

**Commissioners' Court - December 7, 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 the **7<sup>th</sup> day of December 2004**, in the Hays County Courthouse, Room 301, 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 # 05-06 [**Herzog**]
3. Approve Utility Permits [**Powers/Borcherding**]
4. Approve reappointment of Fire Commissioners Ron Spangenberg, David Slider, and Eddie Gumbert to the Hays County Emergency Services District #4 [**Burnett**]

**ACTION ITEMS**

**SUBDIVISIONS:**

5. PCT. 3 04-3-070 Parker's Ridge, Section 2, 2 lots - Consider approval of FINAL Plat [**Burnett/Walther**]
6. PCT. 4 04-4-079 Hays Country Acres, Lot 15, RESUBDIVISION, 2 lots - Consider approval of Preliminary Plan [**Molenaar/Walther**]
7. PCT. 4 04-4-073 Highlands East, Lot 6, RESUBDIVISION, 2 lots - Consider approval of Preliminary Plan [**Molenaar/Walther**]
8. PCT. 4 04-4-080 Glenn Kothmann Properties Subdivision, Lots 51A & 51B, RESUBDIVISION, 4 lots - Consider approval of Preliminary Plan [**Molenaar/Walther**]

**ROADS:**

**MISC. ITEMS:**

9. Hold Public Hearing and consider possible action on petition for creation of proposed Public Improvement District (PID) - (Polo Country Club Public Improvement District) [**Molenaar/Walther**]
10. Discussion and possible action to consider a request from the City of San Marcos to waive the sixty-day statutory notice required for the creation of a Tax Increment Reinvestment Zone (proposed TIRZ is generally bounded by Post Road on the East, Blanco River on the West, Old Stagecoach on the South and Loop 110 on the North) [**Powers/Ingalsbe**]
11. Discussion and possible action to approve interlocal agreement with the City of Kyle relating to road construction on Dry Hole Road and authorize the County Judge to execute same [**Carter**]

12. Discussion and possible action to accept resignation of Rodney van Ouderkerke and approve appointment of Richard Gachot as Chair of the Hays County Historical Commission [**Powers**]
13. Discussion and possible action to approve a change in title/rank from Jail Lieutenant to Jail Captain [**Molenaar/Montague/Gonzales**]
14. Discussion and possible action to call for Local Option Election to be held on May 7, 2005, in Justice Precinct 4 [**Powers/Cowan**]
15. Discussion and possible action to appoint a County representative to the Tax Increment Reinvestment Zone #1 Board of Directors in Kyle Texas or waive the Hays County appointment [**Powers**]
16. Discussion and possible action to authorize County Judge to sign interlocal agreement with CIRA for website design for tax office [**Powers/Caraway/McGill**]

#### **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.

17. Executive session pursuant to Section 551.071, Texas Government Code, to meet with Legal Counsel to discuss and deliberate *Papalote Homes, Ltd. V. Hays County Commissioners Court*, Cause No. 04-0325. Action may follow in open court [**Burnett**]

#### **ADJOURNMENT**

Posted by 5:00 o'clock P.M. on the 3<sup>rd</sup> day of December, 2004 -- COMMISSIONERS' COURT, HAYS COUNTY, TEXAS

\_\_\_\_\_  
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.