



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 19TH DAY OF APRIL 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 Conley led the Court in the Pledge of Allegiance to the Flags.

PRESENTATION BY SECRETARY OF STATE ROGER WILLIAMS REGARDING HAVA FUNDING, ASSISTANCE AVAILABLE FROM THE SECRETARY OF STATE'S OFFICE AND THE IMPLEMENTATION OF HAVA

Secretary of State Roger Williams spoke of being on a statewide listing tour to hear concerns regarding HAVA (Help America Vote Act) . Major issues are "standards" regarding equipment and "cash flow". Vendors must guarantee that the equipment meets minimum federal standards and the SOS will send what money they can to each county (you do not have to pay the vendor until you receive money from the SOS). He stated that he can provide an extra \$400,000 for Hays County (a total of \$727,824.00 to use for HAVA).

PRESENTATION AND UPDATE BY THE HAYS COUNTY EXTENSION OFFICE

Extension Agent Susan Schramm spoke of current programs through the county extension office. Mrs. Schramm oversees the Family Consumer Science program which provides courses on food protection management to food handlers, a Health Hints newsletter six times a year to county employees , and with the Better Living for Texas (BLT) grant they provide education regarding nutrition, etc. Extension Agent Bryan Davis spoke of volunteer program addressing citizen's needs (Master Gardener & Master Naturalist programs) and he spoke of program regarding Oak Wilt and helping people be better stewards of the land. Extension Agent Richard Parish spoke of the 4H program and teaching kids outside of 4H where food comes from (basic life skills). Through the schools, they are teaching young people "character" and teaching them about water awareness and information to secure jobs. Commissioner Molenaar thanked the Extension Office for the services they provide. Commissioner Ingalsbe gave her appreciation for their updates. Members of the court were presented with tote bags containing various brochures, etc.

22524 **AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE HAYS COUNTY SHERIFF'S OFFICE WITH THE TEXAS STATE UNIVERSITY POLICE DEPARTMENT OUTLINING COMMUNICATION AND COORDINATION EFFORTS BETWEEN THE TWO LAW ENFORCEMENT ENTITIES [T1-460]**

Sheriff Don Montague and TSU Chief Ralph Myers addressed the court regarding this item. **A motion was made by Commissioner Molenaar, seconded by Judge Powers to authorize the County Judge to execute a Memorandum of Understanding on behalf of the Hays County Sheriff's Office with the Texas State University Police Department outlining communication and coordination efforts between the two Law Enforcement Entities. Commissioner Ingalsbe, Commissioner Carter, Commissioner Molenaar and Judge Powers voting "Aye". Commissioner Conley not present to vote.**

22525 **AUTHORIZE A BUILDING ADDITION TO THE HAYS COUNTY ELECTIONS OFFICE**

[T1-493] Commissioner Ingalsbe spoke of need for space to store the new election equipment. Options: (1) rent storage units at a cost of \$1000-2000 per month, (2) purchase a modular unit at a cost of \$40,000-85,000 for a used unit or apprx. \$102,000 for a new unit, (3) build onto the existing building at a cost of apprx. \$60,000. She recommended option 3 which would have the equipment properly situated for programming and processing of all elections and would give some relief to the cramped working conditions by allowing for additional office space. Tobacco settlement funds can be used to provide storage (possibly modular units). Elections Administrator Joyce Cowan spoke of being in desperate need for space to house equipment that has already been received. Mtc. Supv. Ron Knott spoke of variance that could be received from the City of San Marcos. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize a building addition to the Hays County Elections office in an amount not to exceed \$62,380 out of Tobacco Settlement funds. All voting "Aye".**



22526

PROCLAIM APRIL, 2005 AS CHILD ABUSE AWARENESS MONTH IN HAYS COUNTY

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to Proclaim April 2005 as "Child Abuse Awareness Month" in Hays County. All voting "Aye".

PRESENTATION BY TERRY TULL AND NAISMITH ENGINEERING CONCERNING THE REGIONAL WATER QUALITY PLANNING PROJECT [T1-690]

