



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 3RD DAY OF AUGUST A.D., 2004, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

JAMES L. POWERS	COUNTY JUDGE
DEBBIE GONZALEZ 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 Carter led the Court in the Pledge of Allegiance to the Flags.

David Jones spoke of "High Ridge" subdivision – the information provided by developer is false and misleading - Lot 20 & 21 has a Lot 33 in between them. He spoke of Burnett Ranch Section 5 Lot 121 is being partially resubdivided improperly – he spoke of errors made by the developer is describing the property being developed. He spoke of safety issues regarding the road and fact that not all property owners in Burnett Ranch Section 5 were notified as required.

[T1-96] Charles O'Dell, Director of HaysCAN, spoke of Texas Attorney General's office rendering an opinion regarding the Heatherwood matter – LGC 232 Chapter A authorizes the county to determine that a condominium development is a subdivision of land for which the landowner must prepare and file a plat.

21949 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$678,517.53 as presented by the County Auditor. All voting "Aye".

21950 APPROVE MARCH THROUGH MAY 2004 TREASURER'S REPORTS

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve March through May 2004 Treasurer's Reports. All voting "Aye".

21951 APPROVE AWARD OF BID #2004-B12 "REGULATORY, WARNING AND OTHER ROAD SIGNS" TO MULTIPLE VENDORS

Bids were received from Vulcan Signs, Custom Products Corp., Custom Products Corp., Pathmark Traffic Products, Allie Tube & Conduit, 3M Company, and Wenzel Wenzel & Assoc. Inc. Bids were reviewed by the Road Department and Purchasing and recommendation is being made to award bid to multiple vendors with low bid for that item. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve award of Bid #2004-B12 "Regulatory, Warning and Other Road Signs" to multiple vendors as recommended by the Road Department and Purchasing. All voting "Aye".

21952 APPROVE AWARD OF BID #2004-B13 "METAL PIPE" TO MULTIPLE VENDORS

Bids were received from Contech Construction and Wilson Culverts Inc. and reviewed by the Road Department and Purchasing. Recommendation is for multiple awards to vendors with low bid for that item. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve award of Bid #2004-B13 "Metal Pipe" to multiple vendors as recommended by the Road Department and Purchasing. All voting "Aye".

21953 APPROVE ADDITIONAL NEXTEL PHONE AND SERVICE CONTRACT FOR CONSTABLE PCT. 1

An additional phone and service is needed for new Deputy Constable position. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve additional Nextel Phone and Service contract for Constable Pct. 1. All voting "Aye".

21954 APPROVE RENEWAL CONTRACT WITH AMERICAN 3CI MEDICAL WASTE MANAGEMENT SERVICES FOR DISPOSAL OF MEDICAL WASTE

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve renewal contract with American 3CI Medical Waste Management Services for disposal of medical waste. All voting "Aye".



21955 THE SPRINGS RESUBDIVISION OF LOT 1 [PCT. 4 #04-4-046, 2 LOTS] * FINAL PLAT APPROVAL AND WAIVE PUBLIC NOTIFICATION REQUIREMENTS [T1-125]

Environmental Health Director Allen Walther advised that these are commercial lots and he gave staff recommendation for approval and waiver of public notification. **A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett To approve final plat and waive public notification requirements for "The Springs Resubdivision of Lot 1". All voting "Aye".**

21956 ARROYO RANCH SECTION 2 [PCT. 2 #02-2-009] * PUBLIC HEARING AND ACTION TO ESTABLISH COMPREHENSIVE TRAFFIC REGULATIONS [T1-141]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Dept. Supt/Engineer Jerry Borcherding advised that this would establish STOP signs on Campo De Oro and Avenida Tejas at their intersections with Arroyo Ranch Drive and will establish speed limit of 25 MPH on Avenida Tejas and Campo De Oro. **A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulations in "Arroyo Ranch Section 2" as recommended by the Road Department – STOP sign on Campo De Oro and Avenida Tejas at their intersections with Arroyo Ranch. All voting "Aye".**

Clerk's Note: Agenda Item #9 RE: CALL FOR A PUBLIC HEARING ON AUGUST 17, 2004 TO CONSIDER REVISIONS TO THE HAYS COUNTY SUBDIVISION REGULATIONS was PULLED. No discussion and no action taken.

