

**Commissioners' Court – February 3, 2004**  
**NOTICE OF A MEETING OF THE**  
**COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS**



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNONS TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners' Court will hold a meeting at **9:00 A.M.** on **3<sup>rd</sup> day of February 2004**, in the Hays County Courthouse, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

**CALL TO ORDER**

INVOCATION

PLEDGE OF ALLEGIANCE - **Pledge of Allegiance to the American Flag & Pledge of Allegiance to the Texas Flag**

**PRESENTATIONS & PROCLAMATIONS**

**PUBLIC COMMENTS**

At this time **3-MINUTE** comments will be taken from the audience on Non-Agenda related topics. To address the Court, please submit a Public Participation/ Witness Form to the County Clerk. Please Complete the Public Participation/ Witness Form in its Entirety.  
NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS.

**CONSENT ITEMS**

The following may be acted upon in one motion. A **Commissioner, the County Judge, or a Citizen**  
May request items be pulled for separate discussion and/or action

1. Approve payment of county invoices. **[Herzog]**
2. Approve Budget Amendment #04-11 **[Herzog]**
3. Approve Utility Permits **[Powers/Borcherding]**
4. Approve refund of double payments and/or overpayments on taxes **[Powers/Caraway]**
5. Approve reappointment of James Huckaby to the Northeast Hays County Rural Fire Prevention District **[Carter]**
6. Approve reappointment of Lyle Bollinger and Beth Smith to the Hays County Rural Fire Prevention District #5 **[Carter]**
7. Approve reappointment of Jesse Logan and Ralph Rice to the Northeast Hays County Emergency Services District #2 **[Carter]**
8. Approve reappointment of Commissioner Debbie Gonzales Ingalsbe to the Capital Area Rural Transportation System Board of Directors **[Powers]**
9. Approve transfer of Van from Hays County Veterans Services to Hays County Juvenile Probation Department **[Powers]**
10. Approve transfer of funds from the County's Legal Services line item to the Hays County Juvenile Board **[Powers/Wenk/Warner]**
11. Approve lease of Copier for Hays County Health Department **[Powers/Helmly]**
12. Award bid #2004-B4, "Annual Contract for A/C & Heating Services" to Tejas Refrigeration, Inc. **[Herzog/Maiorka]**
13. Award bid #2004-B7R, "Hauling of Solid Waste for Transfer Station" to BFI **[Herzog/Maiorka/Pinnix]**

**ACTION ITEMS**

**SUBDIVISIONS:**

14. **PCT. 2 04-2-002** Indian Hills Ranch, Lot 4, 2 lots – Consider approval of preliminary plan **[Carter/Walther]**
15. **PCT. 4 02-4-079** Shady Valley, Section 2, – Accept completion of road and drainage improvement; consider release of Construction Fiscal security and accept Maintenance Fiscal Security **[Molenaar/Walther]**
16. **PCT. 4 02-4-080** Shady Valley, Section 3, 30 lots – consider approval of Final Plat; accept completion of construction of road and drainage improvements, and accept the Maintenance Fiscal for a period of two years **[Molenaar/Walther]**

- 17. **PCT. 4 03-4-063** Silverado, Phase 1, 45 lots – consider approval of Final Plat, accept completion of construction of road and drainage improvements, and accept Maintenance Fiscal Security for a period of two years **[Molenaar/Walther]**
- 18. **PCT. 4 04-4-005** K-Bar-Mac, Lot 2A & 2B A REPLAT, 2 lots – Consider approval of FINAL Plat and waive public notification and preliminary requirements **[Molenaar/Walther]**
- 19. Hold a public hearing and consider approval of proposed rules for Infrastructure Regulations for Multi-Unit Developments **[Molenaar/Walther]**

**ROADS:**

- 20. **PCT. 2** Discussion and possible action to rename a former segment of Windy Hill Rd. to Hatters Cove **[Carter]**
- 21. **PCT. 3** Willow Creek subdivision, Section 10A & 10B – Consider approval of the release of the construction fiscal for subdivision road and drainage improvements **[Burnett/Borcherding]**
- 22. **PCT. 3** River Creek subdivision – Consider the release of the construction / maintenance fiscal for subdivision road and drainage improvements **[Burnett/Borcherding]**
- 23. **PCT. 4** Old Oak Estates – Consider the release of the maintenance fiscal for subdivision road and drainage improvements and accept road into county road maintenance system **[Molenaar/Borcherding]**

**MISC. ITEMS:**

- 24. Discussion and possible action to approve outside legal counsel agreement with David Brooks to authorize his assistance with possible amendments to the Hays County Subdivision and Development regulations **[Powers]**
- 25. Discussion and possible action pursuant to Chapter 253, Texas Transportation Code, relating to Creekside Trail (report from County Clerk on ballots received and possible action to direct road department to proceed with road improvements) **[Ingalsbe]**
- 26. Discussion and possible action to authorize County Judge to submit grant application to the Bulletproof Vest Partnership Program of the U.S. Office of Justice Programs for up to \$6,125 and to execute contract if approved **[Powers/Montague/Salmon]**
- 27. Discussion and possible action regarding violations of Hays County Subdivision and Development Regulations and Hays County Rules for On-Site Sewage Facilities and any appendices attached to these regulations **[Carter]**
- 28. Discussion and possible action to approve replacing Joyce (Tommy) Poer with Mark L. Iberg on the Northeast Hays County Emergency Services District #2 **[Carter]**
- 29. Discussion and possible action to approve interlocal agreement with the Village of Wimberley for Animal Control Services **[Powers]**
- 30. Discussion and possible action to consider agreed judgment in Cause No. 4608, *Hays County v. Sapp*, and call for a public hearing regarding the proposed abandonment of a portion of Bliss Spillar Road **[Powers]**

**EXECUTIVE SESSIONS**

The Commissioners' Court will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The Commissioners' Court may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

**ADJOURNMENT**

Posted at 1:00 o'clock P.M. on the 30<sup>th</sup> day of January, 2004

**COMMISSIONERS' COURT, HAYS COUNTY, TEXAS**

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**CLERK OF THE COURT**

Hays County encourages compliance with the Americans with Disabilities Act (ADA) in the conduct of all public meetings. To that end, persons with disabilities who plan to attend this meeting and who may need auxiliary aids such as an interpreter for a person who is hearing impaired are requested to contact the Hays County Judge's Office at (512) 393-2205 as soon as the meeting is posted (72 hours before the meeting) or as soon as practical so that appropriate arrangements can be made. While it would be helpful to receive as much advance notice as possible, Hays County will make every reasonable effort to accommodate any valid request regardless of when it is received. Braille is not available.