Terry Tull thanked the court for funding that has been provided. This plan addresses how to allow our communities to grow and build and protect our groundwater and streams. They are seeking comments regarding the final draft plan. Consultant Grant Jackson (Naismith Engineering) provided a handout explaining the project. The initial charges from the Executive and Core Committees was that they wanted this to be a stakeholder driven process, make sure the plan is science-based, and bring back a plan we can implement without having to depend on others. Goals and objectives of the plan are to protect surface water and groundwater and address water quality in all areas of the planning region (not just Edwards or Barton Springs). Implementation for Hays County: there is a total of 145,000 acres (half the planning region is within Hays County) – 73,500 acres are outside of ETJ's. Challenges for Hays County is the regulation of impervious cover, lack of zoning to prohibit land uses, different rules for the planning region vs. rest of the county, and ownership and operation & maintenance of various structures. Solutions to the limitations on regulatory powers would be to create new entities with power to regulate (MUDs, WCIDs, other special districts), work with existing MUDs & WCIDs, and work with other infrastructure (drainage, flood control, parks). Mr. Jackson spoke of Legislative updates: HB477/SB142 relating to the authority of a county to regulate land development after a local option election, HB2833/SB1647 relating to the protection of private real property from regulatory takings, SB1296 relating to the regulatory authority of certain counties in certain unincorporated areas of the counties, SB1362 relating to certain land use restrictions by counties and municipalities, and SB1678 relating to the powers of the LCRA to adopt and implement certain environmental conservation measures. Additional information on the Plan can be obtained at website: www.waterqualityplan.org email: regionalplan@zeecon.com , <http://groups.yahoo.com/group/regionalplan> , and public repository locations at the Dripping Springs City Hall and Naismith Engineering. Judge Powers thanked the presenters for their information. Mary Stone (public comment) spoke in support of the regional water protection plan. She spoke of rock crusher facility in northern Hays County and citizens concerns regarding this operation – they believe it is dangerous to air quality and water quality and there are serious traffic safety concerns. She asked the court to do whatever they can to stop this operation and help financially to provide a turn lane in the vicinity of the school. Charles O'Dell (Director of Hays CAN) thanked Terry Tull and Consultant Grant Jackson for the work they have done.

PUBLIC COMMENT

[T1-1487] Scott Sanders spoke of toll roads negatively impacting our community – the toll roads are not being built in Hays County but they will affect Hays County citizens and he asked for a review committee to be appointed.

22527

APPROVE BUDGET AMENDMENT 05-22

Budgets being amended: Civic Center (413): \$1,699 in donations for arena supplies (\$449) & equipment (\$1,250) Sheriff (418) Jail (419): \$3,500 to transfer copier costs from Jail to Sheriff Animal Control (494) Sheriff (418): \$28,174 transfer from Sheriff to Animal Control for 2 containment cages from savings on vehicles Human Resources (421): \$255 transfer from continuing education into office equipment State Tobacco Compliance (729): \$200 transfer from overtime into other/supplies Courthouse Security/District Court (626): \$3,575 transfer from insurances into building improvements for security doors. Personal Health (412): \$700 transfer from insurances into continuing education for diabetes treatment training. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve Budget Amendment No. 05-22 as proposed by the County Auditor. All voting "Aye".**

22528

APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$544,306.11 as presented by the County Auditor. All voting "Aye".

22529

AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION FOR \$102,402 TO THE TEXAS DEPARTMENT OF HEALTH FOR IMMUNIZATION PROGRAM

This is a renewal grant from the Texas Dept. of Health Services and will be used to provide vaccines for children and adults. The program management relates to planning, organizing, budgeting, supervision, directing, and monitoring/evaluating local immunization activities that are intended to improve vaccination coverage. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to authorize the County Judge to submit a grant application for \$102,402 to the Texas Department of Health for Immunization Program and to execute contract. All voting "Aye".**

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AUTHORIZE APPRAISAL OF HAYS COUNTY OWNED PROPERTIES IN THE SAN MARCOS AREA [T1-1590]

Commissioner Conley spoke of properties to be appraised are the Annex building, Records building, Max C. Smith building, Justice Center, the two Clovis Barker Drive buildings, and the old hospital property. Commissioner Carter felt like we already have a contract with Realtor Joel Barnard. Cindy Miaorka stated that that contract was not renewed and not currently in effect and it dealt only with the old hospital property. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize appraisal of Hays County owned properties in the San Marcos area. All voting "Aye".**

22531 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) IN SUMMER MOUNTAIN RANCH SUBDIVISION [T1-1749]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borchering recommended establishing a 30MPH speed limit on all roads in Summer Mountain Ranch Subdivision [Cascade Trail, Ozark Drive, Summer Mountain Drive, Alegheny Court, Appalachian Trail, Ozark Drive, Smoky Mountain Drive, Stone Mountain Trail, Purgatory Pass, and Teton Circle]. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to establish traffic regulations of 30MPH speed limit on all roads in "Summer Mountain Ranch" subdivision. All voting "Aye".**

22532 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) ON VALLEY RIDGE ROAD IN LEDGEROCK SUBDIVISION [T1-1763]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borchering recommended establishing a 30MPH speed limit on Valley Ridge Road in Ledgerock Subdivision. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to establish traffic regulation of 30MPH speed limit on Valley Ridge Road in the Ledgerock Subdivision. All voting "Aye".**

Clerk's Note: Agenda Item #12 RE: AUTHORIZE PURCHASE OF ANIMAL CONTROL EQUIPMENT (TWO 6-COMPARTMENT CHASSIS MOUNT UNITS), AND AMEND THE BUDGET ACCORDINGLY was PULLED. No discussion and No action taken.

