



MARCH 16, 2004

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STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 16TH DAY OF MARCH A.D., 2004, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBER S WERE PRESENT, TO-WIT:

JAMES L. POWERS	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
H. S. "SUSIE" CARTER	COMMISSIONER, PCT. 2
WILLIAM "BILL" BURNETT	COMMISSIONER, PCT. 3
RUSS G. MOLENAAR	COMMISSIONER, PCT. 4
LEE CARLISLE	COUNTY CLERK

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.

Clerk's Note: Commissioner Burnett was not present at the beginning of the meeting.

21665 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$911,269.84 as presented by the County Auditor. All present voting "Aye".

21666 APPROVE UTILITY PERMIT #01701

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Utility Permit #01701 on CR101/Fitzhugh Road issued to Pedernales Electric Coop. All present voting "Aye".

21667 APPROVE INSTALLATION OF IMPROVEMENTS AT RANDALL WADE VETTER PARK

Myers Construction Inc. proposes to install 2 additional picnic slabs and 2 handicap bathroom slabs for \$4,730.00. Work will also include repair of 3 other existing areas at no extra charge to the county. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve installation of improvements at Randall Wade Vetter Park as proposed. All present voting "Aye".

21668 ACCEPT DONATION OF \$150.00 BY THE DISTRICT CLERK TO OFFSET THE COST OF A NEW REFRIGERATOR FOR THE DISTRICT CLERK'S OFFICE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to accept donation of \$150.0 by the District Clerk to offset the cost of a new refrigerator for the District Clerk's Office. All present voting "Aye".

21669 ACCEPT INTERNAL EXAMINATION REPORT FOR JP 1-1

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to accept internal examination report for the Justice of the Peace Pct. 1 Place 1 office. All present voting "Aye".

Clerk's Note: Commissioner Burnett came to the meeting at this time.

21670 FOSTER PLACE SECTION 2 [PCT. 2 #03-2-081 - 1 LOT] * APPROVE FINAL PLAT [T1-26]

D. E. & Nova Crumley own 161.170 acres and propose to subdivide 2.003 acres to be known as "Foster Place Section 2" which creates Lot 1 Block A with access on Mathias Road. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Foster Place Section 2". All voting "Aye".

21671 FOSTER PLACE SECTION 3 [PCT. 2 #03-2-082 - 3 LOTS] * APPROVE FINAL PLAT [T1-36]

D. E. & Nova Crumley own 161.170 acres and proposed to subdivide 3.352 acres to be known as "Foster Place Section 3" which creates 3 lots with access on Mathias Road. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Molenaar to approve final plat of "Foster Place Section 3". All voting "Aye".



Clerk's Note: Agenda Item #8 RE: HOWARD RANCH [PCT. 4#03-4-065 - 130 LOTS] * APPROVE PRELIMINARY PLAN was **PULLED**. No discussion and no action taken.

21672 KIRBY SPRINGS PHASE 3 LOT 2 & KIRBY SPRINGS PHASE 4 LOT 14 REPLAT
[PCT. 4 #03-4-064 - 2 LOTS] * **APPROVE FINAL PLAT AND WAIVE PRELIMINARY PLAN AND PUBLIC NOTICE REQUIREMENTS** [T1-43]

Keith & Debra Watkins (owners of Lot 14) and Bruce & Barbara Bolbock (owners of Lot 2) propose to relocate the common lot line boundary between their properties. Environmental Health Director Allen Walther gave staff recommendation for final plat approval and waiver of preliminary plan and public notice requirements. **A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat, waive preliminary plan and public notice requirements for "Kirby Springs Phase 3 Lot 2 & Kirby Springs Phase 4 Lot 14 Replat". All voting "Aye".**

21673 MEADOW CREEK RANCH PHASE 1 REPLAT OF LOT 44 [PCT. 4 #04-4-015 - 2 LOTS] * **APPROVE PRELIMINARY PLAN** [T1-55]

Ava Maria Serges owner of 2.50 acres (being a portion of Lot 44) and Joseph & Mari Lynn Dole owners of 3.28 acres (being a portion of Lot 44) propose to resubdivide Lot 44 into 2 lots – Lot 44A = 3.28 acres and Lot 44B = 2.50 acres. 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 "Meadow Creek Ranch Phase 1 Replat of Lot 44". All voting "Aye".**

21674 THE PRESERVE PHASE 1 REPLAT OF LOT 1B [PCT. 4 #04-4-013 - 8 LOTS] * **APPROVE PRELIMINARY PLAN** [T1-63]

Cantebury Development proposes to replat Lot 1B (28.92 acres) into 8 lots – Lot 1 (8.62 acres) to be for commercial use – 7 residential lots with access on new roadway "Cinder Cove" – public access on Wind Run and US290 West. Environmental Health Director Allen Walther gave staff recommendation for preliminary plan approval. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve preliminary plan of "The Preserve Phase 1 Replat of Lot 1B". All voting "Aye".**

