

MAY 2, 1994

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 2ND DAY OF MAY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE	COUNTY JUDGE
PETER RODRIGUEZ	COMMISSIONER, PCT. 1
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
CRAIG D. PAYNE	COMMISSIONER, PCT. 3
ORAN H. RIPPY	COMMISSIONER, PCT. 4
RONNIE DANNELLEY	COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12789 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$ 155,974.78 as presented by the County Auditor. All voting "Aye".

Fin Adm Svcs	\$ 150.00	Fines	\$ 60.98
Auditors Ofc	\$ 517.83	Treasurers Ofc	\$ 50.52
Extension Ofc	\$ 108.31	Juv Prob Ofc	\$ 928.70
Election Admin	\$ 507.50	Indigent Care	\$ 6,739.55
Transfer Station	\$ 164.91	Bldg. Maint.	\$ 9,225.60
Environ Health	\$ 1,669.14	Personal Health	\$ 225.34
Civic Center	\$ 477.45	Countywide Oper	\$34,994.45
Tax A/C	\$ 70.34	District Clerk	\$ 356.38
County Clerk	\$ 1,510.86	Sheriffs Ofc	\$ 638.03
Jail Operations	\$21,230.55	Human Resources	\$ 807.57
Co Crt @ Law 1	\$ 191.90	Dist. Attorney Ofc	\$ 388.78
J.P. 1-1	\$ 49.50	J.P. 1-2	\$ 688.41
J.P. 3	\$ 45.85	J.P. 5	\$ 125.00
D.P.S.	\$ 528.05	Constable 1	\$ 518.95
Constable 3	\$ 34.81	Constable 5	\$ 98.61
Dist Crt Operation	\$ 3,466.76	Co & JP Crt Oper	\$ 4,112.56
Computer Services	\$ 1,791.85	TJPC CCAP Grant	\$ 2,262.37
Historical Comm	\$ 114.00	THC/Kyle Sur Grant	\$ 2,154.00
THC/Buda Broch Grant	\$ 800.00	R&B Operations	\$37,896.05
Precinct 2	\$ 875.06	Precinct 3	\$ 100.59
Records Mng/Co Clk	\$ 2,581.00	Health Svcs Grants	\$ 8,275.62
Law Library Fund	\$ 197.00	Adult Prob Oper	\$ 6,749.39
Adult Prob Fac	\$ 1,491.10		

Gen Fund Credit = \$ 144.36
R&B Gen Fund Credit = \$ 57.25

12790 AMEND BUDGET OF DISTRICT ATTORNEY'S OFFICE, DPS, J.P. 1-2, TREASURERS OFFICE, AND PRECINCT 2

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve budgets as proposed by the County Auditor. All voting "Aye".

<u>Line Item - Expenditures</u>	<u>Increase</u>	<u>Decrease</u>
DISTRICT ATTORNEYS OFFICE		
01-423-5312 DARE (DA) Prog	\$ 800.00	
REVENUES		
01-367-2423 DARE (DA) Prog Contrib		\$ 800.00
budget DARE(DA) contributions and expend		
DEPT. OF PUBLIC SAFETY		
01-430-5321 Dues & Bonds	\$ 142.00	
01-430-5211 Off Sply		\$ 142.00
for (2) Notary Fees and bonds for office		
JUSTICE OF THE PEACE 1-2		
01-425-5711 Off Eqpt	\$ 190.00	
01-425-5391 Misc.		\$ 190.00
paper shredder cost		
TREASURER'S OFFICE		
01-402-5429 Software Maint	\$ 350.00	
01-402-5461 Printing	\$ 500.00	
COUNTYWIDE OPERATIONS		
01-414-5340 Insurances		\$ 850.00
PRECINCT 2		
03-440-5021 Staff Sal	\$ 600.00	
03-440-5110 FICA	\$ 46.00	
03-440-5449 Temp Personnel		\$ 646.00

12791 AWARD CONTRACT FOR ROAD SIGNS

Bids were received on "Regulatory, Warning and Other Road Signs" from Hall Signs Inc., Pathmark Traffic Products, and National Sign Company - Purchasing Agent Cindy Casparis recommended that the contract be awarded to Hall Signs Inc.(lowest bid meeting specifications and they have demonstrated excellent performance in the past. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to award contract for Road Signs to Hall Signs Inc. as recommended by the County Purchasing Agent. All voting "Aye".

12792 ADOPT "ADMINISTRATIVE REVIEW PROCESS FOR MULTI-DEED SAME OWNERSHIP PARCELS"

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to adopt "Administrative Review Process for Multi-deed Same Ownership Parcels" as proposed by the Environmental Health Director. All voting "Aye".

Administrative Review Process for Multi-Deed Same Ownership Parcels	
1.	The property owner will provide a survey drawing showing all parcels.
2.	All parcels must meet minimum lot size requirements.
3.	When applicable, the property owner must provide proof of recorded access.
4.	Cities having jurisdictional authority will be provided a copy of the survey drawing for possible platting requirements.
5.	Owners of property over the recharge zone will be directed to Texas Natural Resource Conservation Commission for compliance requirements.
6.	Owners of the property will be advised that conveyance of any parcel to a second party without meeting Hays County Subdivision Ordinance Requirement will be subject to enforcement action.

12793 APPROVE PURCHASE OF OFFICE EQUIPMENT FOR THE COUNTY CLERK'S OFFICE OUT OF RECORDS MANAGEMENT FUNDS

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve purchase of office equipment for the County Clerk's office out of Records Management Funds. All voting "Aye".

Items to be purchased:	2 chairs for office staff =	\$ 284.00
	2 chairs for public use =	\$ 194.00
	1 task stool for office staff =	\$ 172.00
	1 work table for public use=	\$ 100.00
		=====
Total expenditure (Line Item # 08-445-5711)=		\$ 750.00

12794 ROAD NAME DESIGNATION: RENAME "BONHAM LANE" TO "BONHAM RANCH ROAD"

A request was made to rename Bonham Lane due to road name duplication - Travis County has approved the new name of Bonham Ranch Road. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to rename "Bonham Lane" to "**Bonham Ranch Road**" (road is located north off Fitzhugh Road west of Crumley Ranch Road. All voting "Aye".

12795 ADOPT PROCLAMATION RECOGNIZING MAY 9-13, 1994 AS "PEACE OFFICER MEMORIAL WEEK"

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to adopt Proclamation recognizing the week of May 9 - 13, 1994 as "Peace Officer Memorial Week" . All voting "Aye".

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STATE OF TEXAS) (

COUNTY OF HAYS) (

PROCLAMATION

WHEREAS, each year peace officers tragically lose their lives in the line of duty; and

WHEREAS, a National Memorial Service is held annually in Washington, D.C. to honor these officer and families; and

WHEREAS, in 1963 President John F. Kennedy proclaimed May 15th as National Peace Officer Memorial Day; and

WHEREAS, since times subordinate, and states' auxiliaries have been marking the occasion with memorial services in their own jurisdiction; and

WHEREAS, through the efforts of the Grand Lodge Ladies Auxiliary, the first national peace officers memorial service was performed on May 15, 1982 on Capitol Hill in Washington, D.C.; and

WHEREAS, the Hill Country Fraternal Order of Police Lodge #23 has made a commitment to share, support and serve the law enforcement community; and

WHEREAS, the Hill County Fraternal Order of Police Lodge #23 actively contributed to and support this worthwhile endeavor;

THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas, that May 9 - 13, 1994 be recognized as

PEACE OFFICERS' MEMORIAL WEEK

and be it further proclaimed that citizens and officials be encouraged to participate in observance of this special occasion.

PROCLAIMED ADOPTED on this 2nd day of May, 1994. To certify which witness our signatures below.

Eddy A. Etheredge
Eddy A. Etheredge
Hays County Judge

Pete Rodriguez
Pete Rodriguez
Commissioner Pct. 1

Jeff Barton
Jeff Barton
Commissioner Pct. 2

Craig Payne
Craig Payne
Commissioner Pct. 3

Oran Hill Rippey
Oran "Pug" Rippey
Commissioner Pct. 4

Attest:

Ronnie Dannelley
Ronnie Dannelley
Hays County Clerk



12796 AWARD CONTRACT FOR AUCTIONEERING SERVICES

Cindy Casparis, County Purchasing Agent, reported that seven proposals were received on auction services - recommended that Lonestar Auctioneers Inc. (Fort Worth, Tx) be awarded the contract. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to award contract for auctioneering services for the City of San Marcos and Hays County joint auction to **Lonestar Auctioneers Inc.** All voting "Aye".

REQUEST FOR PLATTING VARIANCE ON 102.09 AC OWNED BY JAMES E. KELLEY

James E. Kelley is the owner of 102.09 acres of land in the Jesse Massey Survey No. 86 - he is planning to sell 52.01 acres of his property and retain the remaining 50.08 acres of land for his personal use - this property is located southwest of Dripping Springs along the west side of CR220. Allen Walther, Environmental Health Director, stated that he is not ready to give his approval this date - this request does meet the variance guidelines. No action taken this date.

12797 DAISLEY SUBDIVISION AT BEAR CREEK (LOTS 6-B1 & 6-B2)

This subdivision was approved by the Commissioners Court in 1985 but was never filed for record - new certifications have been attached - staff approves filing - no roadways involved. All members of the Court approved the filing of "Daisley Subdivision" resub of Lot 6 Block B of Bear Creek Oaks.

12798 INDIAN SPRINGS RANCH (LOTS 1-18) - FIRST READING APPROVAL

This property has not sold in the large 500 acre tracts as previously approved by the Commissioners' Court (Michaelis Ranch) - Allen Walther, Environ. Health Dir., recommended first reading approval only - a water pollution abatement plan will be required on streets. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Indian Springs Ranch" subdivision on first reading. All voting "Aye".

12799 TRIPLE CREEK RANCH SECTION 1 - FIRST READING APPROVAL

Proposals on this property have been brought before the Court in the past and never finalized - Allen Walther, Environ. Health Dir., recommended approval on first reading only - floodplain on the property will require a study. Judge Etheredge voiced his concerns about water availability - need to see about hooking up with Hill Country Water Supply. Darrell Brown, Road Director, stated that he had not received a cross-section of roads yet. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Triple Creek Ranch Section 1" subdivision on first reading. All voting "Aye".

ANTON PROPERTY - REQUEST FOR PLATTING VARIANCE ON 146 ACRE TRACT

A written request for a variance from platting a 146 acre tract was received from Elaine Meyer, Mary Ann Elwell, Gerald Anton, Leonard Anton, and David Anton. A copy of the survey will be furnished upon completion. No action taken this date.

12800 PEABODY PLACE (LOTS 1-6) - THIRD READING APPROVAL

This subdivision received first and second reading approval on April 25, 1994 - staff recommends approval - Allen Walther, EHD, stated that the plat needs to recognize the adjoining property owners. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Peabody Place" subdivision on third reading contingent on plat identifying the adjacent property owners. All voting "Aye".

12801 SET SALARY GRADE/STEP FOR PROTECTIVE HOMEMAKER GRANT POSITION

Position was not initially graded in DMG study - supervised by TDPRS office - finally grade in December 1993 by DMG as Grade 10. A motion was made by Commissioner Barton, seconded by Judge Etheredge to set salary at Grade 10 Step Minimum effective May 1, 1994 for Protective Homemaker Grant Position. All voting "Aye".

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DISCUSSION REGARDING AN ADDITIONAL PERSON IN THE TREASURER'S OFFICE

Judge Etheredge read Proposal for Budget Amendment for the Treasurer's Office:

01-402-5021 Staff Salary

Beginning June 1, 1994 we will be losing a member of our staff. Although some of these duties are being transferred to the Human Resources Department, there are still a number of duties that will be left unattended. This in addition to the increase in the work load we have had over the past three years will leave this office short handed. Last year during the budget process we asked for an additional staff member. The need for this additional help will become even more imperative beginning June 1.

County Treasurer Dottie Sims spoke of payroll related duties that will increase her workload when she loses her current staff member - if we go to twice monthly payroll it will increase their need tremendously and also when they begin computing vacation leave, sick leave, and comp time for all county employees. Judge Etheredge spoke of personnel policy - he supports twice monthly payroll - Court needs to seriously consider her request for additional personnel.

DISCUSSION/UPDATE ON ROAD BOND ISSUE

John Doucet and Rick Miller (Doucet & Associates Inc) appeared before the Court and presented a Status Report for Hays County Roadway Improvements Project:

1. The research for determining property owners, obtaining parcel numbers and pulling of deeds is 98% complete for the Phase One roads. The remaining ownership information will be obtained by the design engineering firms with the assistance of a title company.
2. Preparation of the property ownership strip maps has begun. The strip maps for the Phase I roads will be completed by May 30, 1994.
3. Publication of the Public Notice requesting proposals began on April 28, 1994. The opening date is May 17, 1994 at 2:00 P.M.
4. Final drafts of the design criteria, standard specifications, requirements for design documents and bid document guidelines will be submitted to the Hays County Roads Administrator and the Roadway Improvements Project attorney for review on May 16, 1994.

Rick Miller recommended appointing a review committee for evaluating the request for proposals/request for qualifications to be submitted for engineering and surveying services - committee could consist of Rick Miller, Judge Etheredge, Darrell Brown, and Cindy Casparis - and Attorney will be needed to handle documentation and possible litigation (condemnation). Cindy Casparis, Purchasing Agent, advised the Court that the RFP's must be kept confidential until the award is made.

12802 APPROVE COLLECTION ON SMALL CLAIMS ACTION AGAINST ELMUS PETERSON

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve collection on Small Claims action against Elmus Peterson. All voting "Aye".

12803 DISCUSSION AND ACTION REGARDING THE JUVENILE SERVICES FACILITY

Commissioner Payne spoke of previous work done by PSA - construction documents were prepared and we were ready to go out for bids - there may be some changes made. Thad Pellitz of PSA (Phillip Swager Associates) appeared before the Court - spoke of changes that may need to be made for engineering purposes - presented a preliminary drawing of the proposed 24 bed facility (16 bed short term beds and 8 long term beds). Commissioner Payne spoke of not incorporating the Juvenile Probation Offices in this facility which would allow additional space for activities/programs. Previous cost estimates were \$850,000 for construction and \$50,000 for architectural/engineering fees. Thad advised that the cost is approximately \$45,000-50,000 per bed. Discussion was had on requirements for separating boys and girls and locking down the sleeping areas. Ed Cooper, Chief Juvenile Probation Officer, spoke of future funding that will be available through the Federal and State government. Discussion was had on the layout of the proposed facility - some services will be received through the Jail/LEC (i.e. medical, meals, laundry).

Commissioner Barton spoke of point programs and space for additional activities for those juvenile doing well - he would like the Court to not take action this date until Margie Hernandez has an opportunity to see the plans - he would like to obtain a hard price on a 16 bed facility. Judge Etheredge stated that we need to know what the operational cost will be for a 16 bed and a 24 bed facility - will we have the money to operate the facility or will we be required to raise taxes - advised other members of the Court that once the facility is built, it becomes the responsibility of the Juvenile Board and funds will have to be provided. Juvenile Board consist of County Judge, Judge County Court at Law #1, District Attorney, and the three District Judges. Discussion was had on daytime and nighttime supervision in the facility and camera surveillance. Al Lowman spoke of having supported the need for a Juvenile Detention Center since the mid 1970's - spoke of FBI statistics showing increase in juvenile crime - steps must be taken to provide an adequate facility. Frances Emory spoke of having been involved in the juvenile issues for many years - supports an adequate facility - urged the Court to build an adequate facility to accommodate future needs. Commissioner Payne spoke in support of a 24 bed facility. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to direct PSA to develop construction documents for a 24 bed facility. Judge Etheredge advised that he prefers a preliminary plan and preliminary cost estimates. Commissioner Barton spoke in opposition to authorizing construction documents until we receive estimated cost figures - he supports a "Juvenile Services Center" but would like cost estimates for a 16 bed facility versus a 24 bed facility. District Attorney Marcos Hernandez spoke of problem with relying on contracting out beds - if grant moneys are made available the other counties may decide to build their own facilities. Votes: Commissioner Rippy, Commissioner Payne, Commissioner Rodriguez, and Judge Etheredge voting "Aye". Commissioner Barton voting "No". Commissioner Payne stated that the JDC will be located adjacent to the Jail/Law Enforcement Center. Tom Ash spoke of the Task Force Committee's concern being "the kids" and services that will be provided to them.

MINUTES APPROVED IN OPEN COURT ON THE _____ DAY OF _____, 1994.

EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS

RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 9th DAY OF MAY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE	COUNTY JUDGE
PETER RODRIGUEZ	COMMISSIONER, PCT. 1
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
CRAIG D. PAYNE	COMMISSIONER, PCT. 3
ORAN H. RIPPY	COMMISSIONER, PCT. 4
RONNIE DANNELLEY	COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12804 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 239,095.80 as presented by the County Auditor. All voting "Aye".

State Shared Rev	\$ 407.89	Auditors Ofc	\$ 20.35	Constable 2	\$ 902.90
Extension Ofc	\$ 614.30	Grants Admin	\$ 90.91	Constable 3	\$ 13.30
Juvenile Prob	\$ 9,182.92	Election Admin	\$ 434.28	Constable 5	\$ 14.99
Indigent Care	\$23,114.33	Transfer Stat	\$ 4,414.93	Dist Crt Oper	\$ 1,797.97
Bldg. Maintenance	\$ 1,157.18	Environ Health	\$ 225.60	Co & JP Crt Op	\$ 3,299.16
Personal Health	\$ 84.90	Civic Center	\$ 1,178.37	Veterans Admin	\$ 770.57
Countywide Oper	\$17,602.55	Tax A/C	\$ 253.57	Computer Svcs	\$ 129.45
District Clerk	\$ 28.47	County Clerk	\$ 439.01	TJPC CCAP Grnt	\$ 255.24
Sheriffs Ofc	\$ 567.27	Jail Operations	\$ 2,247.00	Buda Brochure	\$ 600.00
Human Resources	\$ 1,093.41	District Atly	\$ 279.14	R&B Operations	\$ 3,016.93
J.P. 1-2	\$ 64.96	J.P. 2	\$ 286.88	Precinct 1	\$ 16.90
DPS	\$ 486.42	Constable 1	\$ 72.50	Precinct 2	\$ 221.64
Health Svcs Grant	\$85,651.92	Cths Renov/Roads	\$60,320.18	Adult Prob Oper	\$17,516.39
Adult Prob Fac	\$ 221.10				

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12805 AMEND BUDGETS OF VARIOUS DEPARTMENTS

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendments as proposed by the County Auditor (Budget Amendment #94-40,#94-41,#94-42). All voting "Aye".

	<u>LINE ITEM - EXPENDITURE</u>	<u>INCREASES</u>	<u>DECREASES</u>
BA#94-040	ENVIRONMENTAL HEALTH		
	01-411-5021 Staff Sal	\$ 10,555	
	01-411-5110 FICA	\$ 165	
	01-411-5121 Retirement	\$ 306	
	01-411-5160 Insurances	\$ 559	
	01-411-5711 Office Eqpt	\$ 21,654	
	01-411-5712 Data Proc Eqpt	\$ 6,670	
	01-411-5713 Vehicles	\$ 26,000	
	01-411-5741 Misc Capital Improv	\$ 60,000	
	REVENUES		
	01-322-3229 Health Dept. Permits		\$ 125,909
	TDH/COMMUNITY & RURAL HEALTH GRANT		
	10-466-5011 Dept Head	\$ 644	
	10-466-5021 Staff Sal		\$ 14,748
	10-466-5061 Longevity	0	
	10-466-5110 FICA		\$ 1,180
	10-466-5121 Retirement		\$ 985
	10-466-5160 Insurances		\$ 2,123
	10-466-5219 Supplies	0	
	10-466-5719 Equipment		\$ 64,753
	REVENUES		
	10-322-3229 Hlth Dept Permits	\$ 83,145	
BA#94-41	HUMAN RESOURCES		
	01-421-5211 Off Sply	\$ 800	
	01-421-5213 Books	\$ 200	
	01-421-5711 Off Eqpt	\$ 570	
	01-421-5011 Staff Sal		\$ 950
	01-421-5121 FICA		\$ 83
	01-421-5121 Retirement		\$ 67
	01-421-5489 Telephone		\$ 320
	01-421-5712 Data Proc Eqpt		\$ 150
	CIVIC CENTER		
	01-413-5413 Vehicle Maint	\$ 300	
	01-413-5451 Contract Maint		\$ 300
	JUVENILE PROBATION		
	01-405-5331 Cont Ed	\$ 500	
	01-405-5311 Travel		\$ 250
	01-405-5391 Misc		\$ 250
	ROAD & BRIDGE OPERATIONS		
	03-438-5713 Vehicle	\$ 6,800	
	03-438-5719 Misc Tools	\$ 700	
	03-438-5351 Road Material		\$ 700
	RIGHT OF WAY		
	03-460-5386 ROW Exp		\$ 6,800
	RECORDS MANAGEMENT		
	08-445-5711 Off Equip	\$ 800	
	08-445-5215 Permanent Records		\$ 800
BA#94-42	ADULT PROBATION OPERATING FUND		
	34-486-5448 Contract Svcs	\$ 10,000	
	34-486-5499 Facil, Util & Eqpt	\$ 61,000	
	REVENUES		
	34-342-3425 Caldwell Prob Fees		\$ 12,500
	34-342-3426 Comal Probation Fees		\$ 16,500
	34-342-3427 Hays Probation Fees		\$ 21,000
	CCP/DISTRICT RESOURCE CENTER GRANT		
	34-495-5021 Staff Sal	\$ 8,520	
	34-495-5110 FICA	\$ 650	
	34-495-5121 Retirement	\$ 47	
	34-495-5160 Insurances	\$ 70	
	34-495-5219 Sply & Operating	\$ 400	
	34-495-5499 Facil, Util, Eqpt	\$ 140	
	PERFORMANCE REWARD/APO PORTION		
	34-497-5219 Sply & Operating		\$ 6,027
	34-497-5499 Facil, Util, Eqpt	\$ 6,027	
	PRP/DARE (DA) PORTION		
	34-603-5021 Staff Sal		\$ 818
	34-603-5110 FICA		\$ 90
	34-603-5121 Retirement		\$ 67
	34-603-5160 Insurance		\$ 104
	34-603-5311 Travel	\$ 1,079	

12806 APPROVE MINUTES OF APRIL 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioners' Court Minutes of April 1994 as presented by the County Clerk. All voting "Aye".

