



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 6TH DAY OF DECEMBER 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 and Commissioner Carter led the Court in the Pledge of Allegiance to the Flags.

23055 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$142,185.05 as presented by the County Auditor. All voting "Aye".

23056 APPROVE BUDGET AMENDMENT # 06-06

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve Budget Amendment #06-06 as proposed by the County Auditor. All voting "Aye".

23057 APPROVE UTILITY PERMIT#01859

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve Utility Permit# 01859 on CR266/Old Bastrop Highway issued to Bluebonnet Electric Coop. as submitted by the County Road Department. All voting "Aye".

23058 APPROVE AMENDMENT TO CURRENT DEPOSITORY CONTRACT WITH AMERICAN NATIONAL BANK

This amendment would allow our depository bank to pledge letters of credit as collateral for our funds within specific limitations. This would also change the safekeeping bank of pledged securities to be any third party bank instead of only the Federal Reserve Bank. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve amendment to the current depository contract with the American National Bank. All voting "Aye".**

23059 AUTHORIZE EXPENDITURE NOT TO EXCEED \$5,400 FROM TOBACCO SETTLEMENT FUND FOR PERSONAL HEALTH DEPARTMENT POWER SUPPLY EQUIPMENT

Heath Dept. request is for \$5,365.55 to purchase uninterrupted power supply equipment to solve computer data loss & damage of data processing equipment due to power surges/outages. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize expenditure not to exceed \$5,400 from Tobacco Settlement Fund for Personal Health Department Power Supply Equipment. All voting "Aye".**

23060 APPROVE CONTRACT RENEWAL LICENSE/SUPPORT AGREEMENT WITH SYSTEMS DESIGNS, INC., FOR PC-ACE PRO32 FOR THE HAYS COUNTY HEALTH DEPARTMENT

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve contract renewal license/support agreement with Systems Designs, Inc. for PC-ACE PRO32 for the Hays County Health Department. All voting "Aye".



23061 APPROVE AWARD OF BID #2006 FOR A/C AND HEATING REPAIRS TO THE NEXT LOWEST BIDDER, TOMCO AIRE SERVICE DUE TO THE FACT THAT HOT ROD MECHANICAL WANTS TO OPT OUT OF THEIR CONTRACT

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve award of Bid #2006 for A/C and Heating repairs to the next lowest bidder, TOMCO Aire Service due to the fact that Hot Rod Mechanical wants to opt out of their contract. All voting "Aye".

23062 APPROVE AWARD OF BID #2006-B04 FOR PLUMBING SERVICES TO THE NEXT LOWEST BIDDER, TEXAS STATE PLUMBING DUE TO THE FACT THAT HOT ROD MECHANICAL WANTS TO OPT OUT OF THEIR CONTRACT

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve award of Bid #2006-B04 for plumbing services to the next lowest bidder, Texas State Plumbing, due to the fact that Hot Rod Mechanical wants to opt out of their contract. All voting "Aye".

23063 APPROVE TEXAS VINE (VICTIMS INFO & NOTIFICATION EVERYDAY) 2006 ANNUAL MAINTENANCE CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL TO CONTINUE THE HAYS COUNTY VINE PROGRAM

The VINE program is a statewide automated system to provide crime victims with accurate information and timely notifications of county jail inmate status and court events. Grant funds for the Texas Attorney General's office provide 100% funding for our program. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve Texas VINE (Victims Info & Notification Everyday) 2006 Annual Maintenance Contract with the Office of the Attorney General to continue the Hays County Vine Program. All voting "Aye".

23064 AUTHORIZE THE COUNTY JUDGE TO SEND A LETTER REGARDING FILING OF TAX LIENS WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS DUE TO NEW REQUIREMENTS IN HB2438

Tax Assessor-Collector Luanne Caraway spoke of HB2438 changing the requirements for filing a tax lien on mobile homes. She spoke of problem with filing the liens and loss of money for the county and she is requesting that the court send a letter to the Executive Director of TDHCA voicing our concerns. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to authorize the County Judge to write a letter to the Executive Director of TDHCA voicing the county's concerns regarding the filing of tax liens with the Texas Department of Housing and Community Affairs due to new requirements in House Bill 2438. All voting "Aye".

Clerk's Note: Agenda Item #5 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE CITIZEN CORP EMERGENCY PREPAREDNESS (CERT) AGREEMENT WITH THE OFFICE OF THE GOVERNOR, DIVISION EMERGENCY MANAGEMENT IN THE AMOUNT OF \$247,182 was pulled. No discussion and no action taken.

23065 [PCT. 3 #05-3-080] SUMMER MOUNTAIN RANCH SECTION I - WAIVE PUBLIC HEARING REQUIREMENT AND APPROVE FINAL PLAT COMBINING LOTS 65 AND 66 CREATING LOT 65R [T1-120]

Environmental Health Director Allen Walther gave staff recommendation for waiver of public hearing and approval of final plat. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to waive the public hearing requirement and approve final plat combining Lots 65 and 66 [creating Lot 65R] of Summer Mountain Ranch Section 1". All voting "Aye".

23066 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (30 MPH SPEED LIMIT) ON OLD GOFORTH RD, CR 119 [T1-140]

Judge Powers called the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding recommended a speed limit of 30 MPH. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish a 30 MPH speed limit on Old Goforth Road/CR119. All voting "Aye".

23067 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (25 MPH SPEED LIMIT) ON LONGHORN TRAIL, CR 246 [T1-151]

Judge Powers called the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding recommended a 25MPH speed limit on Longhorn Trail. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to establish traffic regulation of 25 mph speed limit on Longhorn Trail (CR246). All voting "Aye".



