



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 19TH DAY OF SEPTEMBER 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
LINDA C. FRITSCHÉ	DEPUTY COUNTY CLERK

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order and gave the invocation and Commissioner Conley led the Court in the Pledge of Allegiance to the Flags.

PRESENTATION AND UPDATE OF HAYS COUNTY RECYCLING OPERATIONS

Resource Management Director Jerry Pinnix gave a powerpoint presentation regarding Hays County Recycling. They have been able to obtain grants to fund programs: 2004 = \$48,300 for buildings at the Transfer Station and Citizens Collection Station, 2005 = \$27,500 for 2 fork lifts (one for each site) and installed balers @ Citizens Collection Station, 2006 = \$34,000 for a new ¾ ton Chevy diesel pickup truck and 2 14' dump trailers to begin taking glass for recycling. The glass will be delivered to Blanco County to be pulverized at their site and we will return with a load of pulverized glass which will be used by the road department in their road mixes. Abitibi Consolidated now picks up the paper products and pays the county \$15 per ton with no transportation costs. We now bale our aluminum cans and deliver them to Kyle where we receive 60 cents per pound. The cardboard is also baled and picked up by Allie Waste/ACCO Recycling and the county receives \$60 per ton without transportation costs. Scrap metals and aluminum scrap is loaded into a 40 cubic yard container box which is provided by Comal Iron of New Braunfels – the county receives \$1 per 100 pounds with no transportation costs. H & H Oil Recycling picks up used motor oil, used oil filters and used anti-freeze and there is no fee – we are paid \$0.40 @ gallon county wide. We now have our used batteries picked up by Interstate Batteries and the county receives \$5 per battery.

PUBLIC COMMENT

[T1-194] Rick Bowen spoke of people hunting on a 4 acre tract near his home. He spoke of discussions with PEC and CenturyTel regarding damage to power/telephone lines caused by buckshot and he spoke of action that can be taken by the Court regarding hunting on less than 10 acres of land and restricting of lease license.

[T1-254] Andrew Backus (Hays Trinity Groundwater Conservation District) spoke of water availability requirements. He feels like there is a flaw in the county water availability rules. He spoke of LCG 232.0032 and 30 TAC 230 and Chapter 32 Water Code and he encouraged the court to adopt 30 TAC 230 rules (same as Comal County rules).

23701 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog requested that an invoice in the amount of \$5249.70 to Gene Lee be added to the batch. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$ 1,529,054.92 with the addition of an invoice in the amount of \$5,249.70 as presented by the County Auditor. All voting "Aye".**

23702 APPROVE BUDGET AMENDMENT # 06-42

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve Budget Amendment #06-42 as proposed by the County Auditor. All voting "Aye".

23703 APPROVE THE SHERIFF AND CONSTABLE FEES FOR 2007

The law requires that the Sheriff and Constable Fees be adopted prior to October 1st of each year. There are no requested changes for 2007 – they will remain the same as they are at this time. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve the Sheriff and Constable Fees for 2007. All voting "Aye".**

23704 APPROVE FY2006-2007 FEE SCHEDULE FOR HAYS COUNTY PERSONAL HEALTH DEPARTMENT

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve FY2006-2007 Fee Schedule for Hays County Personal Health Department as presented. All voting "Aye".



