



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 22<sup>ND</sup> DAY OF FEBRUARY 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
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.

#### PRESENTATION OF HAYS COUNTY SERVICE AWARDS

District Judge Charles Ramsay presented a 25 year service pin to District Court Reporter Gene Lee.

#### 22395 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$ 343,734.74 as presented by the County Auditor. All voting "Aye".

#### 22396 APPROVE BUDGET AMENDMENT 05-15

Budgets being amended: Building Maintenance (410): Increase Staff (\$1,748), FICA/Ret (\$287), & Insurance (\$2,777) and decrease Contract Janitorial (\$1,500) & Contract Bldg. Mtc. (\$3,312). Jail Operations (419): Increase Misc. Equipment \$25,000 and decrease Law Enforcement Donations \$25,000 to budget and accept Evercom donation for video equipment for jail. Commissioner 3 (441): Increase office supplies (\$400) & Postage (\$100) and decrease Special Projects (\$500). AG Office/Texas VINE Grant (713): Increase computer equipment \$75,920 and decrease AG Office/TX FINE Grant Revenue \$75,920 to budget new grant for notification computer equipment @ Sheriff's Office. Road & Bridge Operations (438): Increase Misc/General Supplies \$5,000 and decrease Contract Road \$5,000 for consumable supplies. Family Health (612): Increase contract services \$2,000 and decrease Personal Health (412): contract services \$2,000 for Doctor review of nurse practitioner. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Budget Amendment No. 05-15 as proposed by the County Auditor. All voting "Aye".

#### 22397 APPROVE UTILITY PERMITS #01777 & #01778

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Utility Permit #01777 on CR233/McCarty Lane issued to Crystal Clear Water Supply and #01778 on CR151/Bunton Lane issued to Time Warner Cable as submitted by the County Road Department. All voting "Aye".

#### 22398 AUTHORIZE PURCHASE OF EKG MACHINE FOR JAIL OPERATIONS AT HIGHER COST THAN BUDGETED

At budget adoption, \$1,800 was included in miscellaneous equipment line for an EKG machine, among other various items. The balance available in that line will allow purchase of the machine at the higher cost of \$3,240. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize purchase of EKG Machine for Jail Operations at higher cost than budgeted. All voting "Aye".

#### 22399 ACCEPT INTERNAL EXAMINATION REPORT FOR THE JUSTICE OF THE PEACE, PCT. 1, PLACE 1 OFFICE

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

#### 22400 APPROVE OCTOBER 2004 TREASURER'S REPORT

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve October 2004 Treasurer's Report as presented. All voting "Aye".



**22401 APPROVE INVESTMENT COMMITTEE RECOMMENDATIONS**

The Hays County Investment Committee Recommendations are as follows: (1) Change the title "Deputy County Treasurer" to "County Treasurer's Assistant" in Section I. The Accountant in the Treasurer's Office is not deputized. (2) Remove the term "intermediate" in Section IV. This term was inadvertently used to describe the length of time a security could be held when investing debt service funds. In the investment world this term generally implies longer investment periods than the county is legally allowed to hold. (3) Change the official meetings from semiannually to annually. We have not had the need to meet semiannually. Annual meetings seem sufficient to make policy changes. The recommended authorized investments for 2005: Investment Pools: TEXPOOL, LOGIC & CLASS Money Market Funds: ICT FUNDS MANAGEMENT & FROST AIM Treasury Bills: TREASURY DIRECT, WELLS FARGO BANK, FROST AIM, & SOLOMAN SMITH BARNEY Agency Discount Notes: WELLS FARGO BANK, FROST AIM, & SOLOMAN SMITH BARNEY. The Investment Committee would like to replace previous County Commissioner Precinct #3 Bill Burnett with current County Commissioner Precinct #3 Will Conley. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Investment Committee recommendations. All voting "Aye".**

