



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 27th DAY OF APRIL A.D., 2004, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS 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
LINDA C. FRITSCHÉ	DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

PUBLIC COMMENTS

[T1-18] Charles Brown spoke of water/drainage issues in Huntington Estates. The sheet flow from Leisurewoods Subdivision lands in their yard. Commissioner Carter requested that they put their concerns in writing.

21756 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 \$293,879.73 as presented by the County Auditor. All voting "Aye".

21757 APPROVE BUDGET AMENDMENT # 04-18

The following budget amendments were proposed: Extension Office = \$1,400 line item transfers for balance of approved laptop and copier upgrade. Building Maintenance = \$3,850 increase for Records Building A/C and mower replacement from vehicle savings in Environmental Health and Constable 4 budgets. Grants = \$2,040 increase for telephone & contract services through line item transfer and revenue. Information Technology = \$730 for server stand/workstation from software savings. Records Preservation = \$11,350 for scanner, computer/software for Environmental Health/9-1-1 Addressing. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Budget Amendment No. 04-18 as proposed by the County Auditor. All voting "Aye".**

21758 APPROVE UTILITY PERMIT #01705

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Utility Permit #01705 on CR266/Old Bastrop Highway issued to Bluebonnet Electric Coop. Inc. All voting "Aye".

21759 APPROVE REFUND OF OVERPAYMENTS ON TAXES

The following applications for tax refund were submitted for approval: Lot 15 Lost Prairie Subd = \$664.06 overpayment and Lot 9B Oak Meadows = \$1,593.50 overpayment. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve refund of overpayments on taxes as submitted. All voting "Aye".**

21760 APPROVE RENEWAL OF COUNTY-WIDE DUMPSTER CONTRACTS FOR ONE ADDITIONAL YEAR AS PROVIDED IN ORIGINAL CONTRACTS WITH BFI & IESI

Our contract is currently with BFI for all 4 yd dumpsters & 40 yd dumpster at the Pct. 2 barn and IESI for all 8 yd dumpsters, 20 yd dumpster at Pct. 4 barn and 30 yd dumpsters on an as-needed basis. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve renewal of county-wide dumpster contracts for one (1) additional year as provided in original contracts with BFI and IESI. All voting "Aye".**

21761 APPROVE REAPPOINTMENTS OF DOYLE KRUMREY, BRUCE HARPER AND RENE GONZALES TO THE SOUTH HAYS COUNTY ESD#3

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve reappointment of Doyle Krumrey, Bruce Harper and Rene Gonzales to the South Hays County ESD#3. All voting "Aye".



21762 APPROVE RENEWAL OF THE FLEET CARDS/FUEL MANAGEMENT CONTRACT FOR ONE (1) ADDITIONAL YEAR AS PROVIDED IN THE ORIGINAL CONTRACT WITH FUELMAN

Judge Powers advised that he uses the services of Fuelman in his private business, therefore he will abstain from voting. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve renewal of the fleet cards/fuel management contract for one additional year as provided in the original contract. voting "Aye". Judge Powers abstained.

RENEWAL OF THE CONTRACT FOR MOWING OF GROUNDS AT DUDLEY JOHNSON/KYLE LOG CABIN FOR ONE (1) ADDITIONAL YEAR AS PROVIDED IN THE ORIGINAL CONTRACT WITH MAINTENANCE MANAGEMENT

Commissioner Carter felt like the county could mow the grounds cheaper than bids received and that Parks Director Jerry Pinnix had offered to provide this service. Road Supt/Engineer Jerry Borcharding advised that a Road Dept. mower could be used by Jerry Pinnix. No action taken this date.

21763 WILDFLOWER SUBDIVISION [PCT. 3 #04-3-019] * APPROVE PRELIMINARY PLAN

[T1-165] Property owner Claudia Kotin proposes to develop 8 lots on CR272/Quail Run Drive. Environmental Health Director Allen Walther gave staff recommendation for preliminary plan approval. Commissioner Carter spoke of water availability concerns – she would like to know the percentages of surface and ground water being provided. Allen Walther spoke of benefits from connecting to a surface water source and he stated that our rules don't define a percentage of surface water and ground water. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve preliminary plan of "Wildflower Subdivision". All voting "Aye".

21764 RIATA [PCT. 3 #04-3-026] * APPROVE PRELIMINARY PLAN [T1-253]

Property owners Lee Klunkert Cox and Joe Cox propose to create a one lot subdivision (8.69 acres) on Ranch Road 32. Environmental Health Director Allen Walther gave staff recommendation for preliminary plan approval. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve preliminary plan of "Riata" subdivision. All voting "Aye".

21765 RIVER MOUNTAIN RANCH SECTION 4 REVISED PLAT OF LOTS 401 & 402 [PCT. 4 #04-4-007] * APPROVE FINAL PLAT AND WAIVE PRELIMINARY PLAN AND PUBLIC NOTIFICATION REQUIREMENTS [T1-262]

Property owners Terri D. & Lisa H. Galassini propose to reconfigure Lots 401 & 402. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat and waive preliminary plan and public notification requirements for "River Mountain Ranch Section 4 Revised Plat of Lots 401 & 402". All voting "Aye".

21766 RIVER MOUNTAIN RANCH SECTION 7 [PCT. 4 #04-4-018] * APPROVE FINAL PLAT

[T1-273] Kendree Custom Homes proposes to create a 5 lot subdivision located off Winding Trail utilizing a 30' shared access driveway. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "River Mountain Ranch Section 7". voting "Aye". #2 voting "No".

