



OCTOBER 12, 2004

VOLUME T PAGE 101

STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 12TH DAY OF OCTOBER 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
LEE CARLISLE	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.

PRESENTATION BY RICHARD PARRISH OF THE HAYS COUNTY EXTENSION OFFICE COVERING THE HAYS 4-H PROGRAM

Richard Parrish, Hays County 4H Extension Agent, spoke of celebrating National 4H Week. He spoke of number of youth involved with 4H in Hays County and volunteers. Raquel Nino (San Marcos 4H) gave the history of 4H in Texas. Cody Richter (Dripping Springs 4H) spoke of his experience in the 4H program and showing goats. Carise Magee (Wimberley 4H) spoke of her experience in the 4H program with her horse project. Richard Parrish spoke of Monday night rides at the civic center. Colby Maron (Dripping Springs 4H) spoke of it being his 5th year in 4H [he shows rabbits] and he spoke of his experience in 4H and how it has helped him succeed in school. Carie Walker (Wimberley 4H) has been a member for 10 years – she spoke of the skills she has achieved from 4H and how it has helped her to succeed in life. She continues to be a member and supports the 4H program. They presented members of the court with a small gift cup and Richard Parrish gave his appreciation to the court for their continued support.

22118 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$457,374.05 as presented by the County Auditor. All voting "Aye".

22119 APPROVE UTILITY PERMITS

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve Utility Permit #01733 on Shelton Ranch Road issued to Verizon, #01734 on CR151/Bunton Lane issued to County Line Water Supply, #01735 on CR135/Grist Mill Road issued to County Line Water Supply, #01736 on Centerpoint Rd. issued to CenturyTel of San Marcos, and #01737 on CR151/Bunton Lane issued to P.E.C. All voting "Aye".

22120 APPROVE SPECIFICATIONS FOR THE BLANCO RIVER CLEANUP PROJECT – PHASE II AND AUTHORIZE THE COUNTY PURCHASING AGENT TO ADVERTISE AND SOLICIT FOR BIDS

Hays County and the City of San Marcos are cooperating in this Blanco River Cleanup Project. The project consists of the clearing and disposal of trees. Logs, brush, shrubs, stumps and rubbish along approximately 12 miles of the Blanco River as per construction specification provided by NRCS under the Watershed Protection Act. The Texas Office of Rural Affairs (ORCA) is providing \$250,000 to Hays County as matching funds for the \$342,000 currently exempt from the normal process of procuring professional services due to the "presidential declaration" associated with the natural disaster, which made these grants possible. Phase I has been completed and Hays County is now ready to solicit bids for Phase II. The county has to award this project soon to retain both the NRCS and ORCA funds. No county funds are needed. **A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve specifications for the Blanco River Cleanup Project – Phase II and authorize the County Purchasing Agent to advertise and solicit for bids. All voting "Aye".**

22121 APPROVE RENEWAL OF ANNUAL OFFICE SUPPLY CONTRACT WITH OFFICE DEPOT FOR ONE (1) ADDITIONAL YEAR AS PROVIDED IN ORIGINAL CONTRACT

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve renewal of annual office supply contract with Office Depot for one (1) additional year as provided in the original contract. All voting "Aye".



22122 [PCT. 3 #04-4-062] **BURNETT RANCH UNIT 5 LOT 121, 2 LOTS RESUBDIVISION AND PARTIAL VACATING OF LOT 121 * APPROVE PRELIMINARY PLAN** [T1-337]

David Jones spoke of importance of doing both agenda item #8 & #9 together. Commissioner Burnett stated that the intent is to do both items. Environmental Health Director Allen Walther advised that item #8 [Burnett Ranch 5 Lot 121 resubdivision) is to correct the situation brought to our attention and staff recommends approval of preliminary plan. He does not agree with vacation of High Ridge because if item #8 gets approval, it will correct the High Ridge problem. [T1-490] David Jones disagrees because of public notification process that was not done. **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the preliminary plan for "Burnett Ranch Unit 5 Lot 121 Resubdivision and partial vacation". All voting "Aye".**

22123 CANCELLATION OF THE HIGH RIDGE RANCH SUBDIVISION [T1-562]

When this subdivision was originally approved it included a 0.29 acre portion of Burnett Ranches which had not been vacated. David Jones spoke in support of canceling this subdivision and require developer to start the subdivision process over again and comply with subdivision rules. **A motion was made by Commissioner Burnett, seconded by Commissioner Carter to approve cancellation of the "High Ridge Ranch" subdivision. All voting "Aye".** [CLERK'S NOTE: HIGH RIDGE RANCH PLAT IS RECORDED IN VOLUME 11 PAGE 386-391]