**22402 APPROVE REVISED XEROX LEASE PLAN AND EQUIPMENT UPGRADE FOR COUNTY CLERK'S DIGITAL PLAT SYSTEM (SCAN/PRINT)**

**A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Revised Xerox Lease Plan and Equipment Upgrade for County Clerk's Digital Plat System (Scan/Print). All voting "Aye".**

**22403 [PCT. 3 #05-3-020, 2 LOTS] SADDLERIDGE SECTION 2 REPLAT OF LOTS 123, 124, & 125 – APPROVE FINAL PLAT, WAIVE PUBLIC NOTIFICATION AND PRELIMINARY PLAN REQUIREMENTS [T1-49]**

Environmental Health Director Allen Walther advised that property owner is consolidated 3 into 2. He gave staff recommendation for final plat approval. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve final plat, waive public notification and preliminary plan requirements for "Saddleridge Section 2 Replat of Lots 123, 124 & 125". All voting "Aye".**

**22404 [PCT. 3 #05-3-019, 2 LOTS] SADDLERIDGE SECTION 2 REPLAT OF LOTS 179, 180, & 181 - APPROVE FINAL PLAT, WAIVE PRELIMINARY PLAN AND PUBLIC NOTIFICATION REQUIREMENTS [T1-64]**

Environmental Health Director Allen Walther advised that property owners is consolidating 3 lots into 2. He gave staff recommendation for final plat approval. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve final plat, waive preliminary plan and public notification requirements for "Saddleridge Section 2 Replat of Lots 179, 180 & 181". All voting "Aye".**

**22405 [PCT. 3 #04-3-081] SAN MARCOS RANCH SECTION TWO – PUBLIC HEARING AND ACTION TO APPROVE ABANDONMENT OF A ROW EASEMENT AND ACCEPT OFFER OF PURCHASE BASED UPON PROPERTY APPRAISAL [T1-76]**

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Environmental Health Director Allen Walther advised that an appraisal was done (\$1500) and there are no objections from other property owners. He gave staff recommendation for approval to abandon r-o-w easement and accept offer from Dr. Greg Moore based upon property appraisal. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve abandonment of a right-of-way easement and accept offer of \$1500 to purchase based upon property appraisal. All voting "Aye".**

**22406 [PCT. 4 #05-4-014, 1 LOT] VISTA RANCH - APPROVE PRELIMINARY PLAN [T1-105]**

Environmental Health Director Allen Walther gave staff recommendation for preliminary plan approval. Commissioner Carter questioned plat notes regarding setbacks. Subdivision Coordinator Jon Thompson advised that this plan has already been approved by the City of Dripping Springs. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve preliminary plan for "Vista Ranch". Commissioner Ingalsbe, Commissioner Conley, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".**

**22407 [PCT. 4 #04-4-074, 502 LOTS] REUNION RANCH – APPROVE PRELIMINARY PLAN [T1-181]**

Environmental Health Director Allen Walther gave staff recommendation for preliminary plan approval. Commissioner Carter spoke of Legislature's concern regarding M.U.D.s. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve preliminary plan for "Reunion Ranch". Commissioner Ingalsbe, Commissioner Conley, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".**



22408 [PCT. 4 #05-4-007, 2 LOTS] **SPRINGLAKE LOT 48 –APPROVE FINAL PLAT** [T1-236]

Environmental Health Director Allen Walther gave staff recommendation for final plat approval. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve final plat of “Springlake Lot 48”. All voting “Aye”.**

22409 **PUBLIC HEARING FOR THE ESTABLISHMENT OF TRAFFIC REGULATIONS (NO PARKING ZONES) ON HILLIARD ROAD/CO. RD. 222** [T1-243]

Judge Powers declared the public hearing open. Elliott Knesek spoke of temporary signs that have been knocked down by an individual in the area. Road Supt/Engineer Jerry Borcharding advised that the signs will be placed in the 4700 block of Hilliard Road. Judge Powers closed the public hearing. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to establish traffic regulations of “No Parking” zones on Hilliard Road/County Road 222. All voting “Aye”.**