**12807 ROAD NAME DESIGNATION - ACTION TO NAME COUNTY ROAD #212
"SOUTH TURNERSVILLE ROAD"**

The name "Turnersville-Goforth Road" has too many characters for the telephone company database (an extension of South Turnersville Road/CR106) - residents are being renumbered at this time, so it is appropriate to name the street now. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to name County Road #212 "South Turnersville Road". All voting "Aye".

**12808 RESCHEDULE COMMISSIONERS' COURT MEETING FROM MONDAY MAY 30TH
TO TUESDAY MAY 31, 1994 (MEMORIAL DAY HOLIDAY)**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to reschedule the Commissioners' Court Meeting from Monday May 30th (Memorial Day Holiday) to Tuesday May 31, 1994. All voting "Aye".

**12809 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO
ADVERTISE FOR BIDS FOR ANNUAL METAL PIPE CONTRACT AND REPEATER
EQUIPMENT FOR THE SHERIFF'S DEPT.**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for annual metal pipe contract and repeater equipment for the Sheriff's Dept. All voting "Aye".

**12810 COVES OF CIMARRON LOT 63 BLK H - CALL FOR A PUBLIC HEARING TO
CONSIDER VARIANCE TO BUILDING SETBACK LINE**

A request for a variance to the building setback lines (20 feet from each side) currently platted on Lot 63, Block H, Coves of Cimarron - restrictive covenants have setback line of 15 feet from each side - this variance to the plat will not encroach on any easements. Commissioner Barton stated that the Homeowners Association was contacted and they accept this variance - the HOA needs to submit a letter of approval. A motion was made by Commissioner Barton, seconded by Judge Etheredge to call for a public hearing to be held on May 23, 1994 at 9:00 A.M. to consider a variance request to the building setback line on Lot 63 Block H of Coves of Cimarron Subdivision. All voting "Aye".

12811 VALLEY VIEW WEST LOTS 6A & 6B - FIRST READING APPROVAL

Valley View West is an unrecorded subdivision - Lot 6 is a 10 acre tract being cut into two tracts - it is located over the aquifer zone - surveyor needs to add surrounding property owners to the plat. A motion was made by Commissioner Rippey, seconded by Judge Etheredge to approve "Valley View West Lots 6A & 6B" on first reading. All voting "Aye".

**12812 HAYS COUNTY INDUSTRIAL PARK REPLAT LOT 4A - APPROVE ON FIRST &
SECOND READINGS AND CALL FOR PUBLIC HEARING**

Property owner of Lots 4 & 5 Hays County Industrial Park is Capital City Container Corp. - they want to combine both lots to create one for financing purposes. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Hays County Industrial Park Replat Lot 4-A" on first and second readings and call for public hearing to be held May 23, 1994 at 9:00 o'clock A.M. All voting "Aye".

12813 CALVARY SUBDIVISION LOT 1 - FIRST & SECOND READING APPROVAL

A motion was made by Commissioner Rippey, seconded by Commissioner Barton to approve "Calvary Subdivision Lot 1" on first and second readings. All voting "Aye".

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BARTON FARMS - PRELIMINARY REVIEW FOR VARIANCE ON 60 ACRE TRACT

Allen Walther, Environmental Health Director, spoke of lot size compliance needs to be studied - one lot is not included in this subdivision out of the original acreage. No action taken.

12814 ANTON PROPERTY - PLATTING VARIANCE GRANTED ON 146 ACRE TRACT

Allen Walther, Environ. Health Dir., spoke of 146 acre tract being divided into 2 tracts - there is floodplain and it is shown on the survey plat (it is a studied area) . A motion was made by Judge Etheredge, seconded by Commissioner Barton to grant a platting variance on the Anton Property - 146 acre tract - with survey plat to be attached to deed of conveyance. All voting "Aye".

12815 JAMES KELLEY PROPERTY - PLATTING VARIANCE GRANTED

James E. Kelley, owner of 102.09 acres in the Jesse Massey Survey, requests a waiver to the platting requirements - plans to sell 52.01 acre and retain the remaining 50.08 acres for his personal use. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to grant a platting variance to James Kelley on his 102.09 acres in the Jesse Massey Survey. All voting "Aye".

12816 SUMMER MOUNTAIN RANCH SECTION 2 REPLAT LOTS 106R & 107R - THIRD READING APPROVAL

Judge Etheredge called the Public Hearing open to consider third reading approval on "Summer Mountain Ranch Section 2 Replat". No one spoke in support or opposition to this subdivision. Judge Etheredge called the public hearing closed. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Summer Mountain Ranch Section 2 Replat Lots 106R & 107R on third reading. All voting "Aye".

12817 HERITAGE HILLS LOTS 32 & 33 - HOLD PUBLIC HEARING AND APPROVE THIRD READING TO ABANDON SANITARY CONTROL EASEMENT

Judge Etheredge called the public hearing open - no input was received - public hearing was called closed. Allen Walther, EHD, stated that the Sanitary Control Easement was for a proposed water well that was never developed. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve abandonment of sanitary control easement on Lots 32 & 33 of Heritage Hills subdivision on third reading. All voting "Aye".

12818 APPROVE FEES FOR ASSESSING 1993 TAXES

A letter was received from Ruth Clayton, Tax Assessor/Collector requesting approval of fees for assessing the 1993 taxes as follows:

\$5,000,000 at .025 per \$100 valuation =	\$ 1,250.00
\$ 1,879,449,206 at .0175 per \$100 valuation =	\$ 328,903.61
Total	\$ 330,153.61

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve the Tax Assessor/Collectors request for fees for assessing 1993 taxes. Commissioner Barton, Commissioner Payne, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Rodriguez abstained.

12819 AWARD FUNDS TO PROPERTY OWNER ON FM2770 FOR FENCE RELOCATION

This is a TxDOT project to widen FM 2770 for a turn lane in front of Hays High School - two estimates were received to relocate the fence along the Negley Ranch (\$9,880 & \$11,700). A motion was made by Commissioner Barton, seconded by Commissioner Rippy to award right-of-way funds in the amount of \$9,880.00 to Laura B. and Richard Negley for fence relocation on FM 2770. All voting "Aye".

12820 ACCEPT APPRAISALS FOR TWO RIGHT-OF-WAY PARCELS ON FM 2770 AND MAKE OFFERS TO PROPERTY OWNERS

This is a TxDot project to widen FM 2770 for a turn lane in front of Hays High School - Appraiser Bill Barber appraised the two parcels out of the Negley Ranch as follows:

- Parcel No. 1 - 1.663 acres in the M. M. McCarver Survey = \$ 10,000.00
Parcel No. 2 - 0.461 acres in the John Cooper Survey = \$ 2,750.00

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to accept the appraisal on Parcel No. 1 in the amount of \$10,000.00 for right-of-way on FM2270 and make an offer to the property owner. All voting "Aye".

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to accept the appraisal on Parcel No. 2 in the amount of \$2,750.00 for right-of-way on FM2270 and make an offer to the property owner. All voting "Aye".

12821 APPROVE PROCEDURE AND FORMAT FOR HAYS COUNTY ROAD DEPARTMENT TO ISSUE UTILITY PERMITS ON BEHALF OF THE COMMISSIONERS' COURT

Darrell Brown, County Road Director, spoke of need to address environmental issues and other considerations when allowing utility company to use county right-of-way - submitted proposed forms for approval. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve procedure and format for Hays County Road Department to issue utility permits . All voting "Aye".

Notice of Proposed Installation

Utility Line on Hays County Right of Way

To The Hays County Road Department
c/o Permits and Inspections
401 North Rebel Drive
P.O. Box 1180
Kyle, Texas 78640

Date: _____

Formal notice is hereby given that Company proposes to place a line within the right-of way of as follows: (give location, length, general design, etc.)

SAMPLE

The line will be constructed and maintained on the road right-of-way as directed by the Hays County Road Department (HCRD), an agency of the Commissioners Court of Hays County, in accordance with governing laws, including but not limited to the "Federal Clean Water Act," the "Federal Endangered Species Act," and the "Federal Historic Preservation Act."

Our firm will use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation, and we will revegetate the project area as indicated under "General Special Provisions."

Our firm will insure that traffic control measures complying with applicable portions of the Texas Manual of Uniform Traffic Control Devices will be installed and maintained during this installation.

The location and description of the proposed line and appurtenances is more fully shown by complete sets of drawings attached to this notice.

Construction of this line will begin on or after the day of 19

By signing below, I certify that I am authorized to represent the Firm listed below, and that the Firm agrees to the conditions/provisions included in this permit.

Firm
By (Print)
Signature
Title
Address
Phone No

UTILITY INSTALLATION

APPROVAL

To: SAMPLE

Permit No. _____

Road No. _____

Name: _____

Subdivision: _____

Herein identified as "Owner"

Date: _____

The Hays County Road Department (HCRD), an agency of the Commissioners Court of Hays County, Texas, offers no objection to the location on the right-of-way of your proposed line as shown by accompanying drawings and notice dated except as noted below.

It is expressly understood that HCRD does not purport, hereby, to grant any right, claim, title, or easement in or upon this roadway; and it is further understood that the HCRD or the Commissioners Court of Hays County may require the Owner to relocate this line, at no expense to Hays County, by giving thirty (30) days notice.

You are requested to notify the HCRD prior to commencement of any routine maintenance which requires pruning of trees within the right-of-way, so that we may provide specifications for the extent and methods to govern in trimming, lopping, tree balance, type of cuts, painting cuts and clean up.

It is understood and agreed that any damages sustained to the appurtenances installed under this proposal as a result of road construction and/or maintenance including, but not limited to, mowing, ditch cleaning, culvert repair or replacement, roadway excavation and base work shall be the sole burden and expense of the Owner.

The installation shall not damage any part of the County Road and adequate provisions must be made to cause a minimum inconvenience to traffic and adjacent property owners. In the event the Owner fails to comply with any or all of the requirements as set forth herein, the County of Hays may take such actions as it deems appropriate to compel compliance.

General Special Provisions:

Please notify at telephone at least forty-eight (48) hours prior to starting construction of the line in order that we may have a representative present.

Hays County Road Department

By

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CONSTABLE PCT. 1 - REQUEST FOR REPLACEMENT VEHICLE

Constable Pct. 1 Lupe Cruz appeared before the Court - spoke of his staff consisting of Deputy Constable Steve Velasquez, and three Reserve Deputy Constables - he has only three vehicles and the third vehicle (1984 Ford LTD) is in poor condition - requesting a replacement vehicle. Judge Etheredge advised that this request needs to be made in the upcoming budget process - no funds are currently available - advised him to use his vehicle maintenance funds to make needed repairs for the time being. No action taken.

12822 REVIEW AND APPROVE FINAL DRAFT OF THE HAYS COUNTY DIRECTORY

Judge Etheredge recommended approval of the final draft of the County Directory. County Clerk Ronnie Dannelley advised that a correction is needed on page 6 regarding the County Civil Court jurisdiction - should read \$5,000 - \$100,000 and not \$5,000 - \$10,000. Commissioner Payne spoke of index not having reference to information regarding the Transfer Station. Commissioner Barton spoke of work done and difficulties in finalizing the directory. A motion was made by Judge Etheredge, seconded by Commissioner Payne to approve final draft of the Hays County Directory with corrections. All voting "Aye".

12823 AUTHORIZE DATA PROCESSING TO PURCHASE A PRINTER FOR THE DISTRICT CLERK'S OFFICE

District Clerk W. H. Moore appeared before the Court requesting authorization to purchase of printer for his office to be paid out of his permanent records line item - the replacement printer is an improved model as recommended by the Data Processing Dept. Price quotes received were as follows:

One (1) IBM 2381 Plus Personal Printer II with serial interface card

Austin Mag Media	\$ 533.00
QA Systems	\$ 579.00
MicroSynergy	\$ 588.00
Pentar Enterprises	\$ 629.00

A motion was made by Judge Etheredge, seconded by Commissioner Payne to authorize the Data Processing Dept. to purchase one IBM 2381 Plus Personal Printer II with serial interface card for the District Clerk's office in the amount of \$533.00 - to be funded out of the District Clerk Permanent Records line item. All voting "Aye".

12824 APPROVE ASSESSMENT AND COLLECTION AGREEMENT WITH SAN MARCOS CISD FOR AD VALOREM TAX COLLECTION

A motion was made by Judge Etheredge and seconded by Commissioner Rippy to approve entering into an Assessment and Collection Agreement with the San Marcos Consolidated Independent School District for Ad Valorem Tax Collection. All voting "Aye".

ASSESSMENT AND COLLECTION AGREEMENT

STATE OF TEXAS
COUNTY OF HAYS

This contract is between Hays county, hereinafter "County" and San Marcos Consolidated Independent School District hereinafter "District", and is entered into under the provisions of Chapter 791 Government Code, V.T.C.S. and Chapter 6, Property Tax Code.

I. PURPOSE

The parties to this contract wish to consolidate the assessment and collection of property taxes into one entity, Hays County, under the provisions of §6.24 of the Property Tax Code.

II. TERM

This contract shall be effective from August 1, 1994, through August 31, 1995, and thereafter for yearly terms commencing on September 1, of each year and ending on August 31 of the succeeding year, until terminated by one or more of the parties pursuant to the termination provisions of this contract.

III. APPOINTMENT OF TAX ASSESSOR-COLLECTOR

The Tax Assessor-Collector of Hays County is hereby designated as Tax Assessor-Collector for District. The person herein designated as Tax Assessor-Collector is also hereby designated by the governing body of District as the person designated to calculate the effective tax rate and the rollback tax rate for District under the provisions of Section 26.04(c) Property Tax Code.

IV. SERVICES TO BE PERFORMED

County agrees to perform all necessary assessment and collection functions authorized by law for District. The functions shall include:

- a. Calculation of the effective tax rate and rollback rate each year.
- b. Calculation of current taxes and preparation of current tax roll and delinquent tax roll each year.
- c. Mailing of current and all required delinquent tax statements
- d. Proration of tax bills as required
- e. Correction of tax bills as required.
- f. Preparation of tax receipts
- g. Preparation of tax certificates
- h. Collection of current and delinquent taxes
- i. Issuance of tax refunds as required

V. ASSESSMENT AND COLLECTION RECORDS

District agrees to turn over to County immediately upon execution of this contract, all its current tax assessment and collection records for the year 1993 and its unpaid records for all years before 1993. District agrees to assume any costs which are incurred in converting and merging its records with those of the County. At the termination of this Contract for any reason, County shall return copies of all assessment and collection records it holds concerning District within fifteen (15) days after receipt of notice of termination of this contract as provided herein below.

VI. EMPLOYMENT OF COUNSEL AND AUTHORIZATION TO INSTITUTE LEGAL ACTIONS

District expressly reserves the sole right and authority to employ by contract legal counsel for the collection of District's delinquent taxes. County expressly agrees to cooperate with and provide all ordinary and usual assistance to such counsel at all times while this contract is in effect. Payment of counsel shall be made from the funds which County shall collect for District. County expressly agrees to remit to District's delinquent tax counsel all fees due not less often than monthly.

VII. AUDIT

County agrees to permit auditors engaged by District to annually audit its assessment and collection expenditures and its collection of taxes for District during the life of this contract. Such auditors shall report directly to District.

VIII. SURETY BOND

County agrees to obtain a surety bond for the tax assessor-collection and staff to assure proper performance of the tax assessing and collection functions provided for in this contract. Such bond shall be payable to District in the sum of \$ _____ unless any state statute shall require a larger sum, executed by a solvent surety company, licensed to do business in Texas. The District shall reimburse the County for the cost of such bond immediately upon receipt of an invoice from the county for the cost of such bond.

IX. REMITTANCE OF TAX COLLECTIONS

County agrees to pay over to District all net taxes, penalties and interest, after payment of refunds under XI. below, by deposit into a depository selected for District. All payments received for District shall be paid to District within 24 hours after processing by County. County expressly agrees to process all payments, whether paid by mail, in person or otherwise within three business days of receipt by County. In no event shall payments to District be made later than those made by County to itself for its own taxes. A report of each deposit will be completed to show the amount and distribution of monies deposited. This report will be forwarded to District immediately after each deposit.

X. REPORTS

County agrees to make reports of its collections of taxes, penalties and interest to District not less often than monthly. A cumulative annual report for the preceding twelve months shall be prepared by County and furnished to District not later than October 1st of each year.

XI. REFUNDS

County shall process all applications for refunds and pay all refunds required under the provisions of the Property Tax Code. County shall pay all refunds which are found to be due and owing from current collections on hand for District. If amounts to be refunded exceed current collections on hand, County shall retain the collections received for District until sufficient funds are on hand to pay the refunds due. If sufficient funds are not on hand within two weeks from the original due date of the refund, County shall notify District of the amount needed to pay refunds due and District shall within thirty (30) days of such notice remit such additional amount to County, which shall forthwith make the refund. District designates the Tax Assessor-Collector of County as its auditor for the sole purpose of approving refunds as required by Section 31.11 of the Property Tax Code up to the amount of \$250.00 per account. All refund requests in excess of \$250.00 per account shall be sent to District by County for approval by District's auditor, and if the refund is in excess of \$500.00, for approval by its governing body. County shall send such refund request within seven days of processing and District shall have such refunds approved and the request returned to County for payment within thirty (30) days of receipt. The monthly report of collections forwarded from County to District shall also report all refunds paid out. County shall pay all refunds due within sixty (60) days after due. Failure of County or District to act within any time stated in this provision, which results in the accrual of interest due on any refunds, shall obligate the one failing to act timely to pay such accrued interest. If both parties fail to meet deadlines each shall pay 1/2 the accrued interest.

XII. REGISTRATION AND CERTIFICATION BY B.T.P.E.

County expressly agrees that all personnel engaged in its assessment and collection functions who are required by law to be registered shall remain at all times registered and shall become certified as required by the terms and provisions of Article 8885, V.T.C.S. as amended.

XIII. PAYMENT FOR ASSESSMENT AND COLLECTION SERVICES

District agrees to pay County a fee for performing the assessment and collections services described above. The fee for assessment and collections services furnished to District shall be \$1.25 for each parcel on District's tax roll on March 31 which lies within Hays County and \$4.28 for each parcel on District's tax roll on March 31 which lies outside Hays County. County shall bill District annually on April 1st for this fee, which District shall pay within 30 days of receipt of bill. In the event that the governing body of District fails to adopt its tax rate, or fails to notify County of its tax rate, in time for its taxes to be included on the combined statement prepared for that year, County shall calculate the cost of preparing, mailing and processing separate tax statements for the jurisdiction. County shall forward to District its notification of these costs for the separate statements and their processing and District agrees to pay such costs within thirty days of receiving the notice from County.

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In the event that District shall be subject to a successful tax rate rollback election requiring the printing and distribution of new tax statements and the processing of refunds, District agrees to reimburse County within thirty days after notice from County of the costs of providing these additional statements and processing these refunds.

All revenue received from the sale of tax certificates by County shall be retained by County as revenue to be applied against its assessment and collections expense budget for the year in which it is received.

XIV. TERMINATION

This contract may be terminated by County or by District effective on August 31 of any year upon proper notice to the other party. In order for notice to be effective it must be received by the other party not later than the first day of June preceding the August 31 effective date.

The parties may in writing agree at any time to any other termination procedure which is mutually acceptable.

XV. NONLIABILITY FOR FAILURE TO COLLECT

County shall not be liable to District for any failure to collect any tax, penalty or interest under any provision of this Contract.

IN WITNESS WHEREOF, these presents are executed by the authority of the governing bodies of the respective parties hereto on the dates shown.