22124 [PCT. 4 #04-4-066, 2 LOTS] **F & W SUBDIVISION SECTION 2 * APPROVE PRELIMINARY PLAN AND GRANT VARIANCE FROM MAXIMUM SHARED ACCESS DRIVEWAY LENGTH** [T1-578]

Environmental Health Director Allen Walther spoke of length of SAD (shared access driveway). Property owner is requesting a variance to the rule limiting a shared access driveway to 1320 feet – they would like to create a SAD 1700 feet long (380 additional feet). Allen Walther gave staff recommendation for preliminary plan approval and variance to SAD. **A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve the preliminary plan for "F & W Subdivision Section 2" and grant a variance for the maximum shared access driveway length (from 1320 feet to 1700 feet). All present voting "Aye". Commissioner Burnett not present for vote.**

22125 [PCT. 1 #02-1-013] **THE RANCH @ PORTER CREEK SECTION 1 – CALL FOR A PUBLIC HEARING ON OCTOBER 26, 2004 TO ESTABLISH COMPREHENSIVE TRAFFIC REGULATIONS (STOP SIGN & SPEED LIMIT)** [T1-609]

The Road Dept. is proposing a STOP sign on Bonanza Street at Cotton Gin Road and a speed limit of 25MPH on Bonanza Street. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to call for a public hearing on October 26, 2004 to establish comprehensive traffic regulations in "The Ranch @ Porter Creek Section 1" subdivision (STOP signs and Speed Limit). All voting "Aye".**

22126 RIVER HILLS SUBDIVISION –PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) [T1-618]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Jerry Borcharding recommended a speed limit of 30MPH. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to establish traffic regulation of 30MPH speed limit in the "River Hills" subdivision. All voting "Aye".**

22127 [PCT. 4 #02-4-037] **CALICHE HILL SECTION 1 LOT 1 & CALICHE HILL SECTION 2 LOT 1 RESUBDIVISION – RELEASE THE MAINTENANCE FISCAL SECURITY AND ACCEPT THE STREET, "AMERICAN WAY" INTO THE COUNTY MAINTENANCE SYSTEM** [T1-636]

Road Supt/Engineer Jerry Borcharding advised that repairs have been made and he gave staff recommendation for release of maintenance fiscal security and acceptance of "American Way" into the county maintenance system. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to release the maintenance fiscal security and accept the street "American Way" in the Caliche Hill Section 1 Lot 1 & Section 2 Lot 1 Resubdivision into the county maintenance system. All voting "Aye".**

22128 APPROVE CONTRACT RENEWAL BETWEEN HAYS COUNTY AND AFFILIATED COMPUTER SERVICES FOR THE PURPOSE OF RECORDS MANAGEMENT, RECORDATION AND CASHIERING OF COUNTY OFFICIAL RECORDS AND VITAL RECORDS BY THE HAYS COUNTY CLERK'S OFFICE AND AUTHORIZE COUNTY JUDGE TO EXECUTE SAME

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve contract renewal between Hays County and Affiliated Computer Services (ACS) for the purpose of records management recordation and cashiering of county official records and vital records by the Hays County Clerk's Office and authorize the County Judge to execute same. All voting "Aye".



22129 AWARD BID FOR "ROAD BOND PROGRAM" FOR ROAD IMPROVEMENTS FOR CENTERPOINT ROAD AND MCCARTY LANE TO CAPITAL EXCAVATION IN THE AMOUNT OF \$1,541,613.69 [T1-651]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to award bid for "Road Bond Program" for road improvements for Centerpoint Road and McCarty Lane to Capital Excavation in the amount of \$1,541,613.69. All voting "Aye".

22130 APPROVE PUBLIC ROAD CROSSING IMPROVEMENT AGREEMENTS BETWEEN UNION PACIFIC RAILROAD COMPANY AND HAYS COUNTY FOR CENTERPOINT ROAD AND MCCARTY LANE [T1-681]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve public road crossing improvement agreements between Union Pacific Railroad Company and Hays County for Centerpoint Road and McCarty Lane. All voting "Aye".