23068 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (STOP SIGN) ON CLEAR LAKE DRIVE [T1-163]

Judge Powers called the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding recommended a STOP sign on Clear Lake Drive at its intersection with Thompson Ranch Road. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to establish a STOP sign on Clear Lake Drive at its intersection with Thompson Ranch Road. All voting "Aye".**

23069 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (YIELD SIGN) ON THE WEST SIDE OF A NARROW BRIDGE ON MONTELL ROAD, CR 339

Judge Powers called the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding advised that this action will allow all eastbound vehicles on Montel Road to yield to westbound traffic at a narrow bridge about 2000 ft. east of Angostura Lane (CR344) near address 1463 Montell Road. Presently vehicles are causing a hazard with both directions of traffic trying to cross the bridge simultaneously. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to establish a Yield sign on the west side of a narrow bridge on Montell Road (CR339) as recommended by the County Road Department. All voting "Aye".**

23070 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON SPRINGLAKE DRIVE IN SPRING LAKE SUBDIVISION [T1-190]

Judge Powers called the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding recommended establishing a 25 MPH speed limit and a STOP sign for southbound traffic on Spring Lake Drive at Spring Lake Circle in Spring Lake Subdivision. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to establish traffic regulations of 25 MPH speed limit and a STOP sign for southbound traffic on Spring Lake Drive at Spring Lake Circle in Spring Lake Subdivision. All voting "Aye".**

23071 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS FOR THE WOODLANDS SUBDIVISION [T1-201]

Judge Powers called the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding recommended STOP signs and a 25MPH speed limit. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to establish traffic regulation of STOP signs on Woodlands Trail at intersection with Lime Kiln Road and a 25 MPH speed limit as recommended by the Road Department. All voting "Aye".**

23072 ACTION TO REFUND DEVELOPMENT PERMITTING FEES FOR THE ALLIE WRIGHT HOME RECONSTRUCTION [T1-213]

Environmental Health Director Allen Walther spoke of 90 year old Allie Wright's home that burned and is being reconstructed by volunteers – similar to habitat for humanity. The development permitting fees have been paid and a refund is being requested so that the money can be spent for purchase of appliances. He gave staff recommendation to refund these development permitting fees. **A motion was made by Judge Powers, seconded by Commissioner Molenaar to approve refund of development permitting fees for the Allie Wright Home reconstruction. All voting "Aye".**

23073 ADOPT AN ORDER PROHIBITING SALE AND USE OF CERTAIN RESTRICTED FIREWORKS (SKYROCKETS WITH STICKS, AND MISSILES WITH FINS) IN UNINCORPORATED AREAS OF HAYS COUNTY FROM DECEMBER 6, 2005 UNTIL THE COMMISSIONERS COURT FINDS THAT THE PERIOD OF ENHANCED, HAZARDOUS, OR ANTICIPATED ENHANCED FIRE DANGER NO LONGER EXISTS

[T1-248] Fire Marshal Mark Chambers spoke of drought index in Hays county (extreme fire danger) and he recommended the prohibition of these fireworks – all other fireworks are allowed. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to adopt an Order Prohibiting the sale and use of certain restricted fireworks [skyrockets with sticks and missiles with fins] in unincorporated areas of Hays County from December 6, 2005 until the Commissioners Court finds that the period of enhanced, hazardous, or anticipated enhanced fire danger no longer exists. All voting "Aye".**



23074 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE VILLAGE OF WIMBERLEY RELATING TO FIRE MARSHAL SERVICES

[T1-294] Commissioner Conley spoke of working on this interlocal agreement – has been passed by the Village of Wimberley. Fire Marshal Mark Chambers advised that they are currently performing these services in all areas of the county except the City of San Marcos. It was the Village of Wimberley that requested this interlocal agreement. There was concern for the necessity for this agreement and whether it would be more binding on the county.). Special Counsel Jacqueline Cullom Murphy spoke of language on page 2 of the agreement that protects the county. Mark Chambers advised that he has no problem with having an interlocal agreement because he will do what is required of him by law (LGC 352) no matter what area of the county is involved. Commissioner Conley spoke in support of this agreement – it is important that these type of services (emergency services) are documented. **A motion was made by Commissioner Conley to authorize the County Judge to execute an interlocal agreement with the Village of Wimberley relating to Fire Marshal services. Motion died for lack of a second.**

23075 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CARTER-BURGESS RELATING TO TRAFFIC ANALYSIS AND SITE DEVELOPMENT STUDIES ON FOUR POSSIBLE LOCATIONS FOR THE PROPOSED HAYS COUNTY OFFICE COMPLEX [T1-744]

Commissioner Ingalsbe spoke of committee review and the 4 sites that were recommended. She spoke of studies that need to be performed (traffic study and parking impacts) = \$7,400, site development restraints \$8,000, the old hospital site will need additional study \$19,000 to perform all recommended studies. Time line for completion is the week of January 23, 2006. **A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to authorize the County Judge to execute a professional services agreement with Carter-Burgess relating the traffic analysis and site development studies on four possible locations for the proposed Hays County Office Complex not to exceed \$19,000. All voting "Aye".**

Clerk's Note: Agenda Item # 23 RE: 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: PARCEL 4, SAWYER RANCH ROAD, GARY W. RAESZ AND LYNN RAESZ, FEE OWNERS was PULLED.

EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO DISCUSS AND DELIBERATE THE APPOINTMENT OF A DIRECTOR OF HUMAN RESOURCES

The court convened into closed executive session to discuss and deliberate the appointment of a Director of Human Resources. Upon completion of the closed session, the court reconvened into open meeting. County Judge Jim Powers announced 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 DECEMBER 6 . 2005.



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