PRESENTATION BY SAN MARCOS CISD COMMUNITY GANG TASK FORCE

Nina Wright appeared before the Court and spoke of the San Marcos CISD Community Gang Task Force - she introduced the Chairperson Judy Renick, who explained their purpose. The San Marcos CISD Community Gang Task Force was appointed by the Superintendent of Schools Dr. Tom Anderson to study the issues related to gang activity in our city - the committee has realized that no one agency or group can stop gang activity - it will take all of us working together - the committee would like to tell the County what it has learned about the gang situation here, about progress made toward curbing and preventing gang activity, and give some recommendations the Court could consider implementing. Mrs. Renick presented a "Gang Assessment & Planning Guide" showing the 5 levels of gang activity - Hays County falls in the Level 3 category: Emerging Gang Activity (one or more gangs in area, local schools and parks are hangouts, loss of community identity/pride, limited short-term counter measures, and increase in gang crimes) - the gang prevention/intervention process consist of developing and implementing target area strategies, specialized gang suppression/abatement, community mobilization ("Reclaim the Community"), parent education/accountability, and job placement (youth-at-risk). A "Gang" is defined as any group of two or more individuals who hang out together, wear the same attire, and engage in criminal activities - there is irrefutable evidence of active gangs in the area - graffiti can be observed in all areas of town, from high to low socio-economic areas - there is an ever-increasing amount of gang graffiti, which has been "crossed out" and "tagged" by members of opposing groups - there is evidence of at least ten active gangs documented by teachers and administrators at Owen Goodnight Junior High School - the San Marcos CISD has taken a zero-tolerance stand on gang activity and on drug and alcohol use. Susan Perez, Principal at Goodnight Jr. High, spoke of the documented gangs: low riders, barrio pasqual, latin kings, latin queens, sisterhood of justice, bloods, etc.. Mrs. Renick spoke of the increase in girl gangs - we need to provide programs, foot patrol downtown, curfew, city ordinance regarding graffiti, host neighborhood meetings, coordinate efforts with schools and law enforcement, involvement by businesses, and public awareness campaign - spoke of gang activities during school hours (75% of crimes occur between 11PM and 3AM). Deputy Sheriff Mark Graves spoke of volunteers assisting in re-tagging (covering up) graffiti out in the County.

DISCUSSION OF LARGE WORK ORDER FOR THE ROAD DEPARTMENT (CR220)

County Road Director Darrell Brown presented a Work Order Estimate Sheet for CR 220 project: turning approximately 3.2 miles of poor pavement to gravel - method to be used will be to scarify existing pavement, add 2" of new base to entire length and add road bond or other soil stabilizing agent, water and roll - preliminary work is to improve drainage channels - five dump trucks will be needed for good production. Cost estimates: materials = \$ 25,157 equipment = \$ 9,737 labor = \$ 7,506 (Total Work Order = \$ 42,400). Court supports this project.

PRESENTATION ON ART PROJECT PROPOSALS CONCERNING "LADY JUSTICE" STATUE

Natalie Guzik, SWTSU Senior - Intensification in Sculpture and Art History, BFA Degree, presented her proposal regarding the "Lady Justice" statue - proposes to remove the scale and sword and replace with a book (knowledge) and lantern (community effort/divine light) and to have statue placed on the ground rather than the roof. Judge Etheredge stated that restoration of the existing lady should include it being returned to the roof - feels like the community will insist that the statue be returned to the roof - spoke of it having historical significance and needs to be restored to its original state if at all possible.

12825 AUTHORIZE PURCHASING AGENT TO PREPARE SPECIFICATIONS FOR RFP'S FOR ROADWAY IMPROVEMENTS PROJECT LEGAL COUNSEL

John Doucet, Doucet & Associates Inc., submitted proposals to the Court from Eric Moerbe and H. Rene Moulinet for the position of right-of-way acquisition agent - the Court will need to set a date for an executive session for interviewing the two candidates - also submitted was the Hays County Road Improvements Project Legal Counsel's Scope of Work for the Court's consideration. A motion was made by Judge Etheredge, seconded by Commissioner Payne to authorize the Purchasing Agent to prepare specifications for RFP's incorporating the criteria provided by Doucet & Associates for the Roadway Improvements Project Legal Counsel and bring these specifications back to the Court for approval. All voting "Aye".

EXECUTIVE SESSION - DISCUSSION OF PERSONNEL MATTERS

The Court convened into Closed Executive Session to discuss Personnel Matters. Upon completion of the closed session the Court reconvened into open meeting.

DISCUSSION REGARDING REPLACEMENT FOR THE COUNTY TAX ASSESSOR-COLLECTOR

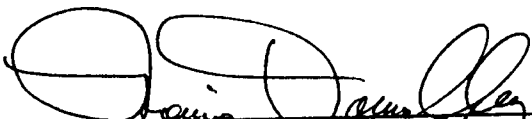
Judge Etheredge spoke of need to have someone in this position quickly - do we appoint someone to fill this position temporarily until someone is elected or do we appoint someone who will be a candidate for the position. Commissioner Barton recommended appointing someone who is interest in filling the position longterm - would support a Democrat as approved by the Democratic Executive Committee. Commissioner Payne spoke in support of filling the position with an interim individual - Commissioner Rodriguez also supports an interim individual. Judge Etheredge spoke of office functions required - felt like the office staff prefers training someone who might be able to hold this position longterm - the only current staff people interested in the position do no live in Hays County and they must be a Hays County resident. Judge Etheredge, Commissioner Barton and Commissioner Rippy support appointing an individual who will be a candidate for the position. No action taken this date.

12826 ENTER INTO CONTRACT WITH BALDERACH & CO. FOR ARCHITECTURAL SERVICES ASSOCIATED WITH OLD H.E.B. BUILDING

Ron Balderach, Balderach & Co. - Architects, appeared before the Court - his company drew up the plans and oversaw the construction project for the Telephone Company when they moved into the old H.E.B. building - estimates that it will cost approximately \$200-300,000 to remodel this building for the Courts. Judge Etheredge spoke of closing on this building this month - we were told it had a new roof, however, it was only a new topcoat - there was some hail damage recently so there will be some repairs made by insurance - proposed entering into a contract with Balderach & Co. for architect services and project supervisor services. A motion was made by Judge Etheredge, seconded by Commissioner Payne to enter into contract with Balderach & Company for architectural services associated with the old H.E.B building. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 27th DAY OF June, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 16th DAY OF MAY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE	COUNTY JUDGE
PETER RODRIGUEZ	COMMISSIONER, PCT. 1
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
CRAIG D. PAYNE	COMMISSIONER, PCT. 3
ORAN H. RIPPY	COMMISSIONER, PCT. 4
RONNIE DANNELLEY	COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12827 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$145,858.18 as presented by the County Auditor. All voting "Aye".

Auditors Ofc	\$ 316.75	Treasurers Ofc	\$ 253.92
Extension Ofc	\$ 1,808.79	Grants Admin	\$ 1,369.51
Juvenile Prob	\$ 1,928.77	Election Admin	\$ 55.68
Indigent Care	\$ 2,708.95	Transfer Station	\$ 3.44
Bldg. Maintenance	\$ 1,092.81	Environ Health	\$ 664.46
Personal Health	\$ 1,074.66	Civic Center	\$ 6,743.19
Countywide Oper	\$ 9,835.46	Tax A/C	\$ 449.03
District Clerk	\$ 126.12	County Clerk	\$ 224.56
Sheriffs Ofc	\$ 7,187.72	Jail Operations	\$35,369.39
County Judge	\$ 355.98	Human Resources	\$ 199.32
Co Crt @ Law 1	\$ 75.88	District Attorney	\$ 908.08
J.P. 1-1	\$ 51.56	J.P. 2	\$ 2.19
D.P.S.	\$ 1,294.50	Constable 1	\$ 147.27
Constable 3	\$ 10.50	Constable 4	\$ 67.15
Constable 5	\$ 161.71	Dist Court Oper	\$ 1,787.69
Co & JP Crt Oper	\$ 3,321.16	Veterans Admin	\$ 27.07
Computer Svcs	\$ 275.28	Co Crt @ Law 2	\$ 86.66
CJD Juv Svcs Grant	\$ 40.00	Protective Hmkr	\$ 221.95
Fire Marsha/EMC	\$ 41.69	TABC	\$ 79.42
District Court Reprt	\$ 43.63	TJPC CCAP Grant	\$ 140.78
R & B Operations	\$ 8,226.23	Precinct 1	\$ 575.13
Precinct 2	\$ 797.50	Precinct 4	\$ 55.00
Right of Way	\$ 200.00	Records Mng/CoClk	\$ 267.10
Health Svcs Grants	\$ 3,330.47	Hot Check Fee Fund	\$ 55.00
Law Library Fund	\$ 215.54	Jail Construction	\$ 1,237.88
Road Construction	\$15,551.49	Foster Care Fund	\$15,316.54
Adult Prob Oper	\$14,996.19	Adult Prob Fac	\$ 218.49
Animal Control	\$ 29.85	D.A. Reimb Trust	\$ 4,152.38

General Fund Credit = \$ 38.00

12828 AMEND VARIOUS DEPARTMENTS BUDGETS

The County Auditor presented various budget amendments for consideration:

Grant Administration - Transfer between line items to allow grant contract services, books/periodicals, and needed office supplies.

District Clerk&Computer Svcs- Transfer amount to fund printer from District Clerk's Permanent Record line item #416-5215 to Computer Services Equipment line item # 456-5712 as previously authorized.

TJPC/CCAP Grant (Juvenile Probation) - To fund salary increase from agency's additional funding and increase residential placements from balance.

County Judge - Copier requires upgrade to handle increases workload - net cost to upgrade lease for balance of FY94 is \$500 - transfer from personnel cost savings to copier lease to allow additional copier capacity.

Extension Office - Establish and fund line for new building utilities by transferring savings from Records Building utilities for balance of FY94.

Records Management/Co Clk - Transfer \$800 from Permanent Records to Equipment line to fund upgrade of three each PC systems.

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve budget amendments as proposed by the County Auditor (BA # 94-43). All voting "Aye".

Line Item - Expenditure	Increase	Decrease
GRANTS ADMINISTRATION		
01-404-5211 Off Sply	\$ 400	
01-404-5213 Books	\$ 225	
01-404-5448 Contract Splys	\$ 800	
01-404-5321 Dues & Bonds		\$ 225
01-404-5311 Travel		\$ 300
01-404-5462 Public Notices		\$ 800
01-404-5461 Printing		\$ 100
DISTRICT CLERK		
01-416-5215 Perm Records		\$ 533
COMPUTER SERVICES		
01-456-5712 Data Proc Eqpt	\$ 533	
TJPC/CCAP (ISP) GRANT		
01-489-5021 Staff Sal	\$ 1,748	
01-489-5110 FICA	\$ 134	
01-489-5121 Retirement	\$ 123	
01-489-5497 Residential Exp	\$ 6,312	
REVENUES		
01-384-2489 TJPC/CCAP Grant		\$ 8,317
COUNTY JUDGE		
01-420-5473 Eqpt Lease	\$ 500	
01-420-5021 Staff Sal		\$ 500
EXTENSION OFFICE		
01-403-5480 Utilities	\$ 2,000	
BUILDING MAINTENANCE		
01-410-5487 Records Utilities		\$ 2,000
RECORDS MANAGEMENT/CO CLK		
08-445-5711 Off Eqpt	\$ 800	
08-445-5215 Perm Records		\$ 800

12829 WAIVE PERMIT APPLICATION FEE FOR HABITAT FOR HUMANITY PROJECT IN PCT. 3

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to waive the Permit Application Fee for Habitat For Humanity Project in Precinct 3. All voting "Aye".

12830 APPROVE CHANGE ORDER ON BLISS SPILLAR ROAD REALIGNMENT

Darrell Brown, Road Director, submitted a break down of costs prepared by Bay Maintenance Company, Inc. for demobilization and remobilization two rock berms due to SW Bell cable preventing installation of culvert - \$ 8,450 are required from line item 03-438-5448. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve the Change Order on Bliss Spillar Road Realignment as proposed by Road Director. All voting "Aye".

12831 AUTHORIZE PAYMENT TO TWO LANDOWNERS FOR RIGHT-OF-WAY ON THE RM12 TURN LANE PROJECT - NOT TO EXCEED \$2,735

Appraiser Bill Barber submitted letters of opinion on the value of two parcels of land needed for RM12 right-of-way (no formal appraisal is required):

Parcel No. 1 (0.126 ac.)	\$ 630.00	owned by Randy Hutto
Parcel No. 2 (0.421 ac.)	\$2,105.00	owned by Mr & Mrs Nathan Hall

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to authorize payment of \$630 for Parcel No. 1 and \$2,105 for Parcel No. 2 for right-of-way on the RM12 Turn lane Project. All voting "Aye".

12832 ALLOW V.O.E. POSITION IN AUDITOR'S OFFICE TO INCREASE TO TEMPORARY FULL-TIME FOR JUNE, JULY, & AUGUST

Due to personnel savings, no additional funds are needed to allow V.O.E. student to temporarily work full-time for the summer - position is needed to meet work load and the individual is knowledgeable in the duties. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to allow V.O.E. position in the Auditor's office to increase to temporary full-time for the months of June, July, and August 1994. All voting "Aye".

12833 AUTHORIZE "PUTTING INTO PRACTICE" GRANT APPLICATION FOR THE HEALTH DEPARTMENT TO EXPAND ADULT HEALTH SERVICES

Julie Hornberger, RN/Director of Personal Services, spoke of grant for approximately \$60,000 from the State Health Dept. - PPIP grant would expand health services for adults. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to adopt resolution authorizing "Putting Into Practice" grant application for the Health Department to expand Adult Health Services. All voting "Aye".

RESOLUTION

A resolution of the Commissioners Court of the County of Hays, Texas hereby authorizes the submission of a grant application to the Texas Department of Health - Chronic Disease Prevention Division.

WHEREAS, County of Hays is the sponsor for the grant application. The grant request is for approximately \$59,990 to expand adult health care services in Hays County. This is in line with the county's goal of providing a full circle of care which includes family practice clinic, integrated eligibility screening services, and preventive health services.

NOW, THEREFORE, BE IT RESOLVED BY THE Commissioners Court for Hays County, Texas:

1. to request a grant for approximately \$59,990 from the Texas Department of Health;
2. to expand adult health services in Hays County.
3. to co-locate with other health care providers, whenever possible;
4. to authorizes the County Judge to execute all necessary documents as may be required to initiate process and complete this Texas Department of Health grant proposal.

PASSED AND APPROVED at a meeting of the Commissioners Court of Hays County, Texas on the 16th day of May, 1994.

Cataly A. Delenczak
County Judge, Hays County, TX.

Pete Rodriguez
Pete Rodriguez
Commissioner Pct. 1

Jeff Barton
Jeff Barton
Commissioner Pct. 2

Craig Payne
Craig Payne
Commissioner Pct. 3

Oran Hill Rippy
Oran Rippy
Commissioner Pct. 4



ATTESTED TO BY:
Ronnie Dannelley
Ronnie Dannelley, County Clerk

12834 HIDDEN VALLEY ESTATES LOT 19 - VARIANCE GRANTED TO BASE FLOOD ELEVATION REQUIREMENT FOR DWELLING

A written variance request was received from Jeremy C. Wicker, owner of Lot 19 Hidden Valley Estates subdivision - this is one of the last remaining one-acre or less undeveloped lots in the subdivision - if the residence is constructed at the elevation required by the permit, the visual continuity of the neighborhood will be adversely affected - a 22 inch variance would drastically diminish or even eliminate this adverse effect - the residence is being built for a permanent lifetime home and not for resale or other speculative purposes. Allen Walther, Environmental Health Director, advised that he has no opposition to granting the variance as long as the property owner is aware of the effect it will have on his insurance rate. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to grant a variance as requested to the base flood elevation requirement for dwelling on Lot 19 of Hidden Valley Estates (owned by Jeremy C. Wicker). All voting "Aye".

12835 VALLEY VIEW WEST LOTS 6A & 6B - 2ND & 3RD READING APPROVAL

Surveyor Ray Kotowski presented "Valley View West Lots 6A & 6B" for second and third readings - a small portion of the property is over the recharge zone - they are large lots and provide ample room for septic and water well - request a variance on flood study. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Valley View West Lots 6A & 6B" on second and third readings and grant a variance to flood study requirement subject to filing a variance request in writing. All voting "Aye".

JOHN E. SIMMONS 254.69 ACRE TRACT DIVISION - PLATTING VARIANCE REQUEST

James Hurlbut appeared before the Court - a written request for a variance from the County Subdivision Ordinance was submitted by John E. Simmons (property owner) - proposes to divide this tract into two small tracts (160 ac & 85.69 ac) - the property is not over or within 1/2 mile of the Edwards Aquifer Recharge Zone or within an existing subdivision - it is in the ETJ of Dripping Springs - tracts will have road frontage. Allen Walther, Director of Environmental Health, advised that this tract lies within a studied area and he has no opposition to granting the variance.

12836 CYPRESS CREEK ESTATES REPLAT LOTS 1A, 2A & 3A - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING

Eddie Gumbert presented "Cypress Creek Estates Replat Lots 1A, 2A, & 3A" on first reading - combining eleven (11) lots and creating three (3) - roads are private in this subdivision. Allen Walther, Director of Environmental Health, advised that the final plat needs to show current floodplain. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Cypress Creek Estates Replat Lots 1A, 2A & 3A" on first reading and to call for a public hearing to be held May 31, 1994 at 9:00 A.M. All voting "Aye".

12837 BURNETT RANCH SECTION 3 REPLAT LOTS 63A, 63B & 63C - FIRST READING AND CALL FOR PUBLIC HEARING

Dividing original lot into three lots to be used primarily as access to rear acreage which will also be divided into three lots - the two divisions are being done separately as the Burnett Ranches Property Owners did not want the rear acreage to have access to their amenities except as parts of the replat of the front lots. A note should be added which states that these front lots are to be considered access to the rear property in case they ever sell separately -this will prevent the rear property being landlocked. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Burnett Ranch Section 3 Replat Lots 63A, 63B, & 63C" on first reading and to call for a public hearing to be held May 31, 1994 at 9:00 A.M. All voting "Aye".

3G RANCH ADDITION SECTION 3 - LOTS 1-4

Patsy Greiner, Admin. Coord./Planner, spoke of the proposed 3G Ranch Addition Section 3 - this lot configuration actually requires three separate actions: (1) Lot 1 is actually a replat of Lot 1 Section 1 to "Lot 1A"; (2) Lot 4 is actually a replat of Lot 7 Section 2 to "Lot 7A" and the 4.10 acre tracts needs to be combined with Lot 8 Section 2 as a replat to "Lot 8A"; and (3) Lots 2 and 3 can truly be Section 3 but should be renumbered as "Lots 1 and 2" - this plat has Section 2 erroneously labeled as Section 1. Road Director Darrell Brown advised that access to Lot 2 on this plat is a "joint use access easement", who is the other user and this definitely requires a "replat" of the original plat of Lot 1 Section 1. No action was taken this date.

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12838 HILL COUNTRY ESTATES SECTION 7 (LOTS 1 & 2) - FIRST AND SECOND READING APPROVAL

Patsy Greiner, A.C./Planner, advised that this acreage was planned to be future development of the subdivision, however, the plans have not developed - the proposed two lots are being sold with access on the proposed stubbed-out road easements (which have not been built but will only be access for these large lots "at this time"). Allen Walther, E/H Director, advised that a written request for a waiver of the recharge study is needed. A motion was made by Commissioner Payne and seconded by Commissioner Rippy to approve "Hill Country Estates Section 7" subdivision on first and second readings. All voting "Aye".

12839 CALVARY SUBDIVISION LOT 1 - THIRD READING APPROVAL

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Calvary Subdivision Lot 1" on third reading. All voting "Aye".

12840 APPOINT INTERIM TAX ASSESSOR-COLLECTOR TO FILL UNEXPIRED TERM OF RUTH CLAYTON

Commissioner Payne introduced William Gribbons (Republican candidate for Hays County Tax Assessor-Collector). Mr. Gribbons stated that he intends to run as the Republican nominee for the position of Tax Assessor-Collector in the November General Election - he would not accept the temporary appointment to that position. Judge Etheredge stated that the Democratic Executive Committee has met and nominated Luanne Caraway to run in the Democratic race. Commissioner Barton introduced Luanne Caraway - felt like she is well qualified for the job. Luanne Caraway spoke - she has nine years experience working with the County's Delinquent Tax Attorney and is familiar with tax collection. Commissioner Payne stated that Mrs. Caraway is an excellent individual, however, he is opposed to appointing the Democratic candidate for this position. Judge Etheredge spoke of originally wanting to appoint an employee of the tax office, but the person eligible for this position does not live in Hays County - spoke of the taxing entities needing continuity and would benefit from Mrs. Caraway's expertise. Tax Assessor-Collector Ruth Clayton stated that she supports the appointment of Luanne Caraway. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to appoint Luanne Caraway as Hays County Tax Assessor-Collector to fill the unexpired term of Ruth Clayton. Commissioner Barton, Commissioner Rippy, and Judge Etheredge voting "Aye", Commissioner Payne voting "No", and Commissioner Rodriguez abstained.

12841 ADOPT RESOLUTION SUPPORTING THE SUPPLEMENTAL SALARY PROGRAM FOR STATUTORY COUNTY COURT AT LAW JUDGES (HB66)

A motion was made by Commissioner Payne, seconded by Commissioner Barton to adopt Resolution supporting the Supplemental Salary Program for Statutory County Court at Law Judges. Commissioner Barton, Commissioner Payne, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Rodriguez voting "No".(See Page 20 for copy of Resolution adopted)

DISCUSSION REGARDING COPYING CHARGES IN THE PERSONAL HEALTH DEPT.

