oaks Drive. All voting "Aye".**

**21467 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE OFFICE OF THE GOVERNOR – CRIMINAL JUSTICE DIVISION FOR \$91,878 AND TO EXECUTE CONTRACT** [T1-319]

Grants Administrator Richard Salmon explained that federal law mandates the Victims Assistance Program. Hays County has been using grant funds, county cash match and volunteers to operate each year. Grant funds are provided through CAPCO by way of the Office of the Governor – Criminal Justice Division. Hays County has received grant funds to operate our program for 9 years. Due to the anticipated reduction in state funds, this grant request will be 10% less than the FY2003-2004. In the future Hays County will have to fund all of the VOCA Program. This proposal covers the grant period 7/1/04 to 6/30/05 – the cash match will be \$62,591 and the amount of the grant is \$91,878. The grant request is solely for salaries and benefits. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant request to the Office of the Governor – Criminal Justice Division for \$91,878 and to execute contract. All voting "Aye".**

**21468 ACCEPT THE HAYS COUNTY ELECTION COMMISSION'S RECOMMENDATION OF THE HART INTERCIVIC E-SLATE VOTING MACHINES AS THE COUNTY'S PREFERRED VOTING SYSTEM AND FURTHER ACTION TO AUTHORIZE PURCHASING AND THE ELECTIONS ADMINISTRATOR TO PURSUE NEGOTIATION OF A LEASE-PURCHASE AGREEMENT WITH HART INTERCIVIC THROUGH THE STATE OF TEXAS' PREFERRED VENDOR PROGRAM AND TO MAKE A RECOMMENDATION TO THE COMMISSIONERS' COURT ON OR BEFORE APRIL 20, 2004** [T1-357]

Brad Bailey, Executive Assistant, spoke of meeting of the Election Commission and their recommendation for voting equipment. Does not exclude any other vendors - it allows negotiation with Hart Intercivic. Elections Administrator Joyce Cowan spoke of negotiating the best deal before making a commitment. She spoke of grants that are available to help fund the equipment and training. Commissioner Molenaar asked for a demonstration of the equipment in Commissioners Court before a final vote is taken. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept the Hays County Election Commission's recommendation of the Hart Intercivic E-Slate Voting Machines as the county's preferred voting system, authorize Purchasing and the Elections Administrator to pursue negotiation of a lease-purchase agreement with Hart Intercivic through the State of Texas' Preferred Vendor Program, make a recommendation to the Commissioners' Court on or before April 20, 2004, and furthermore require that a demonstration before the court be provided prior to final vote. All voting "Aye".**



**21469 SALE OF PROPERTIES HELD IN TRUST WHICH HAVE ALREADY BEEN APPROVED BY THE CITY OF SAN MARCOS AND SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT [T1-628]**

Tax Assessor-Collector Luanne Caraway presented a list of properties held in trust. She advised that they have already been approved by both the City of San Marcos and the SMCISD School Board and she recommends acceptance of bids as presented:

D.S. Combs Addition Lot 2 Blk 5	Bid of \$ 6,000	24%	recovery
Dan McKie's 1 <sup>st</sup> Add E1/2 Lot 14 Blk 4	Bid of \$ 5,000	93%	recovery
Dan McKie's 1 <sup>st</sup> Add NE ½ Lot 13 Blk 4	Bid of \$ 5,000	93%	recovery
Dan McKie 1 <sup>st</sup> Add Lot 11 Blk 2	Bid of \$ 1,100	0%	recovery
D.S. Combs Addition Lot 5 Blk 9	Bid of \$ 1,000	2%	recovery
Katy Addition Pt. Lts 7 & 8 Blk 2	Bid of \$ 5,151	19%	recovery
Dan McKie's Add #1 Lot 5 Blk 4	Bid of \$ 516	0%	recovery
South End Addition Lot 8	Bid of \$ 516	0%	recovery
J.M. Veramendi Survey #1 = 1.18 ac	Bid of \$ 5,000	17%	recovery
South End Addition Lot 79	Bid of \$ 900	2%	recovery
D. S. Combs Addition Pt Lot 6 Blk 5	Bid of \$ 500	0%	recovery
South End Addition Lots 56 & 57	Bid of \$ 6,000	65%	recovery
South End Addition Lot 12	Bid of \$ 3,500	48%	recovery
A. F. Weatherford Pt. Lot 10	Bid of \$ 1,050	0%	recovery

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to accept bids offered for properties held in trust as presented by the Tax Assessor-Collector. All voting "Aye".

**21470 AUTHORIZE \$3,000.00 EXPENDITURE FROM CONTINGENCIES FOR AUGMENTATION OF HAYS COUNTY HEALTH DEPARTMENT LINE ITEM #35412-5231 FOR THE PROCUREMENT OF INFLUENZA VACCINES**

Health Department Director Gay Helmly advised that 400 additional vaccines will be purchased – they are seeing unprecedented numbers of flu this year. Fee being charged is \$15 & \$10. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize \$3,000.00 expenditure from contingencies for augmentation of Hays County Health Department line item #354-12-5231 for the procurement of influenza vaccines. All voting "Aye".

**21471 CANCEL COMMISSIONERS' COURT ON DECEMBER 30, 2003 [T1-728]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to cancel Commissioners' Court on December 30, 2003. All voting "Aye".

**EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE 551.071 AND 551.074 TO MEET WITH LEGAL COUNSEL TO DISCUSS ROAD DEPARTMENT ISSUES INCLUDING THE DUTIES OF THE HAYS COUNTY ROAD SUPERINTENDENT**

Court convened into executive session at 10:00 a.m. and reconvened into open meeting at 11:55 a.m. No discussion and No action taken on this agenda item.

**EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE 551.071 TO MEET WITH LEGAL COUNSEL TO DISCUSS NORTH HAYS COUNTY EMERGENCY MEDICAL SERVICES SYSTEM, INC. V. NORTH HAYS COUNTY EMERGENCY SERVICES DISTRICT #1. ACTION MAY FOLLOW IN OPEN COURT**

Court convened into executive session at 10:00 a.m. and reconvened into open meeting at 11:55 a.m. No discussion and No action taken on this agenda item.

**Court was Adjourned.**

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**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 December 2, 2003.**



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

