



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 17th DAY OF JANUARY A.D., 2006, 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.

INTRODUCTION OF RECENTLY HIRED HAYS COUNTY EMPLOYEES

District Judge Bill Henry introduced Ruby Castilleja as his court reporter. Commissioner Molenaar introduced Frankie Fasel as his office administrator.

23113 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$1,178,706.03 as presented by the County Auditor. All voting "Aye".

23114 APPROVE BUDGET AMENDMENT # 06-09

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve Budget Amendment #06-09 as proposed by the County Auditor. All voting "Aye".

23115 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT APPLICATION FROM THE TEXAS JUDICIAL COUNCIL - TASK FORCE ON INDIGENT DEFENSE FOR \$67,381

This grant program will assist the county in the implementation of the provisions of the Fair Defense Act and the improvement of the indigent criminal defense services in this county. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to accept a Grant Application from the Texas Judicial Council – Task Force on indigent defense for \$67,381.00. All voting "Aye".

23116 [PCT. 3# 5-3-075, 5 LOTS] RESUBDIVISION OF THE RANCH AT WIMBERLEY LOTS 1B AND 4 * APPROVE PRELIMINARY PLAT AND CALL FOR A PUBLIC HEARING ON FEBRUARY 7, 2006 [T1-64]

Environmental Health Director Allen Walther gave staff recommendation for preliminary plat approval. Creates Lots 4A, 4B, 4C, 4D, and 4E. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve preliminary plan and call for a public hearing on February 7, 2006 for "Ranch at Wimberley Resubdivision of Lots 1B and 4". All voting "Aye".

23117 CONSIDER A VARIANCE TO MAXIMUM GRADE IN THE RANCHES AT HAMILTON POOL SUBDIVISION [T1-77]

Environmental Health Director Allen Walther spoke of request for variance to maximum grade. [T1-149] Aaron Grogan explained the variance request on a private road – the terrain is fairly rough and the homesites are fairly large (ranchettes). He provided a diagram showing the difference in cuts that would have to be made. Road Supt/Engineer Jerry Borcharding spoke of 11% grade and concerns regarding exceeding that grade – if approved he would like the following: the engineer to certify that the road is safe, that no other subdivision of the lots along this stretch of road be allowed, and that the subdivision covenants clearly state that the road will never be maintained by the county so that homeowners will be fully informed. A motion was made by Commissioner Molenaar, seconded by Judge Powers to grant a variance to maximum grade in the Ranches at Hamilton Pool Subdivision with stipulation that there be no further division of land along the roadway, make it clear to homeowners that the county will never take this road into the county maintenance system (to be included in plat notes on the recorded plat and in the covenants), and the engineer must certify that this is a safe road. Commissioner Molenaar, Commissioner Conley, and Judge Powers voting "Aye". Commissioner Ingalsbe and Commissioner Carter voting "No".



23118 APPROVE POUNDHOUSE HILLS SECTION II REVISED FINAL PLAT [T1-94]

Environmental Health Director Allen Walther spoke of note in preliminary plan that was left off the final plat and has now been included. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve final plat of "Poundhouse Hills Section II Revised". All voting "Aye".**

23119 APPROVE EXCHANGE OF LETTER OF CREDIT FOR A BOND AND DISBURSEMENT CONTROL AGREEMENT RELATING TO THE DEVELOPMENT OF THE PRESERVE PHASE II AT LA VENTANA DEVELOPMENT IN DRIFTWOOD, TEXAS [T1-107]

Environmental Health Director Allen Walther spoke in favor of this action and gave staff recommendation for approval. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve exchange of Letter of Credit for a Bond and Disbursement Control Agreement relating to the development of The Preserve Phase II at La Ventana development in Driftwood. All voting "Aye".**

23120 CALL FOR A PUBLIC HEARING ON JANUARY 31, 2006 TO ESTABLISH TRAFFIC REGULATIONS IN HAYS COUNTRY ACRES SUBDIVISION [T1-409]

The recommended traffic regulation is for a STOP sign on Deerfield Road at its intersection with Fawn Meadow Drive and a STOP sign on Whispering Valley at its intersection with Deerfield Road and set a speed limit of 30 MPH within the subdivision. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to call for a public hearing on January 31, 2006 to consider establishing traffic regulations in Hays Country Acres Subdivision. All voting "Aye".**

23121 CALL FOR A PUBLIC HEARING ON JANUARY 31, 2006 TO ESTABLISH TRAFFIC REGULATIONS IN SILVERADO SUBDIVISION SECTION 1 [T1-414]