Revenue Codes	Rates	Revenue Codes	Rates
TB CONTROL		FAMILY SERVICES	
06 X-Rays	\$ 40.00	01 B/P	\$ 5.00
07 TB Skin Tests	\$ 15.00	02 Cholesterol	\$ 20.00
		03 Patient Education	
IMMUNIZATIONS		04 Diabetes	\$ 10.00
10 VFC	\$ 15.00	05 HIV	\$ 20.00
10 VFC	\$ 20.00	05 STD	\$ 25.00
10A VFC Medcd		08 Adult HepB	\$ 50.00
12 Copies	\$ 2.00	08 Adult HepA	\$ 40.00
		09 Flu	\$ 20.00
		09A – Pneumonia	\$ 30.00
TITLE V		13 Womens Hlth Exam	\$ 70.00
11 Pregnancy	\$ 15.00	13 WH Problem	\$ 40.00
21 Sick Child	\$ 12.00	13L WH Labs	
21 Well Child	\$ 15.00	14 Mat Admit	\$ 70.00
21 Mat Admid	\$ 17.00	14 Maternity	\$ 40.00
21 Mat Return	\$ 10.00	14A Mat. 3 rd	
21 Ultrasound	\$ 25.00	15 Well Child	\$ 40.00
21 FamPlanExam	\$ 12.00	15 Newborn	\$ 30.00
		15A Well Child 3 rd	
		16A Case Mgmt	
		17 DePo	\$ 50.00
		17 Pills	\$ 5.00
		18 FP Exam	\$ 70.00
		19 Other	
		14-18 L Labs	
		FAMILY PRAC CLINIC	
		20 Primary Care	
		20A PHC 3 rd	
		20L Labs	

REVENUE CODES – Sliding Scale – Monthly Income – Family Size

FAMILY SIZE	LEVEL 1	LEVEL 2	LEVEL 3
	0-100%	101-185%	185-250%
1	0-\$817	\$818-\$1511	\$1512-\$2042
2	0-\$1100	\$1101-\$2035	\$2036-\$2750
3	0-\$1384	\$1385-\$2560	\$2561-\$3459
4	0-\$1667	\$1668-\$3084	\$3085-\$4167
5	0-\$1950	\$1951-\$3608	\$3609-\$4875
6	0-\$2234	\$2235-\$4132	\$4133-\$5584
7	0-\$2517	\$2518-\$4656	\$4657-\$6292
8	0-\$2800	\$2801-\$5180	\$5181-\$7000
9	0-\$3084	\$3085-\$5705	\$5706-\$7709
10	0-\$3367	\$3368-6229	\$6230-\$8417
Family Practice Clinic			
CPT CODE	LEVEL 1	LEVEL 2	LEVEL 3
99201	\$ 30.00	\$ 37.00	\$ 45.00
99202	\$ 35.00	\$ 43.00	\$ 53.00
99203	\$ 45.00	\$ 55.00	\$ 67.00
99204	\$ 67.00	\$ 83.00	\$ 101.00
99205	\$ 85.00	\$ 105.00	\$ 130.00
99211	\$ 23.00	\$ 25.00	\$ 31.00
99212	\$ 30.00	\$ 37.00	\$ 45.00
99213	\$ 43.00	\$ 53.00	\$ 65.00
99214	\$ 49.00	\$ 61.00	\$ 75.00
99215	\$ 67.00	\$ 85.00	\$ 105.00

23705 AUTHORIZE ONLINE AUCTION WITH RENE BATES AUCTIONEERS TO DISPOSE OF SURPLUS VEHICLES AND MISC. COMPUTER EQUIPMENT AND SUPPLIES

A list of auction items can be seen in the Purchasing Office. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize online auction with Rene Bates Auctioneers to dispose of surplus vehicles and misc. computer equipment and supplies. All voting "Aye".



23706 APPROVE SPECIFICATIONS FOR ROAD IMPROVEMENT PROJECT / REDWOOD ROAD (CR232) AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve specifications for Road Improvement Project/Redwood Road (CR232) and authorize Purchasing to solicit for bid and advertise. All voting "Aye".

23707 APPROVE SPECIFICATIONS FOR "ROAD BUILDING MATERIALS" AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve specifications for "Road Building Materials" and authorize Purchasing to solicit for bid and advertise. All voting "Aye".

23708 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO CAPCOG TO EXPAND THE EXISTING COUNTYWIDE COMMUNITY EMERGENCY RESPONSE TEAM (CERT) FOR UP TO \$26,218.00

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant application to CAPCOG to expand the existing countywide Community Emergency Response Team (CERT) for up to \$26,218.00. All voting "Aye".

