



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 17<sup>th</sup> DAY OF OCTOBER 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 Carter led the Court in the Pledge of Allegiance to the Flags.

**23776 ADOPT A PROCLAMATION DECLARING THE WEEK OF OCTOBER 21-27, 2006 AS "RED RIBBON WEEK" IN HAYS COUNTY**

Sue Cohen appeared with students from Hernandez Intermediate School and presented members of the court with Red Ribbon Week packets. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to adopt a Proclamation declaring the week of October 21-27, 2006 as "Red Ribbon Week" in Hays County. All voting "Aye".

**PUBLIC COMMENTS**

Tax Assessor-Collector Luanne Caraway advised that she will be closing the tax office on Thursday for staff training regarding new laws that are going into effect.

**23777 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 \$1,061,323.88 as presented by the County Auditor. All voting "Aye".

**23778 APPROVE BUDGET AMENDMENT #07-01**

Budgets being amended: J.P. 1-1 = \$3,445 for approved part-time personnel; Health Svcs Grants/DSHS Bioterrorism = \$ 28,233 budget carry forward FY06 to FY07 per agency; LCRA Service Fee = \$5,000 for approved equipment for contractor; TxDot/CAMPO Projects Grant = \$ 1,281,500 for grant matching and budget new TxDot/CAMPO grants; TxDot/Hazard Elimination Grants = \$117,429 match for hazard elimination Grant. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve Budget Amendment #07-01 as proposed by the County Auditor. All voting "Aye".

**23779 APPROVE UTILITY PERMIT #01905**

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve Utility Permit #01905 on Old Stagecoach Road issued to CenturyTel of San Marcos. All voting "Aye".

**23780 AUTHORIZE FLU VACCINATIONS FOR COUNTY EMPLOYEES BY THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT**

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize flu vaccinations for county employees by the Hays County Personal Health Department. All voting "Aye".

**23781 APPROVE AWARD OF BID#2006-B23 "ROAD BUILDING MATERIALS" TO MULTIPLE VENDORS**

Bids were received from Colorado Materials, Industrial Asphalt, KC Materials, Semmaterials, Ergon Asphalt & Emulsions, P2 Emulsions, Tex-Mix Concrete, and Transit Mix. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve award of Bid #2006-B23 "Road Building Materials" to multiple vendors. All voting "Aye".



**23782 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT APPLICATION FROM CAPCOG TO EXPAND THE EXISTING COUNTYWIDE COMMUNITY EMERGENCY RESPONSE TEAM (CERT) FOR \$20,000.00**

The Hays County CERT has a local management team similar in makeup to a city council, but with first responder leaders acting as an advisory board for the citizen leadership. The objective of a CERT is to organize and provide trained volunteers to assist first responders: in helping their communities prepare for emergencies, providing assistance in emergencies, organizing spontaneous volunteers who have not had training, and to assist in the aftermath of emergencies. The first and second grants established to group and this grant would be used to expand the organization, purchase additional gear and training equipment. The Hays County CERT is a 501c(2) organization and is involved in local fundraisers as well as submitting applications to other entities for grant funds. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to accept a grant application from CAPCOG to expand the existing countywide Community Emergency Response Team (CERT) for \$20,000.00. All voting "Aye".**

**23783 AUTHORIZE THE COUNTY JUDGE TO ACCEPT \$40,556 GRANT FROM THE OFFICE OF GOVERNOR/CRIMINAL JUSTICE DIVISION**

The Safe Drug-Free Schools & Communities Act (SDFSC) grant in the amount of \$40,556 will help maintain the SRO officer in Wimberley ISD secondary schools. The SRO officer is placed on campus to work with and assist students, their families, teachers and other school officials to reduce crime and increase school safety. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to accept \$40,556 grant from the Office of Governor/Criminal Justice Division. All voting "Aye".**

**23784 AUTHORIZE THE COUNTY JUDGE TO ACCEPT \$54,531 GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, VIOLENCE AGAINST WOMEN ACT AND TO EXECUTE CONTRACT**

Federal law mandates the Violence Against Women Act (VAWA) program. Hays County has been using grant funds and county matching funds to operate each year. Hays County has received grant funds to operate our program for the past 9 years. The VAWA Prosecution Project operates as a specialized unit within the Hays County District Attorney's office. The grant application covers the period 09/01/06 through 08/31/07. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to accept \$54,531 grant from the Office of the Governor, Criminal Justice Division, Violence Against Women Act and to execute contract. All voting "Aye".**

**23785 AUTHORIZE THE COUNTY JUDGE TO ACCEPT \$15,768 GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM AND TO EXECUTE CONTRACT**