The recommended traffic regulation is a STOP sign on Spur Drive at Donna Lane and on Donna Lane at Beauchamp Road and set the speed limit at 30 MPH. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to call for a public hearing on January 31, 2006 to consider establishing traffic regulations in "Silverado Subdivision Section 1". All voting "Aye".**

23122 CALL FOR A PUBLIC HEARING ON JANUARY 31, 2006 TO ESTABLISH TRAFFIC REGULATIONS IN SHADY VALLEY SUBDIVISION PHASE 2 SECTION 3 [T1-420]

The recommended traffic regulation is a STOP sign on Fox Hound Cove at Beauchamp Road and on Doodle Bug Cove at Beauchamp Road and set the speed limit at 25 MPH. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to call for a public hearing on January 31, 2006 to consider establishing traffic regulations in "Shady Valley Subdivision Phase 2 Section 3". All voting "Aye".**

Clerk's Note: Agenda Item #12 RE: ALLOW THE ROAD DEPARTMENT TO PURCHASE 2 NEXTEL RADIO UNITS, WITH SERVICE was PULLED. No discussion and no action taken.

ACTION POSTPONED RE: SUPPLEMENTAL WORK AUTHORIZATION NO. 7 TO WORK AUTHORIZATION NO. 1 FOR ROAD BOND PROGRAM MANAGEMENT (HAYS COUNTY/TCB) [T1-430]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Supplemental Work Authorization No. 7 to Work Authorization No. 1 for Road Bond Program Management (Hays County/TCB). Motion was withdrawn Commissioner Molenaar would like more explanation of money being spent – he is concerned about overages/shortfalls – he would like an itemization of expenses.

Clerk's Note: Agenda Item #14 RE: APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 4 TO WORK AUTHORIZATION NO. 16 FOR ROW ACQUISITION SERVICES – SAWYER RANCH ROAD (HAYS COUNTY/TCB/LAN) was PULLED.

Clerk's Note: Agenda Item #15 RE: APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 4 TO WORK AUTHORIZATION NO. 9 FOR CONSTRUCTION PHASE SERVICES – NUTTY BROWN ROAD (HAYS COUNTY/TCB/HNTB) was PULLED.

Clerk's Note: Agenda Item #16 RE: ADOPT THE EARLY VOTING SCHEDULE FOR THE MARCH 7, 2006, PRIMARY ELECTIONS was PULLED. No discussion and no action taken.



**DISCUSSION REGARDING INCREASE IN THE HOMESTEAD EXEMPTION FOR
HAYS COUNTY HOMEOWNERS** [T1-551]

Commissioner Carter spoke of her concerns. Tax Assessor-Collector Luanne Caraway spoke of possible increase in over 65 exemption amount or a homestead exemption for everyone – once you freeze taxes (homestead cap) you cannot take it away. There are currently 23,899 homestead exemptions and 5,004 over 65 exemptions – there may be an increase in homestead exemptions in the future. She spoke of exemptions given by other entities (city & school). A tax freeze only applies to over 65 and disabled individuals. Commissioner Molenaar spoke of need to get a petition and let it be voted on by the citizens. It will put a burden on other taxpayers. [T1-839] Sherri Bilson suggested a citizens committee and having a workshop to receive information and work out details. [T1-926] Jim Green spoke in opposition to more exemptions and he urged the court to not allow more properties to be removed from the tax roll (housing projects, etc.). He supports increasing our tax base and he would like for someone from the court to ask the CAD for a complete list of properties recently taken off the tax roll. Commissioner Conley spoke of economic growth vs. residential growth. Commissioner Carter spoke of density creating the need for more services.

**23123 APPROVE CONTRACT WITH MICROWORKS, INC. DBA 4INMATES.COM AND THE
HAYS COUNTY SHERIFF'S OFFICE FOR INMATE ELECTRONIC MAIL SERVICE**

[T1-1178] Chief Deputy Sheriff Sam Williams spoke of a service to the county at no cost to the county – Microworks Inc. will provide hardware, software, etc. to allow our facility to receive email for people incarcerated in the jail. This service will reduce the amount of mail received at the jail and the possibility of contraband being sent to inmates. They will be able to scan the email (trans-literate) for codes, and references to weapons, etc. The people sending the email and inmates will pay a fee for this service and the county will receive some revenue. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve contract with Microworks Inc., dba 4inmates.com and the Hays County Sheriff's office for inmate electronic mail service. All voting "Aye".**

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 17, 2006.**



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