Julie Hornberger, RN/Dir of Personal Services, appeared before the Court - suggested charging a 25 cent fee for copies of immunization records - they are seeing an increase in the number of clients who need an additional copy of their shot record because they have lost the original and/or the copy. She felt like the copy charge would offset the expenses for the additional staff time, increasing cost of paper, toner, and copier upkeep. The Court did not feel like this small charge would benefit enough to offset the additional bookkeeping that would be required.

12842 HAYS COUNTY INDUSTRIAL PARK REPLAT LOT 4A - CANCELLATION OF PUBLIC HEARING SET FOR MAY 23, 1994 AND APPROVE ON THIRD READING

Commissioner Payne voiced his concerns about canceling the public hearing - felt like the law requires this public hearing. Judge Etheredge stated that he felt like the public hearing was not necessary if the adjoining property owners have "signed off" - that proves notification. A motion was made by Commissioner Barton, seconded by Commissioner Payne to cancel the public hearing set for May 23, 1994 Re: Hays County Industrial Park Replat Lot 4A. All voting "Aye". A motion was made by Commissioner Barton, seconded by Rippy to approve "Hays County Industrial Park Replat Lot 4A" on third reading. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippy, and Judge Etheredge voting "Aye" - Commissioner Payne abstained.

ORDER

WHEREAS, House Bill 66, approved June 16, 1991 by the Governor, and having previously passed the House of Representatives and Senate, provides for numerous amendments to the laws and statutes relating to the County Courts at Law of the State of Texas; and

WHEREAS, the Court may be ordered authorize the collection of certain additional fees and set the salary of the Judges of the County Courts at Law in a certain amount; and

WHEREAS, the effective date of such fees shall be July 1, 1992 and said action must be renewed each year thereafter and the effective date for salary shall be September 1, 1992; and

WHEREAS, the revised effective date of such fees shall be July 1, 1994; and

It is therefore ORDERED by the Commissioners' Court of Hays County, Texas:

1. Pursuant to Section 51.702, Texas Government Code, as amended, the County Clerk of Hays County shall, in addition to all other fees authorized or required by law, collect a \$20.00 filing fee in each civil case filed in the County Court at Law and a \$10.00 fee as court cost on the conviction of any criminal offense in the County Court at Law, including cases in which probation or deferred adjudication is granted, such fees to be used for court-related purpose and for the support of the judiciary.
2. Pursuant to Section 25.0005, as amended, Texas Government Code, effective September 1, 1994, the salaries of the Judges of Hays County Court at Law No. 1, and Hays County Court at Law No. 2 shall each be increased by \$25,000.00 per year.
3. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the remain controlling as to the matters ordained herein.
4. This Order shall be construed and enforced in accordance with the laws of The State of Texas and the United States of America.
5. If any provision of this Order or the application thereof to any person or circumstances shall be held to the invalid, the remainder of this Order and the application of such provision to to other persons and circumstance shall nevertheless be valid, and the Order enacted without such invalid provisions.
6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of the Order for all purposes and are adopted as a part of the judgment and findings of the court.
7. It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Texas Revised Civil Statutes Annotated, Article 6252-17 as amended.
8. This order shall be in force and effect from and after its final passage, and it is so ordered.

PASSED AND ADOPTED on the 16th day of May, 1994.

HAYS COUNTY, TEXAS

Eddy E. Emeredge
Eddy Emeredge, County Judge

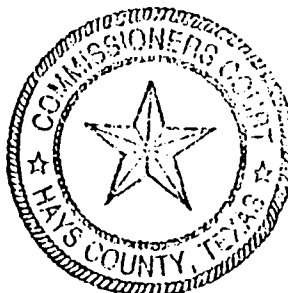
Pete Rodriguez
Pete Rodriguez, Pct. 1

Jeff Barton
Jeff Barton, Pct. 2

Craig Payne
Craig Payne, Pct. 3

Oran Hill Rippey
Oran "Pug" Rippey, Pct. 4

ATTEST:
Ronnie Dannelley
Ronnie Dannelley, County Clerk



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DISCUSSION REGARDING CHANGING PART-TIME PEDIATRIC NURSE POSITION TO FULLTIME

Julie Hornberger, RN/Director Personal Services HCHD, spoke of Well Child Clinic - they are seeing 20-24 children one day per week in San Marcos and 13-15 children in Kyle - the waiting period for an appointment is 11 weeks in San Marcos and 2 weeks in Kyle - requested increasing part-time Pediatric Nurse Practitioner position to a fulltime position- there is money in this years budget under the salaries line item to cover this salary demand with fringe for the remainder of the budget year - this would allow more children to be seen and greatly reduce the waiting period - spoke of working with schools to provide services. Judge Etheredge spoke of changing the position Grade - suggested giving up the RN position. Julie Hornberger stated that a Nurse Practitioner is different from an RN she would like to have additional Nurses and is opposed to giving up the current position. The Court agreed to hold a workshop session and get an updated report on this department before making any final decisions.

12843 EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS AND ACTION TO HIRE A RIGHT-OF-WAY AGENT AND ATTORNEY FOR THE ROAD BOND PROJECT

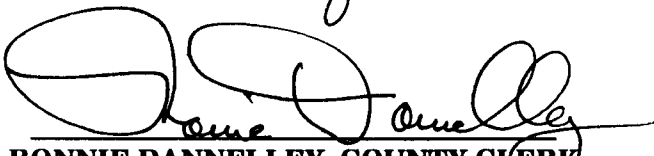
The Court convened into Executive Session to discuss Personnel Matters pursuant to Section 551.074 of the Government Code. Upon completion of the closed session the Court reconvened into open meeting and the following action was taken. Judge Etheredge was not present for Court action.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize Doucet & Associates to make an offer on behalf of Hays County to both Eric Moerbe and H. Rene Moulinet to serve as Right-of-Way Agents for the Road Bond Project using per hour fee schedule as follows: \$42.50 for Principals \$27.50 for Research \$ 20.00 for clerical. All present voting "Aye".

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to negotiate with Attorney Mike Gossett for legal services regarding the Road Bond Project with fee not to exceed \$95.00 per hour. All present voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 27th DAY OF June, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

000

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 23RD DAY OF MAY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- | | |
|---------------------|----------------------|
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

County Judge Eddy Etheredge was absent and Commissioner Craig Payne chaired the meeting.

12844 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of invoices in the amount of \$ 186,791.65 as presented by the County Auditor. All present voting "Aye".

Fines	\$ 29.00	Auditors Ofc	\$ 136.26
Treasurers Ofc	\$ 227.68	Extension Ofc	\$ 9.54
Grants Admin Ofc	\$ 900.87	Juv Probation	\$ 199.18
Election Admin	\$ 347.12	Indigent Care	\$ 2,949.27
Bldg. Maintenance	\$ 5,774.14	Environ Health	\$ 1,649.96
Personal Health	\$ 129.99	Civic Center	\$ 1,163.04
Countywide Oper	\$ 4,019.22	Tax A/C	\$ 174.85
District Clerk	\$ 365.27	County Clerk	\$ 245.70
Sheriff's Ofc	\$ 3,540.38	Jail Operations	\$ 6,106.43
County Judge	\$ 139.09	Human Resources	\$ 36.82
District Attorney	\$ 496.86	J.P. 1-1	\$ 88.90
J.P. 1-2	\$ 123.39	J.P. 5	\$ 75.00
Constable #1	\$ 109.24	Constable #2	\$ 100.54
Constable #3	\$ 46.92	Constable #4	\$ 35.50
Constable #5	\$ 15.00	Dist Crt Oper	\$ 1,319.57
Co & JP Crt Oper	\$ 5,347.98	Veterans Admin	\$ 82.37
Computer Svcs	\$ 598.98	Fire Marshal/EMC	\$ 25.71
TJPC CCAP Grant	\$ 14.00	R&B Operations	\$60,679.73
Precinct 1	\$ 180.00	Precinct 2	\$ 100.00
Precinct 3	\$ 90.80	Right of Way	\$22,630.00
Records Mng/Co Clk	\$ 750.00	Health Svcs Grant	\$27,013.68
Law Library	\$ 1,498.40	Road Construction	\$16,715.13
Courthouse Renov	\$ 79.68	Foster Care Fund	\$ 475.50
Adult Prob Oper	\$14,644.78	Adult Prob Fac	\$ 385.00
D.A. Reimb Trust	\$ 5,059.81	Gen Fund Credit	* \$ 134.63*

12845 AMEND BUDGETS OF INDIGENT HEALTH CARE, COMMUNITY AND RURAL HEALTH GRANT, JAIL CONSTRUCTION FUND, AND COUNTY JUDGE

The following budget amendments were requested:

Indigent Health Care - transfer personnel savings costs of vacant position to allow funding for a PC system (\$1,399), License (\$379), Printer (\$535), and \$175 for continuing education to allow training at State Conference.

Community & Rural Health Grant - move equipment (5719) to other (5391) and reduce other category of expenses and Grant revenue reduction ass moved to General Fund on 73/27% split of County/State. Was not shown on previous amendment of 5/9/94. This action corrects C&RH grant to actual.

Jail Construction fund - Commissioners' Court authorized in December 1993, the expenditure of \$8,000 to complete the storage facility at L.E.C.. Actual expenses totaled \$9,375.71, and an additional P.O. has been requested for \$2,778 for shelving. Both items total \$12,154.

County Judge - transfer \$3,000 from personnel cost savings to Special Projects line item to allow match for NAACP Grant.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendments as proposed by the County Auditor - Budget Amendment No. 94-44. All present voting "Aye".

LINE ITEM - DESCRIPTION	INCREASE	DECREASE
INDIGENT CARE		
01-408-5331 Cont Ed	\$ 175	
01-408-5160 Insurance		\$ 175
01-408-5712 Data Proc Eqpt	\$ 2,313	
01-408-5021 Staff Sal		\$ 2,313
COMMUNITY & RURAL HEALTH GRANT		
10-466-5391 Other Exp		\$15,753
10-466-5719 Eqpt		\$ 5,247
REVENUES		
10-322-3229 Hlth Dept. Permits	\$21,000	
JAIL CONSTRUCTION		
17-451-5611 Construction	\$12,154	
JUVENILE DETENTION		
17-473-5611 Construction		\$12,154
COUNTY JUDGE		
01-420-5021 Staff Sal		\$ 2,617
01-420-5110 FICA		\$ 200
01-420-5121 Retirement		\$ 183
01-420-5353 Special Projects	\$ 3,000	

12846 AUTHORIZE T.B. NURSE AN ADDITIONAL 20 HOURS AT THE L.E.C.

Dr. Birdwell requested authorization for the TB Nurse to work an additional maximum 20 hours at L.E.C. - amount of salary of part-time RN/TB Nurse would be \$300 plus fringe of \$22.00 - to be paid from Personal Health (412) Dept. - no amendment to budget required. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the TB Nurse at the L.E.C. and additional 20 hours. All present voting "Aye".

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12847 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A WATER SOFTENER AND THE INSTALLATION OF A WATER SOFTENER FOR THE LAW ENFORCEMENT CENTER

Bid Specs #94B012 was presented to the Court for approval by the Purchasing Agent. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the specification and authorize the County Auditor to advertise for bids for a water softener and the installation of a water softener for the Law Enforcement Center. All present voting "Aye".

12848 APPROVE PERMITS TO GTE FOR BURIED COMMUNICATIONS LINES #94-201 (BLACK COLONY ROAD) AND #94-301 (SKYLINE DRIVE)

A Notice of Proposal Installation of Utility Line on "Skyline Drive" (Permit #94-301) and on "Black Colony Road" (Permit #94-201) were submitted by GTE - Georgetown, Tx. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Permits to GTE for buried communication lines on Black Colony Road (Permit #94-201) and Skyline Drive (Permit #94-301). All present voting "Aye".

12849 AUTHORIZE RE-CANVASSING BOOK COVERS FOR 98 PERMANENT RECORD BOOKS IN THE COUNTY CLERK'S OFFICE

County Clerk Ronnie Dannelley submitted a request for authorization to use budgeted funds in the County Clerk's Record Management Fund in the amount of \$ 3,332.00 to re-canvass book covers in his office (i.e. Deeds, Birth & Death, etc.). Nationwide Binding Company submitted the lowest quote = \$ 3,332.00. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize re-canvassing 98 permanent record books in the County Clerk's office in the amount of \$3,332.00 from the County Clerk's Record Management Funds. All present voting "Aye".

12850 AUTHORIZE RESTORATION OF TWENTY-FOUR (24) DEED RECORD BOOKS IN THE COUNTY CLERK'S OFFICE

County Clerk Ronnie Dannelley requested authorization to use budgeted funds in the County Clerk's Record Management Fund in the amount of \$7,200.00 to restore 24 Deed Record Books - J. W. Dolly Co. submitted the low quote of \$7,200.00 for this project. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize restoration of twenty-four (24) Deed Record books in the amount of \$7,200.00 from the County Clerk's Record Management Fund. All present voting "Aye".

12851 ACCEPT AUDIT REPORT OF THE SHERIFF'S OFFICE

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Audit Report of the Sheriff's Office. All present voting "Aye".

12852 APPROVE UPDATED EMERGENCY MANAGEMENT ORDINANCE FOR HAYS COUNTY

A. D. Carroll, Fire Marshal/Emergency Management Coordinator, advised the Court that the FEMA, State Division of Emergency, recommends that the Ordinance for counties and cities be updated at least every 10 years - our Ordinance was adopted in December 1981 - the updated Ordinance has only the change of including the penalties for violation of the EMO. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Updated Emergency Management Ordinance for Hays County. All present voting "Aye". (See page 36 for Resolution)

12853 AMEND THE 1994 RULES FOR OUTDOOR BURNING

A.D. Carroll, Fire Marshal/EMC, requested that the 1994 Rules for Outdoor Burning - which was adopted by the Commissioners' Court on March 14, 1994 - be amended by adding Item #8. defining the penalty for violation of the Ordinance. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend the "1994 Rules for Outdoor Burning" by adding the penalty for violation. All present voting "Aye".

HAYS COUNTY EMERGENCY MANAGEMENT
FIRE MARSHAL'S OFFICE

A. D. Carroll
Fire Marshal
Emergency Management Coordinator

1994 RULES FOR OUTDOOR BURNING

OUTDOOR BURNING IS ALLOWED ONLY UNDER THE FOLLOWING CIRCUMSTANCES

1. Burning must be outside corporate limits and at least 300 feet from occupied structures, except when necessary to eliminate a naturally occurring fire hazard and shall not create nuisance conditions or impair traffic.
2. Burning shall not begin when the wind speed is less than 6 mph or greater than 23 mph.
3. Burning shall be conducted between the hours of 9 a.m. and must be completed by 5 p.m.
4. All outdoor burning must be under controlled conditions. Citizen's responsible for controlled burns shall have the means to control/extinguish the burn.
5. For campfires and other recreational and ceremonial purposes, the non-commercial preparation of food and for supplying warmth in cold weather.
6. To destroy diseased animals when necessary to prevent the spread of disease.
7. Outdoor burning of trees, brush, and other dry vegetation is allowed in rural areas for right-of-way maintenance and land clearing, forest crop and range management purpose only if no practical alternative exists.
8. Violations of this Order shall be punished as a Class C misdemeanor.

PROHIBITED BURN ITEMS

- *Treated construction waste*household garbage*tires*rubber/plastic products*
- *Heavy oils*materials producing excessive amounts of smoke*fiberglass products*
- *Oil based materials*any burning during countywide burn bans*

The authority to conduct outdoor burning under the above circumstances does not excuse the responsible person from any consequences, damages, or injuries resulting from the burning and does not excuse anyone from complying with all ordinances of other governmental agencies.

YOUR COOPERATION IS APPRECIATED IN THIS MATTER

The above rules shall be enforced by the Hays County Fire Marshal's Office

****Prior to all outdoor burning, please notify Hays County Fire Marshal's office****

A.D. Carroll
Hays County Fire Marshal
(512)396-0821 - P.O.Box 103 - San Marcos, Texas 78667

12854 APPROVE INTERLOCAL AGREEMENT WITH GUADALUPE COUNTY FOR EMERGENCY MANAGEMENT SERVICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Interlocal Agreement with Guadalupe County for Emergency Management Services. All present voting "Aye". (See Interlocal Agreement in file)

12855 AUTHORIZE USE OF COUNTY EQUIPMENT TO HAUL MATERIALS FOR NON-PROFIT COUNTYWIDE YOUTH PROGRAM BUILDING ANIMAL PENS NEAR MOUNTAIN CITY

Commissioner Barton submitted the following: The "Sheriff's Posse", Buda 4H, and Ag Booster Club are cooperating to construct an animal arena and show barn adjacent to Hays Youth Fields - it will be used for at-risk youth and other youth from throughout the county, as well as the Buda area. Recommends county trucks haul at our convenience "late in the day" in conjunction with private sector volunteers - the project is near Centex and near the county barn - Centex is donating all materials and Parents, S.O. Officers, and Reserves are donating labor. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize use of county equipment to haul materials for non-profit countywide Youth Program building animal pens near Mountain City. All present voting "Aye".

MAY 23, 1994

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12856 CALL FOR A PUBLIC HEARING TO CONSIDER RENAMING CR 124 IN PCT 2

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a Public Hearing to be held June 13, 1994 at 9:00 o'clock A.M. to consider renaming County Road 124 in Precinct 2. All present voting "Aye".

12857 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION: "STOP" SIGN AT THE INTERSECTION OF AYERS ROAD (RYAN ROAD) AND ROLAND LANE (CR 137) IN PCT. 2

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a Public Hearing to be held on June 6, 1994 at 9:00 A.M. to establish traffic regulation: placement of a "STOP" sign at the intersection of Ayers Road (Ryan Road) and Roland Lane (CR 137) in Pct. 2. All present voting "Aye".

VARIANCE TO PLATTING PROCEDURES REQUESTED BY V. JEAN BALES

A platting variance was requested by V. Jean Bales on a tract of land she is giving to her daughter and her family - consist of 3 acres out of her original tract together with 2 acres she brought from adjacent property to seller on VA terms. Allen Walther, Environ Health Director, advised that no drawing have been submitted and more information is needed before approval.

12858 2001 HILLS (LOTS 1-15) - FIRST READING APPROVAL

Joe Martinez, Developer, appeared before the Court - subdivision is located on Kai Vista Drive - there is a 30' access easement - they were not allowed access on FM2001 - development will be for mobile homes as well as standard homes. Darrell Brown, County Road Director, requested possibly getting a donation for reconstruction/rehabilitation of Kai Vista Road - concerned about water service street cuts. There was a question about the "old Road" and using it for ingress/egress, so they are not using it but rather using an easement across Lot 14 - the TxDot advises that the turn is too severe for ingress/egress on FM2001 at the SE corner of the property and there is not enough frontage at that point anyway. A motion was made by Commissioner Barton, seconded by Commissioner Rippey to approve "2001 Hills" subdivision on first reading. All present voting "Aye".

GULFMONT MANAGEMENT CO./BLOCKER TRUSTS - REQUEST FOR VARIANCE FROM PLATTING REQUIREMENTS FOR 30 ACRE TRACT ON CR187

A request for variance from platting requirements for 30 acre tract fronting on Hays County Road 187 (McGregor Lane) was submitted by Rex G. Baker, III; Attorney for Gulfmont Management Co., Miriam Blocker Owen Trust, Allison Blocker Frank Trust and Elizabeth Blocker Nalle Trust. Allen Walther, Environ Health Dir., advised that this property is located on a County maintained road and has no floodplain - would like to see a master plan filed for remaining acreage. No action taken this date.

12859 JOHN E. SIMMONS - PLATTING VARIANCE GRANTED ON 245.69 ACRES

This variance request was discussed at the May 16, 1994 meeting (Volume P Page 18) - fees have been paid and survey/metes & bounds description to be attached to deed of conveyance prior to recording. A motion was made by Commissioner Rippey, seconded by Commissioner Barton to grant variance from platting procedures to John E. Simmons on 245.69 acres (one 160 acre tract & one 85.69 acre tract). All present voting "Aye".

12860 HILL COUNTRY ESTATES SECTION 7 - THIRD READING APPROVAL

A motion was made by Commissioner Payne, seconded by Commissioner Rippey to approve "Hill Country Estates Section 7" subdivision on third reading. All present voting "Aye".

PLATTING VARIANCE REQUESTED ON THOMAS 50 ACRE TRACT DIVISION

Mrs. Thomas is requesting a platting variance on division of her 50 acre tract (taking 3 acres out) - property is located off Wayside Drive in Pct. 3 - the survey is incomplete at this time. Allen Walther, EHC, stated that he had been to the site and there are septic tank concerns. No action taken this date.