23709 APPROVE FINANCIAL SUMMARY OF CONTRACTED AND ANTICIPATED COSTS RELATED TO THE 2001 HAYS COUNTY BOND PROGRAM

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve financial summary of contracted and anticipated costs related to the 2001 Hays County Bond Program. All voting "Aye".

23710 APPROVE RESOLUTION AUTHORIZING THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS JUDICIAL COUNCIL - TASK FORCE ON INDIGENT DEFENSE FOR UP TO \$63,140.00

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve resolution authorizing the County Judge to submit a grant application to the Texas Judicial Council - Task Force on Indigent Defense for up to \$63,140.00. All voting "Aye".

23711 [PCT. 2 #06-2-043, 2 LOTS] SUNRISE ACRES RESUBDIVISION OF LOT 85 - PUBLIC HEARING AND APPROVAL OF THE FINAL PLAT [T1-316]

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 approval. Commissioner Carter spoke of giving greater density based on surface water. **A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Sunrise Acres Resubdivision of Lot 85". All voting "Aye".**

23712 [PCT. 4 #06-4-045, 2 LOTS] TRES ARROYOS RESUBDIVISION OF LOT 3 - CALL FOR PUBLIC HEARING AND APPROVE PRELIMINARY PLAN [T1-344]

Environmental Health Director Allen Walther gave staff recommendation for approval. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to call for a public hearing on October 3, 2006 and approve preliminary plan for "Tres Arroyos Resubdivision of Lot 3". All voting "Aye".**

23713 WAIVE DEVELOPMENT FEES FOR THE WIMBERLEY VALLEY HABITAT FOR HUMANITY [T1-357]

Environmental Health Director Allen Walther gave staff recommendation for approval. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to waive development fees for the Wimberley Valley Habitat for Humanity. All voting "Aye".**



23714 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS IN THOMPSON RANCH ESTATES SUBDIVISION [T1-362]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding gave staff recommendation for a speed limit of 30 MPH. **A motion was made by Commissioner Conley, seconded by Commissioner Carter to establish traffic regulation of 30 MPH speed limit in Thompson Ranch Estates Subdivision. All voting "Aye".**

23715 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS IN CLEAR LAKE ESTATES SUBDIVISION [T1-375]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding gave staff recommendation for a speed limit of 30 MPH. **A motion was made by Commissioner Conley, seconded by Commissioner Carter to establish traffic regulation of 30 MPH speed limit in Clear Lake Estates Subdivision. All voting "Aye".**

23716 AWARD A CONTRACT FOR BUILDING A CHAIN LINK FENCE AT THE ROAD DEPARTMENT'S PRECINCT 3 MAINTENANCE YARD TO AAA FENCE COMPANY IN THE AMOUNT OF \$20,475.00 [T1-387]

Road Supt/Engineer Jerry Borcharding spoke of this being a budgeted project. AAA Fence Company had the lowest of 3 bids received. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to award a contract for building a chain link fence at the Road Department's Precinct 3 maintenance yard to AAA Fence Company in the amount of \$20,475.00. All voting "Aye".**

DISCUSSION REGARDING 9-1-1 ADDRESSING SERVICES WITH THE CITY OF KYLE (ITEM TABLED ON 08-01-2006) [T1-401]

GIS Program Manager/911 Addressing Steve Floyd advised the court that we have received annexation ordinances for 2005 & 2006 from the City of Kyle and the digital data needed for 9-1-1 addressing services is being provided. No action is needed.