An increasing number of juveniles are either in need of mental health evaluations or continued mental health services. The goal of this grant is to provide mental health services to incarcerated juveniles who are not covered by private insurance or MHMR. The local MHMR only provides services to those residents that live in Hays County. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to accept \$15,768 grant from the Office of the Governor, Criminal Justice Division, Juvenile Justice and Delinquency Prevention Program and to execute contract. All voting "Aye".**

**23786 APPROVE CONTRACT WITH INDIGENT HEALTHCARE SOLUTIONS, LTD. FOR DATA PROCESSING SERVICES OF INDIGENT PROGRAM FOR PERSONAL HEALTH DEPARTMENT AND SHERIFF'S DEPARTMENT**

**A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve contract with Indigent Healthcare Solutions, Ltd. for data processing services of indigent program for Personal Health Department and Sheriff's Department. All voting "Aye".**

**23787 APPROVE 2006 STOP LOSS POLICY AND CONTRACT RENEWAL WITH CONNECTICUT GENERAL LIFE INSURANCE COMPANY FOR HAYS COUNTY'S STOP LOSS INSURANCE**

**A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve 2006 Stop Loss Policy and contract renewal with Connecticut General Life Insurance Company for Hays County's Stop Loss Insurance. All voting "Aye".**



**12788 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH ROBERT KENNEDY TO IMPLEMENT THE COUNTY'S LINK DEPOSIT PROGRAM**

Funds were allocated by the court on September 26, 2006 and will come from the LCRA Water Fund. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to execute a contract with Robert Kennedy to implement the County's Link Deposit Program. All voting "Aye".**

**23789 APPROVE OUT OF STATE TRAVEL REQUEST FOR LOGAN LEATHERWOOD TO ATTEND TRAINING CONFERENCE**

Request is for out of state travel for Sheriff's Dept. CID Criminalist Logan Leatherwood to attend the Sirchie's Crime Scene Technology Course in Youngsville, North Carolina. The Sheriff's office has committed to use currently budgeted training funds to cover the costs. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve out of state travel request for Logan Leatherwood to attend training conference. All voting "Aye".**

**23790 APPROVE COUNTY HOLIDAY SCHEDULE FOR FY 2007**

Commissioner Molenaar spoke in opposition to half days before Thanksgiving & Christmas and suggested deleting the Columbus Day holiday. Commissioner Ingalsbe spoke of phone calls she receives before these holidays that some offices are closing their offices one-half a day. Commissioner Conley spoke of deleting Columbus Day and allowing the half-day off before Thanksgiving and Christmas. **A motion was made by Commissioner Molenaar to approve holidays with exception of half days before Thanksgiving and change the Christmas holiday to December 24 & 25. MOTION DIED FOR LACK OF A SECOND. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve proposed holiday schedule for 2007. Commissioner Molenaar and Commissioner Conley voting "NO". Commissioner Ingalsbe, Commissioner Carter, and Judge Powers voting "Aye".**

HAYS COUNTY HOLIDAYS FOR 2007			
NEW YEARS .....	JAN	1	MON
MARTIN LUTHER KING'S BIRTHDAY.....	JAN	15	MON
PRESIDENT'S DAY.....	FEB	19	MON
TEXAS INDEPENDENCE DAY.....	MAR	2	FRI
GOOD FRIDAY.....	APR	13	FRI
MEMORIAL DAY.....	MAY	28	MON
INDEPENDENCE DAY.....	JUL	4	WED
LABOR DAY.....	SEP	3	MON
COLUMBUS DAY.....	OCT	8	MON
VETERAN'S DAY.....	NOV	12	MON
THANKSGIVING.....	NOV	21	WED (1/2 day)
	NOV	22	THU
	NOV	23	FRI
CHRISTMAS.....	DEC	24	MON (1/2 day)
	DEC	25	TUE
	DEC	26	WED

**23791 [PCT. 3 #05-3-043, 2 LOTS] DEWITT GAYLE SUBDIVISION – APPROVE PRELIMINARY PLAN [T1-240]**

This is a two lot subdivision located on Wayside drive with a 30 ft. shared access easement. Environmental Health Director Allen Walther gave staff recommendation for preliminary plan approval. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve preliminary plan for "Dewitt Gayle Subdivision". All voting "Aye".**

**23792 [PCT. 4 #06-4-051, 2 LOTS] BLACK KING BARTON – APPROVE PRELIMINARY PLAN [T1-250]**

This is a two lot subdivision located on Trautwein Road. Environmental Health Director Allen Walther gave staff recommendation for preliminary plan approval. **A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve preliminary plan for "Black King Barton". All voting "Aye".**