12861 ADOPT HAYS COUNTY PERSONNEL POLICY TO SUPERSEDE ALL DEPARTMENTAL POLICIES

Commissioner Barton spoke of the development of a County Personnel Policy being a difficult and complex issue - we are trying to provide a tool for management to use we hope it will benefit everyone - it covers the "At Will" requirements of the county, Equal Opportunity, Sexual Harassment, Smoking policy, Employee responsibility, Recruitment, Types of Employment, Pay days, Classification, Performance Evaluation, Fair Labors & Standard Act, Benefits and Leave Policy, Holidays, Health & Safety, Discipline, Grievance policy, separation from County, travel, and drug and alcohol policy - the Court plans to live by this policy and budget by it - this is not a policy for Commissioners' alone - Elected Officials and Department Head are asked to join with the Court to make this policy work - most Elected Officials have signed a resolution approving the policy - the new policy will replace all other policies throughout the County - following applies with the passage of the new Hays County Personnel Policy by the Commissioners' Court:

1. For both annual and sick leave the policies will take effect on 1 October 1994 and operate on a fiscal year basis.
2. Prior to October 1994 elected officials and dept. heads may continue to use their own policies or transition to the new county rules. As stated above everyone will conform to the county policies beginning in FY95.
3. There are maximum ceilings on both annual and sick leave contained within the new policy guidelines. Any employee having sick or annual leave beyond the maximum amounts in the manual will be grandfathered for up to two years -- FY 95 and FY 96. If an employee does not use the amount of sick or annual leave beyond the maximum within that time the employee will lose the amount over the maximum allowed by Hays county policy.

Commissioner Payne spoke of this being a difficult management problem over the years for the court with all the different policies throughout the county - happy to see one standard policy - this will be a major milestone for the county. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt the Hays County Personnel Policy - to supersede all departmental policies. All present voting "Aye".

12863 APPROVE TEMPORARY POSITION FOR TREASURER'S OFFICE AND SET GRADE & STEP

Dottie Sims, County Treasurer, appeared requesting a Permanent position for her office at Grade 6. George Aitken, Human Resources Director, recommended a temporary position at Grade 3-5 range at this time until the job description is evaluated and graded properly - temporary employees should not be paid the same as a permanent position. Dottie Sims spoke of duties to be performed by this position - will assist with the current overload of work, assume the duties that the Insurance Coord, did other than insurance, track all vacation time, sick leave, and comp time earned and used for each employee every month and enter these amounts on the computer so they will print out on the employee's check stubs, and will perform additional duties that arise out of the fast growth of Hays County. Mr. Aitken, HRD, stated that he is unable to evaluate the job description at this time - recommends a Grade lower than 6. Commissioner Barton spoke of this position requiring additional monies in the current budget. Commissioner Payne made a motion to approve temporary position for the Treasurer's Office and set salary at Grade 5 Step Minimum - motion died for lack of a second. Commissioner Barton spoke of recently advertising for a position at the Sheriff's Dept. at Grade 4 and received about 200 applications - he has filled temporary position at Grade 2 - there are a lot of people out in the market that will work for those salaries. Michelle Tuttle, Asst. Co. Treasurer, spoke of work that will be performed by the new person - needs to be a well qualified person.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve a temporary position for the Treasurer's Office at Grade 4 Step Minimum effective June 1, 1994. All present voting "Aye".

12864 APPROVE LEASE OF A PAGER FOR JUSTICE OF THE PEACE PCT. 1-1

Commissioner Rippy spoke of request from J.P. 1-1 Macel Sullivan for a pager - the cost of the pager is \$12.00 per month - stated that he would like to fund this expense out of existing line items. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve lease of a pager for Justice of the Peace Pct. 1 Place 1. All present voting "Aye".

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12865 AUTHORIZE EXPENDITURE TO PROVIDE EDUCATIONAL SEMINARS ON STATE AND LOCAL ENVIRONMENTAL REGULATIONS

Commissioner Barton spoke of new regulations from various agencies - staff needs to be trained on environmental issues - in order to comply with a TNRCC order the County agreed to develop plans to educate staff on environmental regulations - a proposal was received from Tom Heathman (Environmental Specialist) and Neil Franklin to provide education seminars on State and Local environmental regulations for staff and citizenry. The following is a proposed scope of services for the Hays County Road Department - Fee for services is \$2,750.00 payable in increments of 30% (\$825), 15% (\$412.50), and 55% (\$1,512.50) upon completion of each task - additional services may be provided upon submittal and approval of a proposal for those services.

PROPOSED SCOPE OF SERVICES FOR HAYS COUNTY ROAD DEPARTMENT

I. Investigate and propose changes to the approval process to incorporate all environmental reviews and approvals.

This task includes identification and review of existing ordinances and procedures interviews with County Commissioners and personnel, and providing the Commissioners with recommendations to the County planning and approval process and recommendations for the appropriate ordinances which will provide a system to check for environmental requirements and approvals. Finished product may include any part or all of: written report; verbal report to the Commissioners Court; recommendations for ordinances; and/or recommendations for procedures.

II. Provide a written plan of action to Hays County to fulfill the requirements of the Texas Natural Resource Conservation Commission enforcement action.

This task includes incorporation of the above recommendations, planning the educational seminar, identifying the various governmental agencies that would benefit from the seminar, identifying the various agencies that should be invited to present information at the seminar, and providing a plan to Hays County that would fulfill the requirements set forth by the TNRCC.

III. Conduct an education seminar and provide a manual of environmental rules, regulations, ordinances, and requirements for development in Hays County.

This task includes gathering all materials for the manual, providing a concise overview of each set of rules, regulations, and ordinances, coordinating speakers, and planning and conducting the educational seminar. The County would be responsible for providing copying and binding services, the seminar conference facilities and audio-visual equipment, and producing and mailing the invitations to speakers and attendees.

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to authorize expenditure of \$2,750.00 out of Road & Bridge Operation funds (Consultants line item) to provide educational seminars on State and Local Environmental regulations as proposed. All present voting "Aye".

12866 APPROVE ARCHITECTURAL/STRUCTURAL/M-E-P FEES FOR A 24-BED JUVENILE FACILITY AS PROPOSED BY PSA

Thad Perlitz, AIA Associates for Phillips Swager Assoc. (PSA), submitted proposed fee to modify the existing 16-bed facility to accommodate an additional eight beds and revised the drawings and specifications - complete drawings and specifications can be ready for bidding in six to eight weeks. The following is a breakdown of fees for start-up, revisions, etc:

Architectural	\$ 12,000
Structural	\$ 5,400
Mechanical/Electrical/Plumbing	\$ 10,000

Additional Misc. Items not covered in original contract were:

Retention Pond (if required by City)	\$ 0 - \$4,000
Sanitary Sewer (lift station)	\$1,000 - \$2,000
Paving,Grading &Utilities	\$3,000 - \$4,000

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Architectural/Structural/M-E-P Fees for a 24-bed Juvenile Facility in the amount of \$27,400.00 as proposed by Phillips Swager Associates. All present voting "Aye".

12867 EXEMPT FROM THE BID PROCESS (PROFESSIONAL SERVICES) AND HIRE RIGHT-OF-WAY AGENTS AND ATTORNEY FOR THE ROAD BOND PROJECT

A motion was made by Commissioner Barton, seconded by Commissioner Payne to exempt from the bid process (Professional Services) and hire Eric Moerbe and Rene Molinet as Right-of-Way Agents for the Road Bond Project at proposal fees previously negotiated (\$42.50 for Principals, \$27.50 for Research Assistance, and \$20.00 for Clerical). All present voting "Aye". A motion was made by Commissioner Payne, seconded by Commissioner Barton to exempt from bid process (Professional Services) and hire Mike Gossett as Attorney for the Road Bond Project at a fee of \$95.00 per hour. All present voting "Aye".

12868 APPROVE PAYMENT FOR FENCING RELOCATION ON TWO PARCELS OF LAND FOR THE RR12 TURN-LANE PROJECT AND INSTRUCT THE PURCHASING AGENT TO SEEK ADDITIONAL BIDS

Patsy Greiner, Mapping/Planning, spoke of 2 bids received for fence relocation on 2 parcels of land for the RR12 Turn-lane Project - Parcel #1 Randy Hutto property low bid was \$4,500 (involves relocating a solar-powered gate - Parcel #2 Mr. & Mrs. Nathan Hall property low bid was \$3,500 - the State Highway Department is ready to proceed on this project. It was felt that an additional quote is needed and that these bids might be a little high. A motion was made by Commissioner Rippy and seconded by Commissioner Barton to approve payment for fencing relocation on two parcel of land for the RR12 Turn-Lane Project not to exceed \$8,000 and to furthermore, instruct the County Purchasing Agent to seek additional bids. All present voting "Aye".

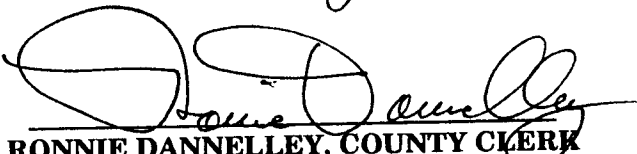
COVES OF CIMARRON LOT 63 BLOCK H - PUBLIC HEARING REGARDING REQUEST FOR VARIANCE TO BUILDING SETBACK LINE

Commissioner Payne called the public hearing open - no public input was received - public hearing was closed. Commissioner Barton spoke of request for variance to 20 foot building setback line - the restrictive covenants set out a 15 foot building setback line which does not correspond with the 20' setback indicated on the recorded plat - verbal acceptance of this variance has been received from the Homeowners Association, however, a written acceptance is necessary before the Court takes action on this request. This item was recessed until the next Commissioners' Court meeting to be held Wednesday May 25, 1994.

COURT WAS RECESSED UNTIL WEDNESDAY MAY 25, 1994 AT 9:30 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 27th DAY OF June, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 25th DAY OF MAY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN A SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY       | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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**12869 COVES OF CIMARRON BLOCK H LOT 63 - BUILDING SETBACK LINE VARIANCE GRANTED**

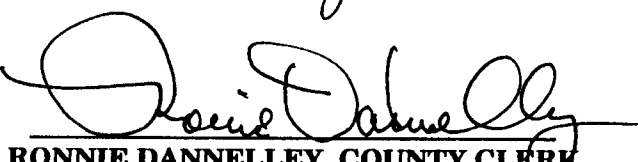
A public hearing was held on May 23, 1994 regarding the request for a building setback line variance - no action was taken on that date - an approval in writing was required to be submitted by the Homeowners Association before the Court takes action. Commissioner Barton submitted a Faxed copy from the Architectural Control Committee of the Coves of Cimarron granting a variance to the 20 foot side setback lines shown on the current property plat - the 15 foot side setback requirement in the subdivision restrictive covenants must be observed - this variance is valid only if Hays County grants a variance - this document was signed by David Chilcote (312-0244) and Ramon Guzman (295-3937). A motion was made by Commissioner Barton, seconded by Judge Etheredge to grant a variance to the building setback line as requested on Lot 63 Block H Coves of Cimarron subdivision. All voting "Aye".

**DISCUSSION REGARDING THE PROPOSED LISTING OF THE "BARTON SPRINGS SALAMANDER" AS AN ENDANGERED SPECIES**

Hays County Environmental Health Director Allen Walther presented the Court with a copy of the Proposed Rule from the Fish and Wildlife Service to list the Barton Springs Salamander as endangered species. Rule summary reads: The primary threat to this species is contamination of the waters that feed Barton Springs due to the potential for catastrophic events (such as petroleum or chemical spills) and chronic degradation resulting from Urban activities. Allen Walther discussed the watershed and possibility of degradation. Judge Etheredge stated that a request has been made that hearings be held in Dripping Springs to allow easier access for Hays County residents. Patrick Cox, President of the Barton Springs Edward Aquifer Conservation District, spoke of currently evaluating this situation - spoke of Onion Creek and Bear Creek - spoke of projects they are currently working on. Judge Etheredge spoke of need to have a representative at the hearing to be held. General discussion was held while going through the proposed rule with Pat Cox.

MINUTES APPROVED IN OPEN COURT ON THE 27th DAY OF June, 1994.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 27th DAY OF MAY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- | | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:


FY95 BUDGET PROCESS - DISCUSSION WITH ELECTED OFFICIALS AND DEPARTMENT HEADS

Judge Etheredge spoke of need to discuss upcoming budget sessions - spoke of rapid growth and the need to plan and budget for the future - stated that the Court is committed to things that may not be popular with constituents - asked that those who will not be in office next year submit an appropriate budget for their predecessor - spoke of personnel policy - stated that statutorily it is the County Judge's responsibility to prepare a budget, however, he is committed to trying to build a budget as a team - spoke of Sheriff Hastings' five-year plan indicating his future needs - we need to build a planning process throughout the county. Sheriff Paul Hastings spoke of his 5-Year Plan and the work put into it to develop a plan that identifies your needs, what you presently have, and a mission for the future. researched call response times and how his department is doing it.

other county departments - adjustments will be necessary as we go along - this plan lets the Commissioners' Court know what will be requested in the future. Judge Etheredge spoke of this years budget process - suggested breaking up into four groups and begin process of discussion with a Commissioner in each group - spoke of Courthouse personnel to be relocated to the old H.E.B. building so those departments need to think of their current office space as temporary and don't ask for furnishing, only operational costs - remember that all departments are tied to the Data Processing Dept., Treasurers Office and Auditors office. Four groups were created as follows: Group 1 with Commissioner Pete Rodriguez was the County Clerk, Asst. County Clerk, Fire Marshal, Human Resources Director, Sheriff, Constable #1, Judge CCL#2, Veterans Service Officer, J.P. 1-1, J.P. 1-2, Election Administrator, and County Judge's Admin. Asst. - Group 2 with Commissioner Jeff Barton was J.P. 5 (Judge Hehl, Pat Ford, Lamont Ramage), J.P. 2, District Attorney, County Physician, Director of Nursing, Indigent Care Administrator, Auditor, Asst. Auditor, Road Director, Constable #5, Tax A/C and Luanne Caraway - Group 3 with Commissioner Craig Payne was Grants Administrator, Chief Juvenile Probation Officer, Treasurer, Assistant Treasurer, Constable #3, J.P. 3, District Clerk, DP Administrator, and Judge CCL#1 - Group 4 with Commissioner Rippy was Chief Adult Probation Officer, District Court Reporter, Maintenance Supervisor, DPS Sgt., Extension Agents Caskey & Shramm, Constable #4, and Civic Center Manager. Upon completion of group discussions the Commissioners gave a report on the concerns of their particular group. Commissioner Rodriguez spoke of his groups concern about projected funds available in order to determine their needs - need to know the amount of funds that will be available. Commissioner Barton spoke of his group wanting a sense of priority from the Court and flexibility - they discussed the ripple effect - need to address space needs and communication with members of the court. Commissioner Rippy spoke of his groups being concerned with space needs and communication as well as need for quicker interoffice exchange. Commissioner Payne spoke of his groups concerns about additional employees, vehicles, and equipment - pursuit of additional funds for grants - concerned about grade classifications, cost of living, etc. Human Resources Director George Aitken spoke of it being an ongoing job to evaluate positions - some duties are not correct and will be re-evaluated - some grades could go up or possibly down - money would have to be available to adjust salaries up - spoke of personnel policy effective October 1, 1994 with "at will" employment environment which can be costly if not addressed properly - it will hold management accountable. Judge Etheredge spoke of putting money in the budget for increases in salaries - Elected Officials and Department Heads need to try to anticipate if job responsibilities will increase and meet with the Human Resources Director - we need to budget in advance - the court is committed to making the Salary Classification Plan work. Commissioner Barton spoke of building in line item flexibility - would like to explore setting up a special projects line item for departments who do not use up all their budget. Judge Etheredge stated that a 3% cost of living increase would cost approximately \$250-300,000.00 - attempting to put people first before furniture, etc. - current budget is \$23 million - revenues have limited increases. Ruth Clayton, Tax Assessor-Collector, stated that property values increase but tax rates go down - the only increase in revenues is with new construction. Commissioner Barton asked if anyone would be willing to go out to the citizens supporting tax increases. Ed Cooper, Chief Juvenile Probation Officer, spoke of support he could get regarding the juvenile detention facility. Commissioner Rodriguez spoke of other taxing entities raising taxes which cause considerable increases per taxpayer. Judge Etheredge urged everyone to read the book "Rebuilding Government" - spoke of Architect that will be working with the District Attorney, Judges and Clerks at the Courthouse to come up with ideas to create security, courtrooms, and expansion at the new Courts facility (old H.E.B. building) - should be able to move to that location in January 1995 - offices will be shut down from services for several days. Meeting was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 27th DAY OF June, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 31ST DAY OF MAY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| ORAN H. RIPPY       | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12870 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 75,950.82 as presented by the County Auditor. All present voting "Aye".

|                    |             |                   |             |
|--------------------|-------------|-------------------|-------------|
| Auditors Ofc       | \$ 30.00    | Treasurers Ofc    | \$ 238.82   |
| Extension Ofc      | \$ 18.73    | Grants Admin      | \$ 120.00   |
| Juvenile Prob      | \$ 4,200.00 | Election Admin.   | \$ 64.62    |
| Indigent Care      | \$ 3,676.99 | Transfer Station  | \$ 33.70    |
| Bldg.Maintenance   | \$ 2,251.73 | Environ Health    | \$ 313.28   |
| Personal Hlth Svcs | \$ 4.94     | Civic Center      | \$ 910.66   |
| Countywide Oper    | \$ 7,101.91 | Tax A/C           | \$ 555.75   |
| District Clerk     | \$ 369.65   | County Clerk      | \$ 1,045.61 |
| Sheriffs Ofc       | \$ 684.45   | Jail Operations   | \$ 2,129.97 |
| County Judge       | \$ 308.91   | Human Resources   | \$ 421.67   |
| Co Crt at Law 1    | \$ 161.29   | District Attorney | \$ 98.90    |
| J.P. 1-1           | \$ 16.00    | J.P. 1-2          | \$ 26.83    |
| J.P. 3             | \$ 87.56    | J.P. 4            | \$ 31.52    |
| J.P. 5             | \$ 80.54    | D.P.S.            | \$ 244.39   |
| Constable 1        | \$ 21.55    | Constable 3       | \$ 22.64    |
| Constable 4        | \$ 34.83    | Constable 5       | \$ 115.51   |
| Dist. Crt Oper     | \$ 4,131.78 | Co & JP Crt Oper  | \$ 9,281.64 |
| Computer Svcs      | \$ 5,481.86 | TJPC CCAP Grant   | \$ 7,067.85 |
| R&B Operating      | \$ 2,081.93 | Precinct 1        | \$ 211.87   |
| Precinct 2         | \$ 757.00   | Precinct 3        | \$ 57.29    |
| Precinct 4         | \$ 251.52   | Right of Way      | \$11,435.00 |
| Health Svcs Grants | \$ 1,631.58 | Adult Prob Oper   | \$ 7,250.56 |
| Adult Prob Fac     | \$ 897.97   | Gen Fund Credit   | (\$9.98)    |

12871 AMEND BUDGETS OF CONSTABLE PRECINCT 1 & CONSTABLE PRECINCT 3

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend the budgets of Constable Precinct 1 and Constable Precinct 3 as proposed by the County Auditor. All present voting "Aye".

| Line Item - Expenditures                 | Increases | Decreases |
|------------------------------------------|-----------|-----------|
| CONSTABLE PCT. 1                         |           |           |
| 01-431-5211 Ofc Sply                     | \$ 200.00 |           |
| 01-431-5413 Veh Maint & Rprs             |           | \$ 200.00 |
| *provide funding for office supplies*    |           |           |
| CONSTABLE PCT. 3                         |           |           |
| 01-433-5321 Membership Fees<br>and Bonds | \$ 150.00 |           |
| 01-433-5413 Veh Maint and<br>Repair      |           | \$ 150.00 |
| *cover cost of bonds /add'l reserves*    |           |           |

12872 AUTHORIZE RUTH CLAYTON TO BE THE DESIGNATED PERSON TO PERFORM THE EFFECTIVE TAX RATE CALCULATIONS FOR THE VARIOUS JURISDICTIONS THAT HAYS COUNTY HAS CONTRACTED WITH FOR PROPERTY TAX YEAR 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize Ruth Clayton to be the designated person to perform the effective tax rate calculations for the various jurisdictions that Hays County has contracted with for Property Tax year 1994. All present voting "Aye".

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**12873 APPROVE TREASURER'S REPORT FOR THE PERIOD OF MARCH 1994, APRIL 1994, AND THE AMENDED REPORT FOR SEPTEMBER 1993**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the County Treasurer's Report for the period of March 1994, April 1994, and the Amended Report for September 1993. All present voting "Aye". (See page 37-38 )

**12874 APPROVE RESTORATION OF BIRTH & DEATH RECORDS OUT OF RECORDS MANAGEMENT/COUNTY CLERK FUNDS**

Funds were budgeted for restoration of birth and death records in the County Clerk Office - a low bid of \$4,170.00 was received from Hart Forms & Services. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve restoration of birth & death records as budgeted out of Records Management/County Clerk Funds. All present voting "Aye".