23717 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE GUADALUPE-BLANCO RIVER AUTHORITY AND THE HAYS COUNTY COMMISSIONERS COURT TO COOPERATE TO ADDRESS THE IMMEDIATE AND LONG-TERM WATER AND WASTEWATER NEEDS OF HAYS COUNTY [T1-455]

This agreement is the first step towards the following: (1) Cooperative Planning in and between Hays County and GBRA, (2) Development of long-term planning initiatives; and (3) Coordination of water and wastewater services in unincorporated areas of Hays County through service contracts among the Court and customers. Charles O'Dell, President of Hays CAN, spoke of items in the interlocal agreement. Bill West, with GBRA, spoke of the interlocal agreement being considered. Specific projects will be addressed with a separate contract/agreement. Mr. West spoke of agreement with City of San Marcos utilizing surface water from Lake Dunlap. The immediate supply for Hays County would come from Canyon Lake and the Guadalupe River. Judge Powers spoke of need to begin planning. Discussion was had regarding creation of more reservoirs which is not a popular option. **A motion was made by Judge Powers, seconded by Commissioner Conley to authorize the County Judge to execute an interlocal agreement between the Guadalupe-Blanco River Authority and the Hays County Commissioners' Court to cooperate to address the immediate and long-term water and wastewater needs of Hays County. All voting "Aye".**

PRESENTATION BY SUSTAINABLE WATER RESOURCES LLC (SWR) CONCERNING THEIR EFFORTS TO BRING NEW, DIVERSE, AND SUSTAINABLE WATER RESOURCES UP THE GROWING IH-35 CORRIDOR [T1-846]

Charles O'Dell, President of Hays CAN, spoke of changing the density and population growth by adding surface water. Andrew Backus (Hays Trinity Groundwater Conservation District) spoke of need to improve the subdivision ordinance for Hays County and need for joint planning. Lynn Sherman (SWR) spoke of Hays County needing more water. He spoke of estimated growth in the area and he spoke of five sources. [T1-1090] Mr. Sherman spoke of LCRA only being able to provide water to northern Hays County (Colorado basin) and not the southern portion or Wimberley. He spoke of the Barton Springs Edwards Aquifer (prohibited from issuing any more permits), Edwards Aquifer (prohibited from issuing any more permits), and the Trinity Aquifer (cannot sustain growth). Mr. Sherman spoke of water available from the Simsboro portion of the Carrizo-Wilcox Aquifer. They want to bring 65,000 acre feet of water to Hays County to be delivered by 2011 at a cost of less than \$3 per thousand gallons with a long term contract (40-50 years) with similar renewal period. The supply is 70 – 80 miles away and is a sustainable long term resource. Environmental Health Director Allen Walther spoke of water tables dropping in Hays County – our aquifers are in bad shape.



CONSIDER OPTIONS RELATED TO REVIEW OF POTENTIAL WATER AND WASTEWATER PROJECTS [T1-1692]

On August 29, 2006, the Hays County Commissioners' Court authorized the hiring of Edmond McCarthy to review the legal aspect of potential water projects and providers in Hays County. Since that time, numerous entities have been identified that are working on projects in and around Hays County. As the identification process continues, it is highly likely that several feasible projects may be presented. Projects the court may be asked to consider in the future should include short-term and long-term solutions. Projects should also be evaluated for inter-connectivity with other providers in the County and fit into long-range plans for the various jurisdictions. Options being considered today are: (1) to authorize Purchasing to develop an RFQ to hire an engineering firm to help identify water and wastewater needs and provide a technical review of potential projects, or (2) consider short-term and long-term options with regard to staff development (hire internal personnel to help with inter-jurisdictional planning or hire a planner). Charles O'Dell, President of Hays CAN, spoke of cost for water. Commissioner Molenaar spoke of what the court has been doing to bring water into Hays County. Environmental Health Director Allen Walther spoke of using staff to address these planning issues. He suggested developing a job description for a planning position for water/wastewater issues. Commissioner Conley spoke of need to gather information now in order to develop short term and long term plans. Commissioner Carter spoke of need in the future for an engineering department. NO ACTION TAKEN THIS DATE

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 SEPTEMBER 19, 2006.



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