21767 HIGHLANDS SECTION A RESUBDIVISION OF LOT 16 [PCT. 4 #04-4-030 - 4 LOTS] * APPROVE PRELIMINARY PLAN [T1-317]

Property owner Brian Anderson proposes to divide his 15.1279 acres into 4 lots located off Alpine Trail with Lots 16B & 16C using a shared access driveway. 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 for "Highlands Section A Resubdivision of Lot 16". All voting "Aye".

21768 RIVER OAKS RANCH UNIT ONE [PCT. 3 #04-3-031] * CALL FOR PUBLIC HEARING TO CONSIDER THE ABANDONMENT, VACATION, AND CONVEYANCE OF FEE SIMPLE R-O-W FOR "RAMBLING OAKS DRIVE" WESTWARD OF "RIDGE OAK DRIVE"

[T1-327] Subdivision Coordinator Jon Thompson advised that this road was never built – Bruce Dehart wants to purchase the abandoned right-of-way. At the May 25, 2004 public hearing they will present an appraisal of the property. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to call for public hearing on May 25, 2004 to consider the abandonment, vacation, and conveyance of fee simple R-O-W for "Rambling Oaks Drive" westward of "Ridge Oak Drive". All voting "Aye".



21769 APPROVE APPOINTMENT OF MRS. CAROL KAY CONWAY GREAVES TO THE NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT REPLACING ROBERT GUINN WHO IS STEPPING DOWN. THIS ACTION WILL NEGATE ACTION TAKEN ON APRIL 13, 2004 [T1-391]

Commissioner Carter advised that this is a correction to previous action – Mrs. Greaves should have been appointed to the Northeast Hays County Rural Fire Prevention District rather than the Hays County Rural Fire Prevention District. **A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to appoint Carol Kay Conway Greaves to the Northeast Hays County Rural Fire Prevention District replacing Robert Guinn. All voting “Aye”.**

21770 ACTION REGARDING THE NAME CHANGE OF “TOMS HILL,” A PRIVATE ROAD IN BURNETT RANCH SECTION 5 TO “FLYING P ROAD” [T1-408]

Environmental Health Director Allen Walther advised that the individual that owns all the property on this roadway is requesting a road name change. **A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve road name change from “Tom’s Hill” to “Flying P Road”. All voting “Aye”.**

WORKSHOP WITH DAN WEGMILLER OF FIRST SOUTHWEST COMPANY TO OUTLINE PROJECT COSTS ASSOCIATED WITH THE CABELA’S, INC. DEVELOPMENT PROJEC - DISCUSSION WILL INCLUDE, BUT IS NOT LIMITED TO, PROJECT BENEFITS TO PARTICIPATING JURISDICTIONS AS WELL AS HAYS COUNTY’S LEVEL OF PARTICIPATION [T1-435]

John Trube, Mayor of Buda, gave history of Cabela’s: a family owned business founded in 1961 and currently operating 10 stores in the United States. They are known as the “World’s Foremost Outfitter” for outdoor gear, employ as many as 250-500 full and part-time employees per store, and will serve as a economic stimulator to the Buda area (restaurants, hotels, etc.). The 175,000 square foot facility includes an aquarium, conservation mountain, mule deer museum, and African diorama. Dan Wegmiller (First Southwest Company) briefly described the various financing agreements: 380 Agreement permits a City to revenue share, with a development prospect, sales tax derived directly from that project for the purpose previously stated, 381 Agreement permits a County to revenue share, with a development prospect, sales tax derived directly from that project for the purpose previously stated, Tax Increment Reinvestment Zone (TIRZ) is a geographic area designated by a City to promote development or redevelopment of property within the jurisdiction of a City under the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, Vernon’s Texas Codes Annotated. City and County property taxes levied upon the new taxable assessed value, within the boundaries of the Zone, are reinvested in public improvements in the Zone for up to 20 years. Current County revenues on the 126 acre parcel = \$515 (ad valorem taxes only) and project annual revenues (25 yr average) = \$1,003,562 (includes ad valorem property taxes, sales taxes, personal property taxes, and inventory taxes). He spoke of economic benefit realized by the county over 25 years.

	COUNTY	PUBLIC PARTICIPATION
SALES TAX %	67%	33%
PROPERTY TAX % (YEAR 1-20)	0%	100%
PROPERTY TAX % (AFTER YEAR 20)	100%	0%
TOTAL BENEFIT	\$ 25,089,040	\$ 37,507,896
AVERAGE ANNUAL BENEFIT	\$ 1,003,562	\$ 1,500,316
ESTIMATED YEAR 1 BENEFIT	\$ 305,658	\$ 997,223
ESTIMATED YEAR 2 BENEFIT	\$ 561,662	\$ 1,636,150

Commissioner Carter asked Mr. Logan to voice his concerns about this project. [T1-970] Mr. Logan (owns a large RV park in the area) spoke of concern about access to his property and he is concerned about the loss of property taxes and sales taxes. Commissioner Burnett spoke of benefits that will be received from IH35 improvements. Buda Mayor John Trube and City Councilman Jeff Coffee spoke of revenue projections and how money will be used for infrastructure improvements. Improvements will be made to Loop 4 to accommodate increased traffic (2 lanes and a turn lane). The museum will be owned by the City and will be used for educational purposes and will be managed by Cabella’s.

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 APRIL 27, 2004.



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