**12875 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION AND TO EXECUTE A CONTRACT FOR THE AMOUNT OF \$ 56,250.00**

This grant will enable Hays County to establish a county-wide computerized criminal history system and corrections tracking system. The Texas Legislature created the Criminal Justice Policy Council to oversee the creation of a statewide Criminal Justice Information System (CJIS) mandated by Chapter 60 of the Texas Code of Criminal Procedure. Grant funds will be used to replace the Alpha Micro mainframe with a UNIX mainframe, connect county judicial entities, purchase software, network interfacing and personnel training. Grant is for up to \$56,250.00 with County to provide matching funds up to \$18,750.00. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to accept grant award from the Office of the Governor - Criminal Justice Division - Texas Narcotics Control Program, to commit \$18,750.00 as matching funds, and furthermore authorizes the County Judge to execute all necessary documents as may be required to initiate process and complete the grant application. All present voting "Aye".

**12876 AYERS ADDITION - FIRST READING APPROVAL**

A motion was made by Commissioner Barton, seconded by Commissioner Rippey to approve "Ayers Addition" subdivision on first reading. All present voting "Aye".

**12877 HAYS COUNTRY OAKS SECTION 1 BLOCK C - FIRST READING APPROVAL AND CALL FOR PUBLIC HEARING**

A motion was made by Commissioner Barton, seconded by Commissioner Rippey to approve "Hays Country Oaks Section 1 Block C" subdivision on first reading and call for public hearing to be held on June 13, 1994 at 9:00 o'clock A.M. All present voting "Aye".

**12878 LOST VALLEY BLOCK B REPLAT TRACTS 13A & 13B - FIRST READING APPROVAL AND CALL FOR PUBLIC HEARING**

A motion was made by Commissioner Rippey, seconded by Commissioner Barton to approve "Lost Valley Block B Replat Tracts 13A & 13B" on first reading and call for a public hearing to be held on June 13, 1994 at 9:00 o'clock A.M. All present voting "Aye".

**12879 CYPRESS CREEK ESTATES REPLAT LOTS 1A, 2A, & 3A - PUBLIC HEARING AND SECOND READING APPROVAL**

Eddie Gumbert presented "Cypress Creek Estates Replat Lots 1A, 2A, & 3A" subdivision for second reading. Judge Etheredge called the public hearing open. The purpose of this replat is to combine eleven lots into three. Public hearing was closed. A motion was made by Judge Etheredge, seconded by Commissioner Rippey to approve "Cypress Creek Estates Replat Lots 1A, 2A, & 3A" subdivision on second reading. All present voting "Aye".



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**12880 BEAR CREEK OAKS III LOTS 19A, 19B & 19C - FIRST, SECOND, THIRD READINGS**

Allen Walther, Director of Environmental Health, stated that the Bear Creek Oaks subdivision is an unrecorded subdivision - Lot 19 is being divided into three lots - plats notes have been corrected and approval is recommended. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve "Bear Creek Oaks III Lots 19A, 19B, & 19C" on first, second and third readings. All present voting "Aye".

**12881 PLATTING VARIANCE GRANTED FOR 30 ACRE TRACT OUT OF THE ROBERT REDDING SURVEY OWNED BY GULFMONT MANAGEMENT CO, ETAL**

The request for a variance was previously discussed on May 23, 1994 (P/25). A motion was made by Commissioner Rippy, seconded by Commissioner Barton to grant a platting variance to Gulfmont Management Co., et al for a 30 acre tract out of the Robert Redding Survey located on McGregor Lane. All present voting "Aye".

**12882 BURNETT RANCH SECTION 3 REPLAT LOTS 63A, 63B & 63C - PUBLIC HEARING, SECOND AND THIRD READING APPROVAL**

Judge Etheredge called the public hearing open. Developer Eddie Gumbert is splitting Lot 63 into three lots to be used primarily as access to three larger tracts to the rear of Burnett Ranch - meets minimum lot size requirements. Public Hearing was closed. A motion was made by Judge Etheredge, seconded by Commissioner Rippy to approve "Burnett Ranch Section 3 Replat Lots 63A, 63B, and 63C" on second and third reading approval. All present voting "Aye".

**BALE'S FARM - PLATTING VARIANCE DISCUSSED**

Allen Walther, Director of Environmental Health, stated that he has not seen a survey drawing on this property - approval from the City of Kyle is needed. No action taken this date.

**2001 HILLS - SUBDIVISION DISCUSSION**

Commissioner Barton spoke of Road Director's concerns about easements and cuts on the County Road. Darryl Brown, Road Director, stated that the County Ordinance requires final plans regarding utilities - the necessary signoffs have not been acquired. Commissioner Barton spoke of a separate process is required when cutting roads. Judge Etheredge stated that he is against an approval process that drags on and takes a long times to complete - suggested holding a workshop to discuss these concerns. Commissioner Barton stated that he does not feel like it will affect this particular subdivision as far as utilities, only driveways.

**12883 THOMAS 50 ACRE TRACT - PLATTING VARIANCE GRANTED**

A motion was made by Judge Etheredge, seconded by Commissioner Rippy to grant a platting variance on division of the Thomas 50 acre tract (taking out 2 acres) located off Wayside Drive - survey drawing to be attached to deed of conveyance. All present voting "Aye".

**12884 ADOPT A RESOLUTION PROCLAIMING MAY 31, 1994 AS "RUTH CLAYTON DAY" TO HONOR RETIRING TAX ASSESSOR-COLLECTOR**

Judge Etheredge read the resolution:

STATE OF TEXAS  
COUNTY OF HAYS

PROCLAMATION

WHEREAS, Ruth Clayton has served Hays County for the past 43 years, including the last 30 as the elected Tax Assessor-Collector; and

WHEREAS, Ruth's popularity with the people of Hays County is evidenced by the fact that she has never had an opponent; and

WHEREAS, Ruth has performed her duties both professionally and with a grace and friendliness sometimes rare in government; and

WHEREAS, the Commissioners' Court of Hays county, the employees of Hays County and people of Hays County are truly thankful for her service;

THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas, that May 31, 1994 be recognized as RUTH CLAYTON DAY and be it further proclaimed that citizens and officials be encouraged to participate in observance of this special occasion.

PROCLAIMED ADOPTED on this 31st day of May, 1994.

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A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to adopt a resolution Proclaiming May 31, 1994 as "Ruth Clayton Day" to honor retiring Tax Assessor-Collector. All present voting "Aye".

**12885 ACTION TO CLARIFY "PRECISION DRIVE" AS AN OFFICIAL COUNTY ROAD AND AUTHORIZE AN INTERLOCAL AGREEMENT WITH THE CITY OF BUDA**

Commissioner Barton spoke of "Precision Drive" being a short roadway located off South Loop 4 leading into the Hays County Industrial Park where the county has sponsored economic development ventures (Capital City Containers) - construction trucks have damaged the road - this road has never been dedicated to the county, however, the plat shows it as a public road - the developers have indicated a willingness to share the cost of upgrading the road if the county will maintain it- the City of Buda will be annexing this subdivision in the near future in order to provide utilities. Darryl Brown, Road Director, spoke of cost to make proper repairs to the road will be HAYS \$5,000 - \$ 10,000.00. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to clarify the record to show "Precision Drive" accepted as an official county road and instruct the Road Director, in consultation with the County Judge and Commissioner Barton, to work out a cost sharing agreement with Capital City Containers. All present voting "Aye". A motion was made by Commissioner Barton, seconded by Commissioner Rippy to authorize Judge Etheredge and Commissioner Barton to enter into an Interlocal Agreement with the City of Buda to provide for repair of road prior to annexation. All present voting "Aye".

**12886 AUTHORIZE PUTTING LUANNE CARAWAY, INTERIM TAX ASSESSOR COLLECTOR, ON THE COUNTY PAYROLL EFFECTIVE MAY 25, 1994**

Summary: Luanne Caraway has been working since last Wednesday in the office of the Tax Assessor-Collector training and preparing for the transition on June 1, 1994 - while her appointment is not effective until June 1st, the Court should consider paying her for the training and transition time. A motion was made by Judge Etheredge and seconded by Commissioner Barton to authorize putting Luanne Caraway, Interim Tax Assessor-Collector, on the payroll effective May 25, 1994, and amend the budget accordingly. All present voting "Aye".

**WORKSHOP DISCUSSION REGARDING POSSIBLE SALVAGE YARD PERMIT FOR SOUTHWEST TOWING**

Judge Etheredge explained how the Ordinance allows placement of conditions to the permit if need be - the Court has the authority to deny or approve this permit at this point - we will take into consideration the concerns voiced at the public hearing - conditions proposed by the Environmental Health Director were presented - court has until June 16 to rule on Mike Saucedo's application for a permit.

- | CONDITIONS OF LICENSE FOR MIKE SAUCEDO<br>AUTO SALVAGE YARD |                                                                                                                                                                                                          |
|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                                                          | At no time shall the number of vehicles exceed 250.                                                                                                                                                      |
| 2.                                                          | All auto salvage and storage activities shall be limited to that area defined by current fencing construction                                                                                            |
| 3.                                                          | All dismantling and storage of damaged vehicles shall be under cover to insure the containment and recovery of all vehicle fluids.                                                                       |
| 4.                                                          | Used and scrap tires shall be handled as prescribed by State rules for solid waste management.                                                                                                           |
| 5.                                                          | Vehicles shall not be stacked.                                                                                                                                                                           |
| 6.                                                          | Fences shall be constructed in such a way as to screen all vehicles from view along Hunter Road (FM 2439) and Centerpoint Road.                                                                          |
| 7.                                                          | Storm water control and detention facilities shall be provided to contain any spills which may occur in uncovered areas.                                                                                 |
| 8.                                                          | Hazardous materials shall be reported immediately to Hays County Environmental Health Department and all contaminated materials removed to an approved disposal site.                                    |
| 9.                                                          | The licensee shall provide all testing as may be required to demonstrate that the site is being maintained in compliance with County, State, and Federal regulations.                                    |
| 10.                                                         | No crushing of vehicles at this site.                                                                                                                                                                    |
| 11.                                                         | Licensee shall call the Hays County Environmental Health Department to inspect for compliance with these conditions prior to beginning operations, and at least 45 days prior to annual license renewal. |

Allen Walther went through the proposed conditions. Judge Etheredge asked what can be done to insure that these conditions are kept current - what is our authority to pull a license for noncompliance. Citizen input was received regarding concerns about containment, enforcement, time period for reporting spills (2 hrs or 2 days later) - may need to define a "history of violations". Al Lowman spoke of lighting annoyances and noise pollution - spoke of stock tank located near this area that could be contaminated after a heavy rain. Skip Gibbons spoke of contamination from spillage. Kingswood resident spoke of adequate fencing and traffic situation in this area - could create a dangerous situation. Discussion was had on detention ponds, Judge Etheredge stated that

MAY 31, 1994

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the City of San Marcos has not put together any land use assumption for future annexation in this area (no formal action taken at this time) - biggest concern is how good the ordinance will be towards enforcement and return of land to original state in case of violation revocation - Court will make a decision by June 13, 1994. Discussion was had on type of business operated by Southwest Towing (vehicle impoundment and wrecking/salvage yard), length of time vehicles are stored, spillage of hazardous materials from wrecked vehicles (i.e. oil, gas, battery acid, etc), and compatibility with the surrounding area.

**WORKSHOP RE: PERSONAL HEALTH DEPARTMENT**

County Physician Dr. Larry Birdwell and Director of Nursing Julie Hornberger, RN, appeared before the Court - presented a packet setting out (1) Overview of Health Dept., (2) Expanding Pediatric Practitioner Position (3) School based clinics, and (4) CTMC Proposal to provide Preventive Health Services. Preventive services currently being provided at the Hays County Health Dept. are Child Health Services (medical screening and lab tests as well as education and counseling), Case Management (follow up of children in the high risk category), Prenatal Services with case management for high risk pregnancies, Immunizations, Sexually transmitted disease testing/treatment/follow-up, Tuberculosis case management, Family Practice clinic, Integrated Eligibility services, Community Outreach activities, and Adult Preventive Health services. Discussion was had regarding TB services at the Jail facility for inmates and personnel. Julie went over the summation of financial, staffing pattern and client visits since 1991:

| <u>Year</u> | <u># of staff</u> | <u>clients per mo</u> | <u>Funding</u> | <u>Cost per Client</u> |
|-------------|-------------------|-----------------------|----------------|------------------------|
| 1991        | 12                | 718                   | \$ 198,702     | \$ 23.06               |
| 1992        | 14.2              | 1,165                 | \$ 372,583     | \$ 31.23               |
| 1993        | 16.3              | 1,270                 | \$ 591,974     | \$ 38.86               |

Proposes to hire a full time Pediatric Practitioner (2 days a week clinics 3 days a week school/staff training) and 2 full time RN's (1 to serve clinics to free up clinic manager and case management and 1 to serve Dripping Springs/Wimberley/Community activities). Lengthy discussion was had regarding adding the new Pediatric Nurse Practitioner position and doing away with the 2 RN positions currently vacant. A lengthy discussion was also held regarding indigent health care.

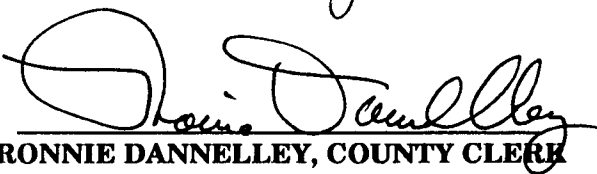
**EXECUTIVE SESSION - PERSONNEL MATTERS**

Court convened into closed Executive Session to discuss personnel matters at 1:30 P.M. No action was taken.

Court was adjourned on this the 31st day of May 1994.

MINUTES APPROVED IN OPEN COURT ON THE 27<sup>th</sup> DAY OF June, 1994.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS

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A RESOLUTION BY THE HAYS COUNTY COMMISSIONERS COURT ESTABLISHING A HAYS COUNTY EMERGENCY MANAGEMENT ORGANIZATION, AUTHORIZING THE COUNTY JUDGE OF HAYS COUNTY TO APPOINT AN EMERGENCY MANAGEMENT COORDINATOR/PROGRAM MANAGER FOR THE COUNTY AREAS OUTSIDE THE CORPORATE CITY LIMITS.

WHEREAS, Hays County Commissioners Court Order # 12852, dated May 23, 1994, has established a program of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and;

WHEREAS, the County of Hays finds that vulnerability to many potential hazards is shared by residents of Hays County; and,

WHEREAS, the County further finds that the goal of emergency management can best be achieved through an organization which utilizes the resources of the County; and,

WHEREAS, the contemplated action is specifically authorized by the aforementioned Court Order; now, therefore,

BE IT RESOLVED BY THE COMMISSIONERS COURT OF HAYS COUNTY:

PART 1. That there is hereby established the Hays County Emergency Management organization which shall consist of the officers and employees of the County as designated in an emergency management plan together with such organized volunteer groups as that plan may specify or the County Judge deem necessary.

PART 2. that the Hays County Judge, Eddy A. Ethredge, shall appoint an Emergency Management Coordinator/Program Manager to coordinate all aspects of the Hays County program of comprehensive emergency management, including the preparation and maintenance of an emergency management plan for Hays County in accordance with this resolution.

PART 3. That this resolution shall be in full force and effect from and after its passage.

ADOPTED this the 23rd day of May, 1994.

*Ronnie Dannelley*  
ATTEST: Ronnie Dannelley  
County Clerk



*Eddy A. Ethredge*  
Eddy A. Ethredge, County Judge  
Hays County, Texas

12852

HAYS COUNTY COMMISSIONERS' COURT MINUTES

MAY 31, 1994

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COUNTY OF HAYS  
SUMMARY OF RECEIPTS AND DISBURSEMENTS  
FOR THE PERIOD MARCH 1994

|                        | General<br>(Money Market) | Road and Bridge<br>General<br>(Money Market) | Hot Check<br>Fee Fund | Law Library<br>(Money Market)<br>(Savings) | Courthouse<br>Renovation &<br>Road Bond<br>1994 (Now) | Courthouse<br>Renovation &<br>Road Bond<br>1994 I&S (NOW) | Jail I & S<br>(Money Market)<br>(Savings) | Jail Addition<br>I & S<br>(Money Market)<br>(Savings) | Hays County<br>I & S<br>(Money Market)<br>(Savings) |
|------------------------|---------------------------|----------------------------------------------|-----------------------|--------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------|-------------------------------------------------------|-----------------------------------------------------|
| <b>CHECKING</b>        |                           |                                              |                       |                                            |                                                       |                                                           |                                           |                                                       |                                                     |
| Balance on 3/1/94      | 19,676.95                 | 40,988.42                                    | 3,442.78              | 10,597.10                                  | -0-                                                   | -0-                                                       | 9,041.63                                  | 5,257.39                                              | 7,784.69                                            |
| Money Market Interest  | 223.82                    | 230.88                                       |                       | 24.25                                      | 5.40                                                  | 31.09                                                     | 11.41                                     | 7.32                                                  | 24.11                                               |
| Deposits (receipts)    | 1,616,112.30              | 405,087.69                                   | 1,801.13              | 1,738.00                                   | 30,000.00                                             | 31,650.83                                                 | 8,862.35                                  | 4,349.79                                              | 115,223.66                                          |
| Disbursements (claims) | 1,584,109.52              | 223,319.56                                   | 3,022.77              |                                            | 27,301.24                                             | 30,155.00                                                 | 12,800.00                                 | 6,300.00                                              | 120,122.80                                          |
| <b>TOTAL</b>           | <b>51,903.55</b>          | <b>222,987.43</b>                            | <b>2,221.14</b>       | <b>12,359.35</b>                           | <b>2,704.16</b>                                       | <b>1,526.92</b>                                           | <b>5,115.39</b>                           | <b>3,314.50</b>                                       | <b>2,909.66</b>                                     |
| <b>INVESTMENTS</b>     |                           |                                              |                       |                                            |                                                       |                                                           |                                           |                                                       |                                                     |
| Balance on 3/1/94      | 6,244,878.94              | 1,275,398.55                                 | -0-                   | -0-                                        | -0-                                                   | -0-                                                       | 424,376.79                                | 261,643.12                                            | 340,232.73                                          |
| Interest               | 20,212.54                 | 4,016.84                                     |                       |                                            | 13,641.92                                             | 28.22                                                     | 1,376.88                                  | 845.47                                                | 1,026.15                                            |
| New                    | 310,000.00                | 26,500.00                                    |                       |                                            | 5,800,000.00                                          | 30,150.00                                                 | 12,800.00                                 | 6,300.00                                              | 10,600.00                                           |
| Transferred            | 775,000.00                | 30,000.00                                    |                       |                                            | 30,000.00                                             |                                                           |                                           |                                                       | 107,850.00                                          |
| <b>TOTAL</b>           | <b>5,800,091.48</b>       | <b>1,275,915.39</b>                          | <b>-0-</b>            | <b>-0-</b>                                 | <b>5,783,641.92</b>                                   | <b>30,178.22</b>                                          | <b>438,553.67</b>                         | <b>268,788.59</b>                                     | <b>244,008.88</b>                                   |

|                         | Public Works<br>I & S<br>(Money Market)<br>(Savings) | Springlake<br>I & S<br>(Money Market)<br>(Savings) | Pioneer Trails<br>I & S<br>(Money Market)<br>(Savings) | Burnett Road<br>I & S | Adult Probation<br>Operating<br>(Money Market)<br>(Savings) | Adult<br>Probation<br>Facilities | Jail<br>Construction<br>(Money Market)<br>(Savings) | Limited<br>Tax Refunding<br>(Now) |
|-------------------------|------------------------------------------------------|----------------------------------------------------|--------------------------------------------------------|-----------------------|-------------------------------------------------------------|----------------------------------|-----------------------------------------------------|-----------------------------------|
| <b>CHECKING</b>         |                                                      |                                                    |                                                        |                       |                                                             |                                  |                                                     |                                   |
| Balance on 3/1/94       | 5,696.82                                             | 22,049.28                                          | 4,084.85                                               | 12,314.22             | 66,774.69                                                   | 27,597.12                        | 894,899.69                                          | 10,434.66                         |
| Money Market Interest   | 7.79                                                 | 5.45                                               | 5.21                                                   |                       | 251.31                                                      |                                  | 1,893.51                                            | 11.59                             |
| Deposits (receipts)     | 4,945.98                                             | 752.63                                             |                                                        | 179.70                | 365,479.40                                                  |                                  |                                                     | 10,489.86                         |
| Disbursements (claims)  | 7,000.00                                             | 20,873.85                                          | 2,529.87                                               | 80.61                 | 366,569.56                                                  | 5,681.27                         | 5,179.68                                            | 15,200.00                         |
| <b>TOTAL</b>            | <b>3,650.59</b>                                      | <b>1,933.51</b>                                    | <b>1,560.19</b>                                        | <b>12,413.31</b>      | <b>65,935.84</b>                                            | <b>21,913.85</b>                 | <b>891,613.52</b>                                   | <b>5,736.11</b>                   |
| <b>INVESTMENTS</b>      |                                                      |                                                    |                                                        |                       |                                                             |                                  |                                                     |                                   |
| Balance on 3/1/94       | 272,154.36                                           | 79,076.28                                          | 9,475.87                                               | -0-                   | 379,269.70                                                  | -0-                              | -0-                                                 | 188,947.91                        |
| Interest                | 880.41                                               | 251.43                                             | 35.50                                                  |                       | 1,343.62                                                    |                                  |                                                     | 633.50                            |
| New                     | 7,000.00                                             |                                                    | 2,500.00                                               |                       | 71,300.00                                                   |                                  |                                                     | 15,200.00                         |
| Transferred to checking |                                                      |                                                    |                                                        |                       | 5,000.00                                                    |                                  |                                                     |                                   |
| <b>TOTAL</b>            | <b>280,035.17</b>                                    | <b>79,327.71</b>                                   | <b>12,011.37</b>                                       | <b>-0-</b>            | <b>446,913.32</b>                                           | <b>-0-</b>                       | <b>-0-</b>                                          | <b>204,781.41</b>                 |