22410 **AUTHORIZE THE COUNTY JUDGE TO EXECUTE A DOCUMENT TITLED “APPROVAL OF CHIEF ELECTED EXECUTIVE OFFICER” DEMONSTRATING COMPLIANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986 IN THE ISSUANCE OF TAX EXEMPT BONDS TO FINANCE A VARIETY OF CULTURAL, COMMUNITY AND EDUCATIONAL FACILITIES FOR THE ROMAN CATHOLIC DIOCESE OF AUSTIN** [T1-303]

Jerry Kyle appeared before the court requesting approval by the court. He stated that there is no obligation of any kind to the county. Mr. Kyle advised that the Diocese covers 25 counties in Central Texas and the proposed financing involves 52 projects in 11 counties – there will be 3 projects in Hays County (Dripping Springs, Buda, & San Marcos). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to execute a document titled “Approval of Chief Elected Executive Officer” demonstrating compliance with Section 147(F) of the Internal Revenue Code of 1986 in the Issuance of Tax Exempt Bonds to finance a variety of Cultural Community and Education Facilities for the Roman Catholic Diocese of Austin. All voting “Aye”.**

22411 **ADOPT A RESOLUTION TO JOIN THE CITY OF SAN MARCOS FOR THE HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT ON APRIL 30, 2005**

[T1-339] \$6,000 is budgeted for this event. The event will be held in the north parking lot of the San Marcos City Hall (630 East Hopkins). Commissioner Molenaar spoke of need to advertise in all areas of Hays County for this event. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to adopt a Resolution to Join the City of San Marcos for the Household Hazardous Waste Collection Event on April 30, 2005. All voting “Aye”.**

22412 **APPROVE APPOINTMENT OF DANNY LOMBARDO TO THE CHILD PROTECTIVE SERVICES BOARD TO FILL VACANCY** [T1-376]

Special Counsel Jacqueline Cullom Murphy spoke of service provided by this board. They approve funds spent for clothing and school supplies for children in foster homes. **A motion was made by Judge Powers, seconded by Commissioner Molenaar to approve appointment of Danny Lombardo to the Child Protective Services Board to fill vacancy. All voting “Aye”.**

22413 **INCREASE A CUSTODIAN POSITION IN BUILDING MAINTENANCE FROM ½ TIME TO ¾ TIME AND AMEND THE BUDGET ACCORDINGLY** [T1-423]

Commissioner Molenaar spoke of trying to do away with contract cleaning at the substations – money is in the budget to fund this increase for the remainder of this fiscal year (\$4,812). **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to increase a custodian position in Building Maintenance from ½ time to ¾ time and amend the budget accordingly. All voting “Aye”.**

**Court convened into closed executive session at 9:40 a.m. and reconvened into open meeting at 9:50 a.m.**

**EXECUTIVE SESSION PURSUANT TO SECTION 551.071 AND 551.072, TEXAS GOVERNMENT CODE, TO MEET WITH LEGAL COUNSEL TO DISCUSS PROPERTY ACQUISITION RELATING TO THE HAYS COUNTY ROAD BOND PROGRAM INCLUDING: A) PARCELS 3 AND 4, WIMBERLEY BYPASS, EUGENE ERVINE WOOLSEY, FEE OWNER. ACTION MAY FOLLOW IN OPEN COURT INCLUDING THE SETTLEMENT OF THOSE PARCELS**

Upon completion of closed executive session, the court reconvened into open meeting. Judge Powers advised that NO action will be taken.



**Clerk's Note:** Agenda Item #22 RE: EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO INTERVIEW CANDIDATES FOR THE POSITION OF PERSONAL HEALTH DIRECTOR was **PULLED**.

**Court was adjourned.**

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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 FEBRUARY 22, 2005.



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

