



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 11TH DAY OF JANUARY A.D., 2005, 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
WILL CONLEY	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 Molenaar led the Court in the Pledge of Allegiance to the Flags.

HAYS COUNTY EMPLOYEE RECOGNITION

Tax Assessor-Collector Luanne Caraway presented a 20 year service pin to Paulette Wallington (Asst. Tax A/C). County Auditor Bill Herzog presented a Certified Professional Buyer Certification to Cindy Maiorka.

22304 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve payment of county invoices in the amount of \$232,694.20 as presented by the County Auditor. All voting "Aye".

22305 APPROVE BUDGET AMENDMENT # 05-10

Budgets being amended: Information Technology (456): transfer \$8,300 from software line item into data proc. Eqpt. Transfer \$500 from Personal Health Svcs (412) staff salaries line item into Family Clinic (612) other line item to pay for additional window tint. Tobacco Settlement Proceeds (607): Transfer \$50,000 from office eqpt/furniture line item into Misc. Capital Improvements for parking lot improvements at the civic center. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve Budget Amendment No. 05-10 as proposed by the County Auditor. All voting "Aye".

22306 APPROVE UTILITY PERMITS #01766 & 01767

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve Utility Permits #01766 on CR140/Post Road issued to Baker-Aicklen & Assoc/Carma Texas Inc. and #01767 on CR164/Sawyer Ranch Rd issued to Joe Bland Construction as submitted by the Hays County Road Department. All voting "Aye".

22307 APPROVE BID SPECIFICATIONS FOR "HAULING SERVICES" FOR HAYS COUNTY ROAD DEPARTMENT AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve bid specifications for "hauling services" for Hays County Road Department and authorize Purchasing to solicit for bid and advertise. All voting "Aye".

22308 APPROVE REAPPOINTMENT OF SHARON O'BRIEN, DOYLE KRUMREY, AND BUDDY MARTIN TO THE SOUTH HAYS COUNTY EMERGENCY SERVICES DISTRICT # 3

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve reappointment of Sharon O'Brien, Doyle Krumrey, and Buddy Martin to the South Hays County Emergency Services District #3. All voting "Aye".

22309 APPROVE REAPPOINTMENT OF MATT GILLIAM AND SUSAN MECKEL TO THE HAYS COUNTY EMERGENCY SERVICES DISTRICT #5

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to reappoint Matt Gilliam and Susan Meckel to the Hays County Emergency Services District #5. All voting "Aye".



22310 APPROVE REAPPOINTMENT OF PAUL KASKIE, SCOTT STEVENS, AND JIM WEATHERFORD TO THE NORTHEAST HAYS COUNTY EMERGENCY SERVICES DISTRICT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve reappointment of Paul Kaskie, Scott Sevens, and Jim Weatherford to the Northeast Hays County Emergency Services District #2. All voting "Aye". [Clerk's Note: This should have been appointments to the NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT]

22311 APPROVE REAPPOINTMENT OF JANA ASHFORD, JIM HOLLIS, AND MARK IBERG TO THE NORTHEAST HAYS COUNTY EMERGENCY SERVICE DISTRICT #2

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve reappointment of Jana Ashford, Jim Hollis and Mark Iberg to the Northeast Hays County Emergency Services District #2. All voting "Aye".

22312 APPROVE RENEWAL CONTRACT WITH ELLY DEL PRADO DIETZ, NOW OF DUVALL AND GRUNING, P.L.L.C. TO CONTINUE SERVING AS THE COUNTY'S CONDEMNATION ATTORNEY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve renewal contract with Elly Del Prado Dietz, now of Duvall and Gruning, PLLC, to continue serving as the County's condemnation attorney. All voting "Aye".

22313 WIMBERLEY VIEW ESTATES [04-3-072, 4 LOTS] * APPROVE FINAL PLAT [T1-63]

This is a 4 lot subdivision located on Caliche Road. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve final plat of "Wimberley View Estates". All voting "Aye".**

22314 HOKE HOMESTEAD [4-4-077, 4 LOTS] * APPROVE PRELIMINARY PLAN [T1-76]

Environmental Health Director Allen Walther advised that these lots are already developed and he is not recommending that they be required to go back and change their wastewater systems – he gave staff recommendation for approval of preliminary plan. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve preliminary plan for "Hoke Homestead" subdivision. All voting "Aye".**

22315 DOS LAGOS [04-4-054, 38 LOTS] * APPROVE VARIANCE TO ROAD STANDARDS PERTAINING TO SIZING OF DRAINAGE FACILITIES [T1-90]