22131 AWARD ROAD BOND PROJECT FOR IMPROVEMENTS TO HEIDENREICH LANE TO CAPITAL EXCAVATIONS IN THE AMOUNT OF \$1,599,152.46 [T1-690]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to award road bond project for improvements to Heidenreich Lane to Capital Excavations in the amount of \$1,599,152.46. All voting "Aye".

22132 APPROVE AGREEMENT FOR ENGINEERING SERVICES WITH TURNER, COLLIE & BRADEN, INC. AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL WORK AUTHORIZATION NO. 6 TO WORK AUTHORIZATION NO. 2 - HAYS COUNTY/TC&B/SURVCON (MT. GAINOR RD) [T1-781]

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve agreement for Engineering Services with Turner, Collie & Braden, Inc. and authorize the County Judge to execute Supplemental Work Authorization No. 6 to Work Authorization No. 2 - Hays County/TC&B/Survcon (Mt. Gainor Road). All voting "Aye".

22133 APPROVE THE COUNTY HOLIDAYS FOR 2005 [T1-833]

Commissioner Ingalsbe spoke of options for holidays for 2005 (2 days for new years or Texas Independence Day). The Court agreed to approve holiday option with Texas Independence Day. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve the County Holidays for 2005.** All voting "Aye".

HAYS COUNTY HOLIDAYS FOR 2005

NEW YEARS	JAN 3	MON
MARTIN LUTHER KING'S BIRTHDAY.....	JAN 17	MON
PRESIDENT'S DAY.....	FEB 21	MON
TEXAS INDEPENDENCE DAY.....	MAR 2	WED
GOOD FRIDAY.....	MAR 25	FRI
MEMORIAL DAY.....	MAY 30	MON
INDEPENDENCE DAY.....	JUL 4	MON
LABOR DAY.....	SEP 5	MON
COLUMBUS DAY.....	OCT 10	MON
VETERAN'S DAY.....	NOV 11	FRI
THANKSGIVING.....	NOV 24	THU
	NOV 25	FRI
CHRISTMAS.....	DEC 23	FRI
	DEC 26	MON

22134 APPROVE PURCHASE OF AN AIRSOURCE 3000 AIR PURIFIER FOR DISTRICT CLERK'S OFFICE [T1-881]

Commissioner Ingalsbe spoke of an air purifier unit being tried out in the District Clerks office for one week and it has improved conditions in her office. The cost of the unit is \$599 and it was proposed that funding come from Commissioner Pct. 1 special project funds (\$399) and from the County Judge's special projects line item (\$200). **A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve purchase of an Air Source 3000 Air Purifier for the District Clerk's office in the amount of \$599 with funding provided by Commissioner Pct. 2 (\$399 from Special Projects line item) and the County Judge (\$200 from Special Projects line item).** All voting "Aye".



22135 APPROVE REQUEST FOR OPTIONAL EQUIPMENT FOR CONSTABLE PCT. 2 VEHICLE [T1-932]

County Auditor Bill Herzog spoke of court not having standardized items for county vehicles – the Dodge Quad Cab SLT truck being purchased for Constable Pct. 2 is short \$50 from the amount budgeted. A discussion was had regarding the various options being purchased (i.e. grill guard, pipe running board, and hard lockable cover for the bed). Bill Herzog advised that the \$50 could be taken out his vehicle maintenance line item. Commissioner Molenaar advised that he cannot support this vehicle purchase. **A motion was made by Judge Powers, seconded by Commissioner Burnett to approve request for optional equipment for Constable Pct. 2 vehicle and amend the budget accordingly. Commissioner Ingalsbe, Commissioner Burnett and Judge Powers voting "Aye". Commissioner Carter & Commissioner Molenaar voting "No". MOTION PASSED**

22136 APPROVE BUDGET AMENDMENT NO. 05-01

Commissioner Carter had this item pulled from the consent agenda so that it could be voted on separately and County Auditor Bill Herzog advised that the amendment to Constable 2 budget was subject to approval of agenda item #20 regarding purchase of optional equipment. **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Budget Amendment No. 05-01 as proposed by the County Auditor. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".**

Clerk's Note: Agenda Item #21 RE: APPROVE APPOINTMENT OF DUKE MORELAND TO THE WIMBERLEY, HAYS COUNTY, EMERGENCY SERVICES DISTRICT #3, REPLACING BILL BRENDLER WHO IS STEPPING DOWN was PULLED. No discussion and no action taken.

[T1-pulled]

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 12, 2004.



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