21957 APPROVE AMENDMENT TO CONTRACT BETWEEN IKON OFFICE SOLUTIONS AND HAYS COUNTY ENVIRONMENTAL HEALTH AND AMEND THE BUDGET ACCORDINGLY [T1-164]

Environmental Health Director Allen Walther spoke of usage exceeding the current contract – the change in contract will increase the volume from 2000 copies to 5000 copies per month. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve amendment to contract between Ikon Office Solutions and Hays County Environmental Health and amend the budget accordingly. All voting "Aye".**

21958 APPOINT ELECTION JUDGES AND ALTERNATE JUDGES FOR AUGUST 1, 2004 THROUGH JULY 31, 2006 [T1-187]

Elections Administrator Joyce Cowan presented a list of proposed appointments as recommended by the Republican and Democratic Party Chairs – the Judge is appointed by the party chair with the most gubernatorial votes and the alternates by the other party chair. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to appoint Elections Judges and Alternate Judges for August 1, 2004 through July 31, 2006. All voting "Aye".**

21959 APPROVE THE CREATION OF A NURSE PRACTITIONER TO REPLACE THE EXISTING CTMA CONTRACT AND AMEND THE BUDGET ACCORDINGLY [T1-235]

Gay Helmly, Health Dept. Director, gave a history of health care provided by Hays County – the CTMA contract was meant to be a temporary service and they have asked for a 15% increase in their contract – she is recommending the creation of a Nurse Practitioner position to reduce costs. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the creation of a Nurse Practitioner to replace the existing CTMA contract and amend the budget accordingly. All voting "Aye".**

21960 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH CENTRAL TEXAS MEDICAL CENTER RELATING TO THE FEDERAL 340B PROGRAM (DISCOUNT PHARMACEUTICALS) [T1-333]

Mr. Gary Jepsen (CTMC President & CEO) and Jody Baldwin appeared before the court. Ms. Baldwin spoke of a federal program that would allow the hospital to obtain drugs at 50% off the average wholesale price. Discussion was had regarding wording in the memorandum and the court recessed for ten minutes for legal counsel to determine the change in wording. [T1-457] Jody Baldwin spoke of change needed on page 1, 3rd Whereas paragraph: reference to medicare needs to be eliminated. This program is no cost to the county. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to execute a Memorandum of Understanding with Central Texas Medical Center relating to the Federal 340B Program (discount pharmaceuticals) with correction in third recital by removing Medicare. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".**



21961 ADOPT A RESOLUTION REGARDING PUBLIC NOTIFICATION REQUIREMENTS RELATING TO THE FINANCING OF A HEALTH CARE FACILITIES BY ADVENTIST HEALTH SYSTEM/SUNBELT, INC. (CENTRAL TEXAS MEDICAL CENTER) [T1-541]

Nicholas Meindl spoke of requirements for tax exempt bonds (public hearing, etc) – there is no liability to the County. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to adopt a resolution regarding public notification requirements relating to the financing of a health care facilities by Adventist Health System/Sunbelt Inc. (Central Texas Medical Center). All voting “Aye”.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072, TEXAS GOVERNMENT CODE, TO MEET WITH LEGAL COUNSEL TO DISCUSS AND DELIBERATE THE ACQUISITION OF REAL PROPERTY (CENTERPOINT ROAD – OUTLET WEST INVESTORS, LTD.) TO BE USED FOR PUBLIC ROADWAY PURPOSES AS AUTHORIZED BY THE HAYS COUNTY ROAD BOND PROGRAM

[T1-603] The court convened into closed executive session at 10:00 a.m. and reconvened into open meeting at 10:10 a.m. Judge Powers advised that no action will be taken.

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 AUGUST 3, 2004.



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