22533 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A UTILITY ADJUSTMENT AGREEMENT WITH THE LOWER COLORADO RIVER AUTHORITY FOR THE HAYS COUNTY ROAD BOND PROGRAM – HC-BOND-08 (NUTTY BROWN ROAD) [T1-1791]

A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to authorize the County Judge to execute a Utility Adjustment Agreement with the Lower Colorado River Authority for the Hays County Road Bond Program – HC-Bond-08 (Nutty Brown Road). All voting "Aye".

WORKSHOP RELATING TO THE PROPOSED HAYS COUNTY OFFICE COMPLEX TO INCLUDE AN UPDATE ON THE ACTIVITIES OF THE FACILITIES COMMITTEE

[T1-1820] A smaller sub-committee of the Facilities Committee has been working on options/considerations to present to the Court. This committee consists of County Auditor Bill Herzog, Purchasing Agent Cindy Maiorka, Special Counsel Jacqueline Collum Murphy, and Commissioner Pct. 1 Debbie Ingalsbe. Since the last presentation in August 2004, an independent architect volunteered his time to sit with all department heads to define space needs by confirming both staffing and office space needs. The findings were consistent to the Needs Assessment that was done in 2002 by Carter/Burgess. Commissioner Ingalsbe went through the "Statement of Need" [lack of adequate office space/storage, serious security issues, lack of adequate parking, possible damage to computer equipment, fire & safety code violations, etc.] and population growth [2004 = 121,739 2010 = 166,905 2015 = 213,718] portion of the power-point presentation. Stephen Coulston, Director of Planning & Development for Broaddus & Associates provided a power-point presentation showing statement of need, background, benefits, path forward, projected revenue & savings, and considerations for the Court. Mr. Coulston spoke of 2002 Programming/Planning Study that was conducted by Carter & Burgess which provided 2002 space needs summary and projected space needs summary for 2012. They looked at a 30,000 square foot floor plate (2 buildings) planned for future expansion. Phase 1 implemented buildings #1 & #2 and allowed space for 2 more additional buildings in the future. Cost estimate summary in 2002 = \$27,110,919. Revised Plan includes purchase of Thorpe property, accommodate 10 yr. Growth projection, a single 4-story building of 141,000 sf (vs two 3-story buildings at 180,050 sf), with a revised construction cost of \$23,230,000. Commissioner Ingalsbe spoke of benefits: One-Stop facility for county residents, increased staff efficiency, facility efficiencies, and shared resources. County Auditor Bill Herzog spoke of funding options: Option A (\$27,669,100) in which the county would own the facility and Option B (\$28,500,000) in which the county would lease the facility with option to purchase. He spoke of additional cost associated with lease/purchase. These figures do not include furniture, fixtures, equipment and technology. The projected revenue and savings = \$3.5 million from sale of buildings and \$105,540 per year savings on rental property. Additional savings would be approximately \$15,000 per year for A/C maintenance/repair/upgrades, \$30,000 per year in utilities savings, \$35,000 per year savings in data lines, and \$65,000 in dedicated servers (computer equipment) for buildings. Total projected savings = approximately \$3.8 million the first year. Projected annual savings = \$185,540 per year (rent, data lines, utilities, maintenance, etc.) and \$3.7 million over 20 year period (based on current rates).

HAYS COUNTY COMMISSIONERS' COURT MINUTES



[T1-2400] Scott Grayson (GS&C) spoke of 20 acres of land and a building to accommodate the county's need for office space (off Hunter Road across from Foxtail Run). There is an existing industrial building, utilities, etc. already existing at this location which would be utilized. The development will be called "Town Center Government Plaza" and would consist of a county office consolidation and justice center, office buildings, and retail buildings. There is space behind the government building that could be used for a future light rail station depot and space on the backside for future expansion for the county. He spoke of lease/purchase transaction

with Weatherford International Corp. [T1-2757] Al Simmons spoke of building conversion (original building built for industrial use) - there is already an existing parking area that would be utilized – provided drawings of their conception of space needs in the building. Scott Grayson advised that they have no yet figured the cost – would need additional information before they are able to provide a comparison cost to previous presentation. Al Simmons advised that they feel like the cost would be \$45-50 per sq. ft. less expensive than the previous presentation. He spoke of cost for parking garages and parking spaces – this site already has 400 car spaces on the ground and an additional 400 spaces would be needed. Al Simmons advised that all the walls and A/C system would be taken out which would eliminate any mold issues and they would survey the remainder of the building to make sure there would be no possibility of mold. Commissioner Ingalsbe spoke of options that need to be considered by the court.

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 19, 2005.



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