Temporary Transfers:  
10-94 General Fund to Texas Capital Fund / New Canaan \$2,700.00  
11-94 General Fund to Foster Care \$6,900.00

*Dorothy P. Sims*  
Dorothy P. Sims, Hays County Treasurer

COUNTY OF HAYS  
SUMMARY OF RECEIPTS AND DISBURSEMENTS  
FOR THE PERIOD MARCH 1994

PAGE 2

|                         | Medical and<br>Dental Fund<br>(Money Market) | Medical and<br>Dental Reserves<br>(Money Market) | Courthouse<br>Security | Records<br>Management<br>(Now) | Records<br>Preservation | Animal Control  | Sheriff's Drug<br>Forfeiture<br>(Money Market)<br>(Savings) | D.A. Drug<br>Forfeiture | District Attorney<br>Reimbursement<br>(Now) |
|-------------------------|----------------------------------------------|--------------------------------------------------|------------------------|--------------------------------|-------------------------|-----------------|-------------------------------------------------------------|-------------------------|---------------------------------------------|
| <b>CHECKING</b>         |                                              |                                                  |                        |                                |                         |                 |                                                             |                         |                                             |
| Balance on 3/1/94       | 1,529.49                                     | 2,284.35                                         | 2,257.58               | 1,615.57                       | 1,043.00                | 5,428.52        | 1,524.29                                                    | 711.90                  | 11,675.21                                   |
| Money Market Interest   | 86.40                                        | 4.36                                             |                        | 13.08                          |                         |                 | 3.24                                                        |                         | 15.52                                       |
| Deposits (receipts)     | 245,931.45                                   |                                                  | 485.00                 | 26,800.00                      | 520.00                  | 30.00           |                                                             |                         | 35,397.22                                   |
| Disbursements (claims)  | 245,837.97                                   |                                                  |                        | 25,658.70                      |                         | 1,997.47        |                                                             | 152.96                  | 33,146.29                                   |
| <b>TOTAL</b>            | <b>1,709.37</b>                              | <b>2,288.71</b>                                  | <b>2,742.58</b>        | <b>2,769.95</b>                | <b>1,563.00</b>         | <b>3,461.05</b> | <b>1,527.53</b>                                             | <b>558.94</b>           | <b>13,941.66</b>                            |
| <b>INVESTMENTS</b>      |                                              |                                                  |                        |                                |                         |                 |                                                             |                         |                                             |
| Balance on 3/1/94       | 275,443.92                                   | 20,502.09                                        | -0-                    | 31,534.18                      | -0-                     | -0-             | -0-                                                         | -0-                     | 86,575.89                                   |
| Interest                | 1,017.52                                     | 65.20                                            |                        | 80.16                          |                         |                 |                                                             |                         | 279.06                                      |
| New                     | 95,200.00                                    |                                                  |                        |                                |                         |                 |                                                             |                         | 9,000.00                                    |
| Transferred to checking | 53,500.00                                    |                                                  |                        | 11,800.00                      |                         |                 |                                                             |                         | 15,000.00                                   |
| <b>TOTAL</b>            | <b>308,161.44</b>                            | <b>20,567.29</b>                                 | <b>-0-</b>             | <b>19,814.34</b>               | <b>-0-</b>              | <b>-0-</b>      | <b>-0-</b>                                                  | <b>-0-</b>              | <b>80,854.95</b>                            |

|                         | Historical<br>Commission<br>(Money Market) | Foster Care     | Health<br>Services Grants<br>(Now) | Inwood Water<br>System | Texas Capital<br>Fund /<br>Nighthawk | Texas Capital<br>Fund/<br>New Canaan | Texas Capital<br>Fund/<br>Jardine |
|-------------------------|--------------------------------------------|-----------------|------------------------------------|------------------------|--------------------------------------|--------------------------------------|-----------------------------------|
| <b>CHECKING</b>         |                                            |                 |                                    |                        |                                      |                                      |                                   |
| Balance on 3/1/94       | 7,218.94                                   | .88             | 10,444.27                          | 1.00                   | 1.00                                 | 12,770.83                            | -0-                               |
| Money Market Interest   | 13.80                                      |                 | 25.17                              |                        |                                      |                                      |                                   |
| Deposits (receipts)     | 55.00                                      | 19,173.00       | 71,168.44                          |                        |                                      | 2,700.00                             |                                   |
| Disbursements (claims)  |                                            | 14,344.92       | 70,009.08                          |                        |                                      | 15,470.65                            |                                   |
| <b>TOTAL</b>            | <b>7,287.74</b>                            | <b>4,828.96</b> | <b>11,628.80</b>                   | <b>1.00</b>            | <b>1.00</b>                          | <b>.18</b>                           | <b>-0-</b>                        |
| <b>INVESTMENTS</b>      |                                            |                 |                                    |                        |                                      |                                      |                                   |
| Balance on 3/1/94       | -0-                                        | -0-             | 141,118.56                         | -0-                    | -0-                                  | -0-                                  | -0-                               |
| Interest                |                                            |                 | 471.68                             |                        |                                      |                                      |                                   |
| New                     |                                            |                 | 13,100.00                          |                        |                                      |                                      |                                   |
| Transferred to checking |                                            |                 | 25,000.00                          |                        |                                      |                                      |                                   |
| <b>TOTAL</b>            | <b>-0-</b>                                 | <b>-0-</b>      | <b>129,690.24</b>                  | <b>-0-</b>             | <b>-0-</b>                           | <b>-0-</b>                           | <b>-0-</b>                        |

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COUNTY OF HAYS  
SUMMARY OF RECEIPTS AND DISBURSEMENTS  
FOR THE PERIOD APRIL 1994

|                        | General<br>(Money Market) | Road and Bridge<br>General<br>(Money Market) | Hot Check<br>Fee Fund | Law Library<br>(Money Market)<br>(Savings) | Courthouse<br>Renovation &<br>Road Bond<br>1994 (NOW) | Courthouse<br>Renovation &<br>Road Bond<br>1994 I&S (NOW) | Jail I & S<br>(Money Market)<br>(Savings) | Jail Addition<br>I & S<br>(Money Market)<br>(Savings) | Hays County<br>I & S<br>(Money Market)<br>(Savings) |
|------------------------|---------------------------|----------------------------------------------|-----------------------|--------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------|-------------------------------------------------------|-----------------------------------------------------|
| <b>CHECKING</b>        |                           |                                              |                       |                                            |                                                       |                                                           |                                           |                                                       |                                                     |
| Balance on 4/1/94      | 51,903.55                 | 222,987.43                                   | 2,221.14              | 12,359.35                                  | 2,704.16                                              | 1,526.92                                                  | 5,115.39                                  | 3,314.50                                              | 2,909.66                                            |
| Money Market Interest  | 328.61                    | 160.68                                       |                       | 23.96                                      | 5.33                                                  | 2.87                                                      | 14.11                                     | 8.52                                                  | 10.93                                               |
| Deposits (receipts)    | 1,565,197.43              | 278,799.14                                   | 2,688.54              | 1,780.00                                   |                                                       |                                                           | 4,128.28                                  | 2,026.24                                              | 43,399.40                                           |
| Disbursements (claims) | 1,526,063.72              | 471,602.85                                   | 1,645.28              | 1,012.50                                   |                                                       |                                                           |                                           |                                                       | 43,860.44                                           |
| <b>TOTAL</b>           | <b>91,365.87</b>          | <b>30,344.40</b>                             | <b>3,264.40</b>       | <b>13,150.81</b>                           | <b>2,709.49</b>                                       | <b>1,529.79</b>                                           | <b>9,257.78</b>                           | <b>5,349.26</b>                                       | <b>2,459.55</b>                                     |
| <b>INVESTMENTS</b>     |                           |                                              |                       |                                            |                                                       |                                                           |                                           |                                                       |                                                     |
| Balance on 4/1/94      | 5,800,091.48              | 1,275,915.39                                 | -0-                   | -0-                                        | 5,783,641.92                                          | 30,178.22                                                 | 438,553.67                                | 268,788.59                                            | 244,008.88                                          |
| Interest               | 18,645.83                 | 4,703.03                                     |                       |                                            | 18,295.19                                             | 95.45                                                     | 1,387.27                                  | 850.24                                                | 714.77                                              |
| New                    | 318,000.00                | 275,000.00                                   |                       |                                            |                                                       |                                                           |                                           |                                                       |                                                     |
| Transferred            | 560,000.00                |                                              |                       |                                            |                                                       |                                                           |                                           |                                                       | 40,000.00                                           |
| <b>TOTAL</b>           | <b>5,476,737.31</b>       | <b>1,555,618.42</b>                          | <b>-0-</b>            | <b>-0-</b>                                 | <b>5,801,937.11</b>                                   | <b>30,273.67</b>                                          | <b>439,940.94</b>                         | <b>269,638.83</b>                                     | <b>204,723.65</b>                                   |

*Dorothy P. Sims*  
Dorothy P. Sims, Hays County Treasurer

COUNTY OF HAYS  
SUMMARY OF RECEIPTS AND DISBURSEMENTS  
FOR THE PERIOD APRIL 1994

|                         | Medical and<br>Dental Fund<br>(Money Market) | Medical and<br>Dental Reserves<br>(Money Market) | Courthouse<br>Security | Records<br>Management<br>(NOW) | Records<br>Preservation | Animal Control  | Sheriff's Drug<br>Forfeiture<br>(Money Market)<br>(Savings) | D.A. Drug<br>Forfeiture | District Atto:<br>Reimbursement<br>(NOW) |
|-------------------------|----------------------------------------------|--------------------------------------------------|------------------------|--------------------------------|-------------------------|-----------------|-------------------------------------------------------------|-------------------------|------------------------------------------|
| <b>CHECKING</b>         |                                              |                                                  |                        |                                |                         |                 |                                                             |                         |                                          |
| Balance on 4/1/94       | 1,709.37                                     | 2,288.71                                         | 2,742.58               | 2,769.95                       | 1,563.00                | 3,461.08        | 1,527.53                                                    | 558.94                  | 13,941.66                                |
| Money Market Interest   | 17.58                                        | 4.09                                             |                        | 25.49                          |                         |                 | 3.03                                                        |                         | 21.83                                    |
| Deposits (receipts)     | 123,448.06                                   |                                                  | 7,948.00               | 46,720.00                      | 1,805.00                | 107.00          |                                                             |                         | 12,931.94                                |
| Disbursements (claims)  | 122,825.19                                   |                                                  | 15,404.65              | 15,404.65                      | 2,198.45                |                 |                                                             | 500.00                  | 19,238.15                                |
| <b>TOTAL</b>            | <b>2,149.82</b>                              | <b>2,292.80</b>                                  | <b>10,690.58</b>       | <b>34,110.79</b>               | <b>3,368.00</b>         | <b>1,369.60</b> | <b>1,530.56</b>                                             | <b>58.94</b>            | <b>7,657.28</b>                          |
| <b>INVESTMENTS</b>      |                                              |                                                  |                        |                                |                         |                 |                                                             |                         |                                          |
| Balance on 4/1/94       | 308,161.44                                   | 20,567.29                                        | -0-                    | 19,814.34                      | -0-                     | -0-             | -0-                                                         | -0-                     | 80,854.95                                |
| Interest                | 1,068.47                                     | 65.07                                            |                        | 39.96                          |                         |                 |                                                             |                         | 255.78                                   |
| New                     | 50,000.00                                    |                                                  |                        | 10,000.00                      |                         |                 |                                                             |                         |                                          |
| Transferred to checking | 35,000.00                                    |                                                  |                        | 10,000.00                      |                         |                 |                                                             |                         | 81,110.73                                |
| <b>TOTAL</b>            | <b>324,229.91</b>                            | <b>20,632.36</b>                                 | <b>-0-</b>             | <b>9,854.30</b>                | <b>-0-</b>              | <b>-0-</b>      | <b>-0-</b>                                                  | <b>-0-</b>              | <b>81,110.73</b>                         |

|                         | Historical<br>Commission<br>(Money Market) | Foster Care     | Health<br>Services Grants<br>(NOW) | Inwood Water<br>System | Texas Capital<br>Fund /<br>Nighthawk | Texas Capital<br>Fund/<br>New Canaan | Texas Capital<br>Fund/<br>Jardine |
|-------------------------|--------------------------------------------|-----------------|------------------------------------|------------------------|--------------------------------------|--------------------------------------|-----------------------------------|
| <b>CHECKING</b>         |                                            |                 |                                    |                        |                                      |                                      |                                   |
| Balance on 4/1/94       | 7,287.74                                   | 4,828.96        | 11,628.80                          | 1.00                   | 1.00                                 | .18                                  | -0-                               |
| Money Market Interest   | 13.08                                      |                 | 22.63                              |                        |                                      |                                      |                                   |
| Deposits (receipts)     | 39.95                                      | 7,872.54        | 165,711.76                         |                        | 2,799.09                             | 1,321.69                             | 1,427.51                          |
| Disbursements (claims)  | 122,825.19                                 | 4,501.78        | 168,957.62                         |                        | 2,799.09                             | 1,321.69                             | 1,427.51                          |
| <b>TOTAL</b>            | <b>7,140.77</b>                            | <b>6,199.72</b> | <b>6,405.57</b>                    | <b>1.00</b>            | <b>1.00</b>                          | <b>.18</b>                           | <b>-0-</b>                        |
| <b>INVESTMENTS</b>      |                                            |                 |                                    |                        |                                      |                                      |                                   |
| Balance on 4/1/94       | -0-                                        | -0-             | 129,690.24                         | -0-                    | -0-                                  | -0-                                  | -0-                               |
| Interest                |                                            |                 | 665.56                             |                        |                                      |                                      |                                   |
| New                     |                                            |                 | 115,000.00                         |                        |                                      |                                      |                                   |
| Transferred to checking |                                            |                 | 45,000.00                          |                        |                                      |                                      |                                   |
| <b>TOTAL</b>            | <b>-0-</b>                                 | <b>-0-</b>      | <b>200,355.80</b>                  | <b>-0-</b>             | <b>-0-</b>                           | <b>-0-</b>                           | <b>-0-</b>                        |

Amended 1/21/94

COUNTY OF HAYS  
SUMMARY OF RECEIPTS AND DISBURSEMENTS  
FOR THE PERIOD SEPTEMBER 1993

|                        | General<br>(Money Market) | Road and Bridge<br>General<br>(Money Market) | Hot Check<br>Fee Fund | Law Library<br>(Money Market)<br>(Savings) | Medical and<br>Dental Fund<br>(Money Market) | Medical and<br>Dental Claims<br>TFL | Medical and<br>Dental Reserves<br>(NOW) |
|------------------------|---------------------------|----------------------------------------------|-----------------------|--------------------------------------------|----------------------------------------------|-------------------------------------|-----------------------------------------|
| <b>CHECKING</b>        |                           |                                              |                       |                                            |                                              |                                     |                                         |
| Balance on 9/1/93      | 81,651.09                 | 82,769.41                                    | 2,265.32              | 8,368.90                                   | 22,341.97                                    | -0-                                 | 2,253.95                                |
| Money Market Interest  | 383.60                    | 82.97                                        |                       | 17.90                                      | 106.47                                       |                                     | 4.00                                    |
| Deposits (receipts)    | 1,110,697.85              | 152,435.22                                   | 1,595.37              | 380.00                                     | 98,372.16                                    | 109,499.51                          |                                         |
| Disbursements (claims) | 1,169,564.08              | 227,429.22                                   | 2,357.64              |                                            | 109,499.51                                   | 109,499.51                          |                                         |
| <b>TOTAL</b>           | <b>23,168.46</b>          | <b>6,858.28</b>                              | <b>1,503.05</b>       | <b>3,766.80</b>                            | <b>11,322.09</b>                             | <b>-0-</b>                          | <b>2,258.12</b>                         |
| <b>INVESTMENTS</b>     |                           |                                              |                       |                                            |                                              |                                     |                                         |
| Balance on 9/1/93      | 3,889,786.30              | 773,477.01                                   | -0-                   | -0-                                        | 361,902.54                                   | -0-                                 | 20,137.87                               |
| Interest               | 11,768.48                 | 2,304.25                                     |                       |                                            | 1,098.30                                     |                                     | 61.10                                   |
| New                    |                           |                                              |                       |                                            |                                              |                                     |                                         |
| Transferred            | 126,000.00                | 69,000.00                                    |                       |                                            |                                              |                                     |                                         |
| <b>TOTAL</b>           | <b>3,875,554.78</b>       | <b>706,781.26</b>                            | <b>-0-</b>            | <b>-0-</b>                                 | <b>363,000.84</b>                            | <b>-0-</b>                          | <b>20,198.97</b>                        |

|                         | Jail Construction<br>(Money Market) | Limited<br>Tax Refunding<br>(Money Market) | Adult Probation<br>Operating<br>(Money Market) | Adult Probation<br>Facilities<br>(Money Market) | Sheriff's Drug<br>Forfeiture<br>(Money Market) | District Attorney<br>Drug Forfeiture | Animal Control  |
|-------------------------|-------------------------------------|--------------------------------------------|------------------------------------------------|-------------------------------------------------|------------------------------------------------|--------------------------------------|-----------------|
| <b>CHECKING</b>         |                                     |                                            |                                                |                                                 |                                                |                                      |                 |
| Balance on 9/1/93       | 925,041.01                          | 2,106.09                                   | 22,452.67                                      | 3,309.99                                        | 4,193.90                                       | 915.62                               | 6,206.37        |
| Money Market Interest   | 1,857.27                            | 7.09                                       | 105.31                                         |                                                 | 8.62                                           |                                      |                 |
| Deposits (receipts)     | 1,110,697.85                        | 2,590.72                                   | 264,129.17                                     |                                                 | 2,799.09                                       |                                      | 101.00          |
| Disbursements (claims)  | 14,100.34                           |                                            | 268,369.32                                     | 3,108.39                                        | 4,958.68                                       |                                      | 1,962.48        |
| <b>TOTAL</b>            | <b>892,797.94</b>                   | <b>4,703.90</b>                            | <b>19,317.83</b>                               | <b>201.60</b>                                   | <b>1,508.62</b>                                | <b>915.62</b>                        | <b>4,345.39</b> |
| <b>INVESTMENTS</b>      |                                     |                                            |                                                |                                                 |                                                |                                      |                 |
| Balance on 9/1/93       | -0-                                 | 4,233.71                                   | 389,159.72                                     | -0-                                             | -0-                                            | -0-                                  | -0-             |
| Interest                |                                     | 12.84                                      | 1,148.59                                       |                                                 |                                                |                                      |                 |
| New                     |                                     |                                            | 85,000.00                                      |                                                 |                                                |                                      |                 |
| Transferred to checking |                                     |                                            | 27,000.00                                      |                                                 |                                                |                                      |                 |
| <b>TOTAL</b>            | <b>-0-</b>                          | <b>4,246.55</b>                            | <b>448,308.31</b>                              | <b>-0-</b>                                      | <b>-0-</b>                                     | <b>-0-</b>                           | <b>-0-</b>      |

Temporary Transfers: 15-93 FROM GENERAL TO TEXAS CAPITAL FUND/NEW CANAAN \$46,360.80  
16-93 FROM GENERAL TO TEXAS CAPITAL FUND/NEW CANAAN \$19,260.00  
17-93 FROM GENERAL TO TEXAS CAPITAL FUND/NEW CANAAN \$22,978.30  
18-93 FROM GENERAL TO TEXAS CAPITAL FUND/NEW CANAAN \$11,188.10

*Dorothy P. Sims*  
Dorothy P. Sims, Hays County Treasurer

JUNE 6, 1994

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 6th DAY OF JUNE A.D., 1993, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>ORAN H. RIPPY</b>       | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**12887 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 156,102.46 as presented by the County Auditor. All voting "Aye".

|                    |              |                      |              |
|--------------------|--------------|----------------------|--------------|
| Financial Adm      | \$ 150.00    | Auditors Ofc         | \$ 390.90    |
| Extension Ofc      | \$ 281.96    | Grants Admin         | \$ 171.66    |
| Juvenile Prob      | \$ 186.89    | Election Admin       | \$ 36.15     |
| Transfer Station   | \$ 4,400.80  | Bldg. Maint.         | \$ 579.41    |
| Environ Health     | \$ 25,596.96 | Personal Health Svcs | \$ 6,252.00  |
| Civic Center       | \$ 588.00    | Countywide Oper      | \$ 72,355.23 |
| Tax A/C            | \$ 82.95     | District Clerk       | \$ 34.82     |
| County Clerk       | \$ 82.95     | Sheriffs Ofc         | \$ 1,117.90  |
| Jail Operations    | \$ 4,210.55  | County Judge         | \$ 21.20     |
| Human Resources    | \$ 337.80    | District Attorney    | \$ 112.21    |
| J.P. 1-2           | \$ 6.69      | J.P. 2               | \$ 91.69     |
| J.P. 5             | \$ 128.09    | D.P.S.               | \$ 7.88      |
| Constable 2        | \$ 793.94    | Constable 5          | \$ 40.00     |
| Co & JP Crt Oper   | \$ 3,179.75  | Computer Svcs        | \$ 1,568.13  |
| Dist Crt Reporter  | \$ 100.00    | Fines                | \$ 150.00    |
| R&B Operations     | \$ 3,084.12  | Precinct 2           | \$ 222.97    |
| Precinct 4         | \$ 25.10     | Rec Mng/Co Clk       | \$ 2,776.00  |
| Health Svcs Grants | \$ 1,755.61  | Burnett Rd Dist I&S  | \$ 80.61     |
| Springlake Rd I&S  | \$ 542.60    | Crths Renov          | \$ 2,288.56  |
| Road Construction  | \$ 5,093.91  | Pioneer Rd Dist I&S  | \$ 29.87     |
| Adult Prob Oper    | \$ 15,881.94 | Adult Prob Fac       | \$ 1,270.84  |

Gen Fund Credit \$ 6.18

**12888 AMEND BUDGETS OF THE SHERIFF'S OFFICE, J.P. 1-1, HUMAN RESOURCES, AND RECORDS MANAGEMENT**

Budget amendments were proposed for the following:

Sheriff's Office - transfer \$75.00 from Criminal Investigation Division line item to Dues and Bonds line item for Notary fees and Bond cost for C.I.D.