Environmental Health Director Allen Walther spoke of this subdivision being divided north and south by a drainage easement. Dos Lagos Drive (a local street) is designed with a sag curve crossing the creek (drainage easement). This subdivision will be a gated community with private streets. Lots on west side of the easement will have public access on US290 and the lots on the east side have access on Holder Lane. Allen Walther gave staff recommendation for granting a variance from Section 10 of the Hays County Subdivision & Development Regulations pertaining to the sizing of drainage facilities on a local street. **A motion was made by Judge Powers, seconded by Commissioner Conley to approve/grant a variance to road standards pertaining to sizing of drainage facilities in the "Dos Lagos" subdivision. Commissioner Ingalsbe, Commissioner Carter, Commissioner Conley and Judge Powers voting "Aye". Commissioner Molenaar abstained.** Commissioner Molenaar advised that the property owner/developer of this subdivision is a close friend of his, therefore he abstained from vote.

22316 GLENN KOTHMANN PROPERTIES SUBDIVISION RESUBDIVISION OF LOTS 51A & 51B [04-4-080, 4 LOTS] * PUBLIC HEARING AND APPROVE FINAL PLAT

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve final plat of "Glenn Kothmann Properties Subdivision Resubdivision of Lots 51A & 51B". All voting "Aye".**

22317 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) ON SOUTH TURNERSVILLE RD/CR 212 [T1-138]

Road Supt/Engineer Jerry Borchering advised that the Road Dept. is recommending a 30 MPH speed limit. **A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing on January 25, 2005 to establish traffic regulations (speed limit) on South Turnersville Road/CR212. All voting "Aye".**



22318 AUTHORIZE IMPROVEMENTS AT THE HAYS COUNTY CIVIC CENTER TO INCLUDE THE PAVING OF THE PARKING LOT AND AMEND THE BUDGET ACCORDINGLY [T1-154]

Commissioner Molenaar spoke of poor condition of the parking lot at the civic center causing loss of booking the facility. Charles Nagel, Civic Center Manager, spoke of water collecting in the parking lot when it rains and creating a dangerous situation with electrical hookups. The Cutting Horse Association wrote a letter indicating their needs. Mr. Nagel provided a written report – he feels like we can attract larger shows if the parking lot is paved. Commissioner Molenaar spoke of additional electrical hookups and drainage issues. Road Supt/Engineer Jerry Borcharding advised that his dept. can begin the work around the first of February. Commissioner Molenaar spoke of surplus money in the tobacco settlement fund. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize improvements at the Hays County Civic Center to include the paving of the parking lot and amend the budget accordingly by budgeting \$50,000 in the misc. capital improvement line item of the Tobacco Settlement Fund. All voting "Aye".** [See Budget Amendment No. 05-10]

22319 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF SAN MARCOS CONCERNING USAGE AND MAINTENANCE OF THE HAYS COUNTY EMERGENCY RESPONSE VEHICLE [T1-523]

Fire Marshal Mark Chambers spoke of HAZMAT/Fire response vehicle (obtained from homeland security funds) that will be housed at the San Marcos Fire Dept. on Hunter Road – the County retains title to the vehicle and the City of San Marcos will maintain and operate it. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to authorize the County Judge to execute an interlocal agreement with the City of San Marcos concerning usage and maintenance of the Hays County Emergency Response Vehicle. All voting "Aye".**

22320 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SPECIAL WARRANTY DEEDS TO CONVEY RIGHT-OF-WAY INTERESTS TO THE TEXAS DEPARTMENT OF TRANSPORTATION IN PARCELS 1 (LINDSTROM) AND 6 (WILLIE) RELATING TO THE HIGHWAY 45 PROJECT [T1-580]

Attorney Elly Del Prado Dietz spoke of request by the State for the county to convey its interest in Parcels 1 & 6 to the State for the Highway 45 project. **A motion was made by Judge Powers, seconded by Commissioner Ingalsbe to authorize the County Judge to execute special warranty deeds to convey right-of-way interests to the Texas Dept. of Transportation in Parcels 1 (Lindstrom) and 6 (Willie) relating to the Highway 45 Project. All voting "Aye".**

The court convened into closed executive session at 9:45 a.m. for the following items:

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 AND 551.072, TEXAS GOVERNMENT CODE, TO DISCUSS AND DELIBERATE THE ONGOING NEGOTIATIONS BETWEEN HAYS COUNTY AND STATE STREET GLOBAL MARKETS, LLC REGARDING THE HAYS COUNTY JUVENILE DETENTION FACILITY

EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO DISCUSS AND DELIBERATE THE FOLLOWING, INCLUDING, BUT NOT LIMITED TO, THE APPOINTMENT, EMPLOYMENT, DUTIES OF THE HAYS COUNTY ACTING DIRECTOR OF PERSONAL HEALTH

Upon completion of the closed session, the court reconvened into open meeting at 10:55 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 JANUARY 11, 2005.



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