21675 COTTONWOOD HOLLOW SECTION 2 [PCT. 1 #01-2-052] * **RELEASE CONSTRUCTION FISCAL SECURITY AND ACCEPT MAINTENANCE FISCAL SECURITY FOR A PERIOD OF TWO YEARS FOR ROAD AND DRAINAGE IMPROVEMENTS** [T1-88]

Road Supt/Engineer Jerry Borcharding gave staff recommendation for release of construction fiscal security and acceptance of maintenance fiscal security. This subdivision was originally in Precinct 2 prior to redistricting and is now in Precinct 1. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to release construction fiscal security and accept maintenance fiscal security for a period of two years for the road and drainage improvements in "Cottonwood Hollow Section 2". All voting "Aye".**

21676 BENT TREE ESTATES SECTIONS 1-5 * RELEASE MAINTENANCE FISCAL SECURITY FOR ROADS AND DRAINAGE IMPROVEMENTS AND ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM [T1-138]

Road Supt/Engineer Jerry Borcharding gave staff recommendation for release of maintenance fiscal security and acceptance of roads into the county road maintenance system. Roads being accepted are: Shady Oaks, Berry Court, Bent Tree Court, Porter Creek Court, and Greenhill Court. Commissioner Carter requested that Road Dept. make sure that all street signs have been installed by the developer. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to release maintenance fiscal security for roads and drainage improvements and accept the roads into the county road maintenance system in "Bent Tree Estates Sections 1 – 5". All voting "Aye".**

Clerk's Note: Agenda Item #14 RE: BLUE SKY RANCH [PCT. 4 # 01-4-031] * RELEASE MAINTENANCE FISCAL SECURITY AND ACCEPT ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM was **PULLED**. No discussion and no action taken.

21677 CALL FOR A PUBLIC HEARING ON MARCH 30, 2004 TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS (SPEED LIMIT OF 25 MPH) FOR HUNTINGTON ESTATES [T1-191]

A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing on March 30, 2004 to consider establishing traffic regulations (Speed Limit of 25MPH) for Huntington Estates. All voting "Aye".

**21678 RELEASE MAINTENANCE BOND FOR SPRING ROAD [T1-207]**

Road Supt/Engineer Jerry Borcharding advised that Spring Road is a private road – he gave staff recommendation for release of maintenance bond for Spring Road (The Springs Subdivision). Commissioner Molenaar spoke of need to release the bond – this road is not being accepted for county maintenance. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to release maintenance bond for Spring Road (The Springs Subdivision). All voting “Aye”.**

21679 ADOPT A RESOLUTION SUPPORTING BUDA’S REQUEST TO RE-DESIGNATE SOUTH LOOP 4 IN BUDA, TEXAS AS A CONTINUATION OF FM 967 [T1-224]

Warren Ketterman, Buda Economic Development Council, spoke of economic development in this area – the City has requested taking over this roadway so that they would have input regarding maintenance. The plan is as follows: at the intersection of Main Street and FM967, South Loop 4 would become a continuation of FM967 to allow continuity of the state highway system and North Loop 4 would become Main Street. **A motion was made by Judge Powers, seconded by Commissioner Carter to adopt a resolution supporting Buda’s request to re-designate South Loop 4 in Buda, Texas as a continuation of FM967. All voting “Aye”.**

21680 AUTHORIZE PAYMENT OF \$1,400.00 TO THE WIMBERLEY INSTITUTE OF CULTURES FROM PCT. 3 SPECIAL PROJECTS LINE ITEM [T1-343]

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to authorize payment of \$1,400.00 to the Wimberley Institute of Cultures from Precinct 3 Special Projects line item. All voting “Aye”.

21681 APPOINT LEAH L. ARNETT TO THE WIMBERLEY-HAYS COUNTY ESD #3 BOARD TO REPLACE OUTGOING BOARD MEMBER BUDDY GODDARD [T1-380]

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to appoint Leah L. Arnett to the Wimberley-Hays County Emergency Services District #3 Board to replace outgoing board member Buddy Goddard. All voting “Aye”.

21682 APPOINT A FACILITIES COMMITTEE TO EVALUATE SPACE/FACILITY NEEDS FOR THE JUSTICE CENTER, ADULT PROBATION, AND THE ELECTIONS OFFICE [T1-394]

Commissioner Ingalsbe spoke of this being an extension of the original building committee – this committee will not be reviewing Precincts 2 & 4 – Commissioners Carter and Molenaar will be reviewing space in their precincts. She recommended appointment of Lynda Turley (Adult Probation Dept.), Joyce Cowan (Elections Administrator), Bill Herzog (County Auditor), Cecelia Adare (District Clerk), Jeff Magill (Computer Svcs/Information Tech), and Commissioner Ingalsbe – Environmental Health Director Allen Walther will be consulted as needed. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to appoint Lynda Turley, Joyce Cowan, Bill Herzog, Cecelia Adare, Jeff Magill and Commissioner Ingalsbe to a facilities committee to evaluate space/facility needs for the Justice Center, Adult Probation, Pct. 4, Pct. 2 and the Elections Office. All 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 MARCH 16, 2004.



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