**23793** [PCT. 4 #06-4-053, 1 LOT] **BELTERRA PHASE 4 SECTION 1- APPROVE FINAL PLAT**

[T1-260] This lot is a roadway (Belterra Drive). Environmental Health Director Allen Walther gave staff recommendation for final plat approval and accept construction security. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve final plat of "Belterra Phase 4 Section 1" and accept construction security. All voting "Aye".**

**23794** [PCT. 4 #06-4-052, 4 LOTS] **SHERMAN OAKS - APPROVE FINAL PLAT** [T1-273]

This is a four lot subdivision located on Elder Hill Road with a 30 ft. wide shared access driveway. 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 for "Sherman Oaks". All voting "Aye".**

**Clerk's Note: Agenda Item #20 RE: PCT. 4 #06-4-031, 4 LOTS] SPRINGLAKE RESUBDIVISION OF LOT 122-A - APPROVE FINAL PLAT was PULLED. No discussion and no action taken.**

**23795** **PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON JENNIFER DRIVE AT CODY LANE** [T1-283]

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 placement of a STOP sign on Jennifer Drive at the intersection of Cody Lane & Christopher Lane. **A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulation of a STOP sign on Jennifer Drive at its intersection with Cody Lane and Christopher Lane. All voting "Aye".**

**23796** **ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS IN COUNTY ROW, RELEASE OF THE CONSTRUCTION BOND, CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS, AND ACCEPT THE MAINTENANCE BOND FOR TWO YEARS FOR WALKING W RANCH SUBDIVISION, PHASE C** [T1-293]

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept road construction and drainage improvements in county right-of-way, release the construction bond, call for a public hearing on October 31, 2006 to establish traffic regulations, and accept the maintenance bond for two years for "Walking W Ranch Phase C" subdivision. All voting "Aye".

**23797** **RELEASE THE MAINTENANCE BOND, ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW, AND CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS FOR WALKING W RANCH SUBDIVISION, PHASE B** [T1-308]

A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to release the maintenance bond, accept for maintenance all roads and drainage improvements within county right-of-way, and call for a public hearing on October 31, 2006 to establish traffic regulations for "Walking W Ranch Phase B" subdivision. All voting "Aye".

**23798** **AUTHORIZE THE COUNTY JUDGE TO EXECUTE WORK AUTHORIZATION NO. 1 WITH PRIME STRATEGIES RELATING TO THE PASS THROUGH FINANCING PROJECT** [T1-317]

Charles O'Dell (Hays CAN) spoke of Section 3 regarding public involvement. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to execute Work Authorization No. 1 with Prime Strategies relating to the Pass Through Financing Project. All voting "Aye".**

**23799** **APPROVE APPOINTMENT OF EUGENE FOSTER TO THE HAYS COUNTY HISTORICAL COMMISSION TO FILL VACANT PLACE THROUGH DECEMBER 31, 2006** [T1-402]

A motion was made by Judge Powers, seconded by Commissioner Conley to approve appointment of Eugene Foster to the Hays County Historical Commission to fill vacant place through December 31, 2006. All voting "Aye".



**23800 AUTHORIZE THE COUNTY JUDGE AND THE COUNTY'S SPECIAL WATER COUNSEL, ED MCCARTHY, TO APPROACH LCRA TO NEGOTIATE THE MODIFICATION OF THE EXISTING "AGREEMENT REGARDING PROVISION OF WATER AND WASTEWATER SERVICE" TO PROVIDE GREATER FLEXIBILITY TO THE COUNTY IN THE UTILIZATION OF FUTURE REVENUES GENERATED BY THE AGREEMENT TO FACILITATE REGIONALIZED WATER AND WASTEWATER SERVICES WITHIN HAYS COUNTY, AND TO BRING SUCH AGREEMENT BACK TO THE COMMISSIONERS COURT FOR APPROVAL [T1-410]**

Ed McCarthy spoke of previous agreement with LCRA needing to be expanded. Charles O'Dell (Hays CAN) spoke. Possible changes include: updating the agreement to make it consistent with county efforts to modify Hays County Development Standards and address water quality protection efforts. Final approval of any modifications would be brought to the Commissioners' Court for acceptance and approval, followed by acceptance and approval by the LCRA. **A motion was made by Judge Powers, seconded by Commissioner Molenaar to authorize the County Judge and the County's Special Water Counsel Ed McCarthy to approach LCRA to negotiate the modification of the existing "Agreement Regarding Provision of Water and Wastewater Service" to provide greater flexibility to the County in the utilization of future revenues generated by the agreement to facilitate regionalized water and wastewater services within Hays County and to bring such agreement back to the Commissioners' Court for approval. 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 OCTOBER 17, 2006.**



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