Justice of the Peace Pct. 1 Place 1 - transfer monthly cost of pager from office equipment maintenance to telephone line item.

Human Resources - transfer software and manual cost from personnel savings cost.

Records Management/County Clerk Fund - transfer cost of three each computer software upgrade packages from equipment line item.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendment for the Sheriff's Office, Justice of the Peace 1-1, Human Resources, and Records Management/County Clerk Fund. All voting "Aye".

| Line Item - Expenditures         | Increases | Decreases |
|----------------------------------|-----------|-----------|
| Budget Amendment No. 94-47       |           |           |
| <b>SHERIFF'S OFFICE</b>          |           |           |
| 01-418-5321 Dues & Bonds         | \$ 75.00  |           |
| 01-418-5362 C.I.D. Expense       |           | \$ 75.00  |
| <b>JUSTICE OF PEACE 1-1</b>      |           |           |
| 01-424-5489 Telephone            | \$ 50.00  |           |
| 01-424-5411 Office Eqpt Maint    |           | \$ 50.00  |
| <b>HUMAN RESOURCES</b>           |           |           |
| 01-421-5213 Books                | \$ 100.00 |           |
| 01-421-5718 Software             | \$ 225.00 |           |
| 01-421-5011 Dept. Head           |           | \$ 325.00 |
| <b>RECORDS MANAGEMENT/CO CLK</b> |           |           |
| 08-445-5718 Software             | \$ 800.00 |           |
| 08-445-5711 Equipment            |           | \$ 800.00 |

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**12889 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR ROAD BUILDING MATERIALS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for Road Building Materials. All voting "Aye".

**12890 AWARD ANNUAL CONTRACT FOR METAL PIPE FOR ROAD DEPARTMENT**

Cindy Casparis, Purchasing Agent, presented bids received from Wilson Culverts Inc. and Metal Culverts Inc. - recommended awarding contract to Wilson Culverts Inc. (low bid meeting specifications). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award annual contract for metal pipe for road department to Wilson Culverts Inc. All voting "Aye".

**12891 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS HISTORICAL COMMISSION AND TO EXECUTE A CONTRACT FOR \$18,970.00**

The county will provide \$ 3,635 in cash match and \$ 9,600 in in-kind services for (1) Publication on the History of the Hispanic Community in Hays County, (2) Historic Resources Survey of Hays County, (3) Brochure on the Historic Sites of Dripping Springs. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to accept Grant award from the Texas Historical Commission and to execute a contract for \$18,970.00. All voting "Aye".

**12892 ADOPT RESOLUTION IN SUPPORT OF HAYS COUNTY ECONOMIC DEVELOPMENT COUNCIL TO ESTABLISH TOLL-FREE CALLING THROUGHOUT MOST OF HAYS COUNTY**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt resolution in support of Hays County Economic Development Council to establish toll-free calling throughout most of Hays County. All voting "Aye".  
(SEE PAGE 47 FOR COPY OF RESOLUTION)

**HERITAGE HILLS REPLAT LOTS 17A & 17B**

Allen Walther, Environmental Health Director, advised that no plat presented - does not recommend first reading approval at this time. No action taken.

**BALES FARM - VARIANCE REQUEST**

No survey has been filed. No action was taken

**2001 HILLS SUBDIVISION**

Survey not complete - no action taken.

**12893 COURT ACTION AGREEING TO ADMINISTER FUNDS FOR SUSTAINABLE DEVELOPMENT WORKSHOP**

Chuck McKinney spoke of \$4,000.00 that had been funded for "Sustainable Development" through A&M University and was withdrawn - he would like to proceed with this workshop anyway - (2 day workshop) - will cost \$4,000 which he will go out and raise the necessary funds - requested that the county handle the funds - the purpose of the workshop is to develop a plan to manage development in Hays County - it will be a teamwork effort - input will be from farmers, ranchers, businessmen, etc. to develop a plan that will address everyone's concerns. A motion was made by Judge Etheredge, seconded by Commissioner Rippey agreeing to administer funds for "Sustainable Development" workshop Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Rippey voting "Aye". Commissioner Payne abstained.



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**12894 HAYS COUNTY HEALTH DEPT - APPROVE PEDIATRIC NURSE PRACTITIONER POSITION AND SET GRADE**

Julie Hornberger, Director of Nursing, appeared requesting an additional full time Pediatric Nurse Practitioner position for the current year so that they can expand children services - would like to not give up any Nurse positions, even though there are vacancies. Judge Etheredge spoke of trading a position for the new position - fulltime position should not be used to fund a part-time position. George Aitken, Human Resource Director, spoke of growth in the health department - fulltime positions need to be filled with fulltime personnel and part-time needs to be funded as part-time - we need to balance the Grades in this department. Commissioner Payne stated that he is not convinced there is a need for this new position. Commissioner Barton spoke in support of this new position - a Nurse Practitioner will save the county money because they can do more than an RN. Judge Etheredge spoke of need for equity between top and bottom grades - proposed that the two vacant RN positions be given up to get a Grade 20 position - need to rejustify those positions not currently filled. Julie spoke of her plans to move the current Clinic Manager to the RN position and hire a new Clinic Manager - spoke of need to hire the Pediatric Nurse Practitioner at this time so that she will have sufficient training period before school begins in the fall. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve Pediatric Nurse Practitioner position for the Health Department, set Grade at 20, and eliminate Grade 16 position currently vacant. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

**12895 HOLD PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATION: STOP SIGN AT THE INTERSECTION OF AYERS ROAD AND ROLAND LANE**

Judge Etheredge called the public hearing open. Commissioner Barton stated that he has evaluated the need for a Stop sign at the intersection of Ayers Road and Roland Lane in Precinct 2 (Ryans Wood subdivision). The Road Department supports this regulation. Judge Etheredge called the public hearing closed. A motion was made by Commissioner Barton, seconded by Commissioner Payne to establish traffic regulation: placement of "Stop" sign at the intersection of Ayers Road (aka Ryan Road) and Roland Lane (AKA CR 137) in Precinct 2. All voting "Aye".

**12896 AWARD CONTRACTS FOR ENGINEERING SERVICES RELATED TO THE ROAD CONSTRUCTION BOND PROGRAM**

The Committee of Judge Etheredge, Rick Miller (Doucet & Assoc), Cindy Casparis (Co Purchasing), and Darrel Brown (Co Road Dept) reviewed the proposals and interviewed three of the engineering firms - recommendation is to award the contracts to all three firms: (1) Rust/Lichliter/Jameson, (2) K. C. Engineering Inc., and (3) Winkley/Alexander. A motion was made by Judge Etheredge, seconded by Commissioner Payne to award contracts for Engineering Services related to the Road Construction Bond Program to Rust/Lichliter/Jameson, K. C. Engineering Inc., and Winkley/Alexander. All voting "Aye".

**12897 DECLARE AN EMERGENCY AND AMEND THE BUDGET TO FUND ROAD IMPROVEMENTS ON STAGECOACH LANE NOT TO EXCEED \$100,000 OUT OF ROAD & BRIDGE RESERVE FUNDS AND AUTHORIZE THE COUNTY, JUDGE TO ENTER INTO AN AGREEMENT WITH THE SAN MARCOS CISD**

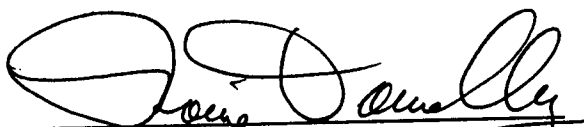
Judge Etheredge spoke of situation that exists at the new Intermediate School located on Stagecoach Lane off Hunter Road - we need to consider entering into an agreement with the San Marcos CISD to construct a roadway with curb and gutter section, 36' face to face, in conformance with the design standards of the roadway being built by SMCISD, upgrade the proposed transition to a curb and gutter design on both sides of the road, and provide a four foot sidewalk along the southerly side of the road - Stagecoach Lane was never officially dedicated to the County, however, it has been county maintained for a number of years - it will cost approximately \$95,000.00 to reconstruct 1240 ft. of Stagecoach Lane from the San Marcos city limits to Snyder Hill Road - this reconstruction project will connect to the road improvements currently under construction by the school district - one of the school districts concerns is that its agreement with the City of San Marcos specifies that a percentage of the road must be accepted prior to issuing a Certificate of Occupancy - they would like to keep the school opening on schedule. Commissioner Payne spoke of need to obtain a legal description for this roadway. Commissioner Barton spoke of need for accounting of funds actually spent on the project - no bond money will be spent on this project. Bob Sappington, area resident, spoke of the serious traffic problems that are forthcoming by putting a school in this location - this action by the Commissioners' Court will relieve some of the problems. A motion was made by Commissioner Payne, seconded by Judge Etheredge to declare an emergency based on imminent public safety and amend the budget to fund road improvements on Stagecoach Lane out of Road & Bridge Reserve funds not to exceed \$100,000.00 and authorize the County Judge to enter into an intergovernmental agreement with the San Marcos Consolidated Independent School District. All voting "Aye".

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Court was adjourned this the 6th day of June 1994.

MINUTES APPROVED IN OPEN COURT ON THE 11<sup>th</sup> DAY OF July, 1994.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 HAYS COUNTY, TEXAS

  
**RONNIE DANNELLEY, COUNTY CLERK**  
 HAYS COUNTY, TEXAS

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STATE OF TEXAS
 COUNTY OF HAYS

ON THIS THE 13th DAY OF JUNE A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCH | ASSIST COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12898 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 98,249.70 as presented by the County Auditor. All voting "Aye".

| | | | |
|----------------------|-------------|-----------------------|--------------|
| State Shared Rev | \$ 390.16 | Sales & Auction | \$ 354.50 |
| Auditors Office | \$ 282.01 | Treasurers Office | \$ 72.85 |
| Extension Office | \$ 178.16 | Grants Admin | \$ 1,335.05 |
| Juvenile Probation | \$ 355.62 | Election Admin | \$ 38.00 |
| Indigent Care | \$ 964.03 | Transfer Station | \$ 44.22 |
| Bldg. Maintenance | \$ 404.15 | Environ Health | \$ 175.31 |
| Personal Health | \$ 416.10 | Civic Center | \$ 181.35 |
| Countywide Operation | \$10,369.76 | Tax A/C | \$ 213.08 |
| District Clerk | \$ 101.30 | County Clerks Ofc | \$ 149.26 |
| Sheriffs Office | \$ 6,730.17 | Jail Operations | \$ 19,265.09 |
| Co Judges Ofc | \$ 532.72 | Human Resources | \$ 1,604.00 |
| Co Crt @ Law 1 | \$ 45.89 | District Attorney | \$ 314.80 |
| J.P. 1-1 | \$ 40.71 | J.P. 1-2 | \$ 92.82 |
| D.P.S. | \$ 754.22 | Constable 1 | \$ 42.25 |
| Constable 4 | \$ 49.24 | Constable 5 | \$ 52.56 |
| District Crt Oper | \$ 663.60 | Co & JP Crt Oper | \$ 1,365.20 |
| Veterans Admin | \$ 48.02 | Computer Svcs | \$ 305.72 |
| Co Crt @ Law 2 | \$ 22.35 | Protective Hmkr Grant | \$ 295.32 |
| Fire Marshal/EMC | \$ 34.05 | TABC | \$ 132.45 |
| Dist Crt Reprtr | \$ 63.73 | TJPC CCAP Grant | \$ 24.20 |
| Sales & Auction | \$ 2,803.00 | R&B Operations | \$ 4,164.80 |
| Precinct 1 | \$ 204.00 | Precinct 2 | \$ 230.28 |
| Precinct 3 | \$ 171.41 | Records Mng/Co Clk | \$ 26.40 |
| Health Svcs Grant | \$ 7,830.10 | Road Construction | \$ 829.00 |
| Adult Prob Oper | \$ 5,095.42 | Adult Prob Fac | \$ 157.76 |
| D.A. Reimb Trust | \$ 6,678.90 | Anticipation Notes | \$20,000.00 |
| New Canaan Grant | \$ 1,562.89 | | |

Gen Fund credit = \$ 8.28

12899 AMEND BUDGETS OF THE AUDITORS OFFICE, RENOVATION/SPECIAL PROJECTS, COUNTY-WIDE OPERATIONS, CONSTABLE PCT. 1 OFFICE, CJD NARCOTICS TASK FORCE GRANT, TJPC/CCAP GRANT, AND R&B OPERATIONS

The following budget amendments were proposed:

Auditors Office - transfer into Printing (budget requests books) and Data lines (annex 2nd floor fax line) from temporary personnell costs.

Renovation/Special Projects - budget for Health Dept., originally authorized and amended as \$25,000. Extension office renovation authorized at same terms. Authorized additional \$5,600 on 3/7/94 for plumbing, total additional authorized is \$30,600. This action amends budget from countywide for the authorized \$30,600 and increases that amount by a net additional \$700.

County-wide Operations - budget into consultant line where actually expensed; items budgeted in contingency line. (1) Flood insurance study = \$ 15,000 (2) Bond Expense items not chargeable to Bond = \$ 12,250 (3) Redistricting costs = \$ 1,500 (4) County Property Survey = \$ 10,000 (5) Old Jail Contract = \$ 7,000 (6) Old Hospital Property evaluation = \$ 1,500.

Constable Pct. 1 - transfer to cover balance of office equipment repair from vehicle repair line.

CJD/Narcotics Task Force Grant - Grant year is 06/01/94 - 05/31/95. Receive CJD approved allotment share to Hays County and budget personnel costs for grant renewal applicable to FY94. Remainder will be budgeted in FY95.

TJPC/Community Corrections Assistance Program Grant - transfer \$300 to travel for transporting juveniles to outside detention facilities from operating expense line.

Road & Bridge General - transfer \$154 to Operations Overtime from Precinct 2, Special Projects for trash clean-up day as previously authorized.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendments as proposed by the County Auditor. All voting "Aye".

| BUDGET AMENDMENT NO. 94-48 | | |
|---------------------------------------|-------------|--------------|
| LINE ITEM - EXPENDITURES | INCREASES | DECREASES |
| AUDITORS OFFICE | | |
| 01-401-5461 Printing | \$ 500.00 | |
| 01-401-5488 Data Lines | \$ 200.00 | |
| 01-401-5449 Temp Personnel | | \$ 700.00 |
| RENOVATION/SPECIAL PROJECT | | |
| 01-601-5021 Staff Sal | \$24,000.00 | |
| 01-601-5031 Overtime | \$ 1,100.00 | |
| 01-601-5110 FICA | \$ 1,925.00 | |
| 01-601-5191 Travel | \$ 1,875.00 | |
| 01-601-5241 Bldg Mtrls/Sply | \$ 2,900.00 | |
| 01-601-5448 Contract Svcs | | \$ 500.00 |
| COUNTYWIDE OPERATIONS | | |
| 01-414-5741 Misc Capital Imprv | | \$31,300.00 |
| 01-414-5432 Autopsy Exp | \$ 4,000.00 | |
| 01-414-5443 Consultant Exp | \$60,000.00 | |
| 01-414-5462 Public/Notices | \$ 9,500.00 | |
| 01-414-5340 Insurances | | \$63,500.00 |
| 01-414-5399 Contingencies | | \$10,000.00 |
| CONSTABLE 1 | | |
| 01-431-5411 Office Eqpt Maint | \$ 100.00 | |
| 01-431-5413 Vehicle maint | | \$ 100.00 |
| CJD/NARCOTICS TASK FORCE GRANT | | |
| 01-474-5021 Staff Sal | \$ 9,310.00 | |
| 01-474-5110 FICA | \$ 715.00 | |
| 01-474-5121 Retirement | \$ 651.00 | |
| 01-474-5160 Insurance | \$ 770.00 | |
| REVENUES | | |
| 01-381-2474 CJD/Narc Task Force Grant | | \$ 11,446.00 |
| TJPC/CCAP GRANT | | |
| 01-489-5311 Travel | \$ 300.00 | |
| 01-489-5301 Operating Exp | | \$ 300.00 |
| ROAD & BRIDGE OPERATIONS | | |
| 03-348-5031 Overtime | \$ 154.00 | |
| PRECINCT 2 | | |
| 03-440-5353 Special Projects | | \$ 154.00 |

12900 ACCEPT INTERNAL AUDIT OF SAN MARCOS/HAYS COUNTY EMS

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Audit of the San Marcos/Hays County EMS as presented by the County Auditor. All voting "Aye".

12901 APPROVE PURCHASE OF CHAIR FOR THE COUNTY AUDITORS OFFICE

\$500.00 was budgeted for the Auditor's office as unspecified equipment in the countywide equipment line item - request is for approximately \$150 to be used to purchase a chair for Berry James. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of a chair for the County Auditor's office. All voting "Aye".

12902 AWARD CONTRACT FOR PURCHASE OF REPEATER EQUIPMENT FOR THE SHERIFF'S OFFICE

Summary of bids received:

| <u>VENDOR</u> | <u>TOTAL PRICE</u> | <u>ALTERNATE INTERFACE</u> |
|-----------------|--------------------|----------------------------|
| Capital Two Way | \$ 14,770.00 | \$ 3,474.15 |
| Motorola Inc. | \$ 15,419.00 | \$ 3,816.00 |

Cindy Caspair, Purchasing Agent, recommended that contract be awarded to low bidder Capital Two Way. Tom Bonn, Motorola, spoke of low bid not complying with bid specs - you cannot change a bid after the opening. Cindy Casparis stated that the low bidder has agreed to comply with the specifications at the price quoted - there will be no change in the price - she would not have recommended the low bid if it did not meet the specs - Harrel Robinson will check the equipment when it comes in to make sure that it does meet the specs. District Attorney Marcos Hernandez stated that he sees no problem with awarding the contract to Capital Two Way as they have indicated they will honor the bid as spec'd. A motion was made by Commissioner Payne, seconded by Commissioner Barton to award contract for purchase of repeater equipment for the Sheriff's office to low bidder Capital Two Way. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne voting "Aye". Commissioner Rippy abstained.

12903 AUTHORIZE AN AUTOMOBILE SALVAGE AND WRECKING YARD PERMIT TO SOUTHWEST TOWING WITH CONDITIONS

Judge Etheredge spoke of public hearing and workshop session held regarding the application filed by Mike Saucedo/Southwest Towing for a salvage yard permit at intersection of Hunter Road & Centerpoint Road. A motion was made by Commissioner Payne to deny the permit based on this being at an inappropriate location - motion died for lack of second. Judge Etheredge stated that he was originally opposed to the permit based upon input at the public hearing and opposition from the City of San Marcos - the City, however, has not studied this area and has no master plan for it - spoke of having driven the area and having taken all letters he has received seriously (both pro & con) - spoke of conditions discussed at the workshop session - they have been reviewed by the legal staff and it has been found that the ordinance does not allow as much enforcement as previously thought - statute gives a liberal interpretation - environmental issues are on target - stated that he is a strong believer in property owners rights - a contract has been created and will be a part of the permit and will make this a very restrictive permit. District Attorney Marcos Hernandez read the contract out loud for the audience. Commissioner Barton spoke of this being a very difficult decision - stated that the Court is not holding Mike Saucedo to a double standard - he is being held to a high standard - spoke of the work involved in developing the contract - stated that he is opposed to the permit. Commissioner Rippy spoke of their being no good place for a wrecking/salvage yard - an ordinance is in place for regulating this business. Commissioner Payne stated that he is very much against this location for a salvage yard. Judge Etheredge spoke of this permit being an annually renewable procedure - it could be revoked at a later date - soil testing was required and submitted. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to approve issuance of an Automobile Salvage and Wrecking Yard Permit to Southwest Towing with contract attached thereto specifying conditions. Commissioner Rodriguez, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Barton and Commissioner Payne voting "No".

CONTRACT

APPENDIX A

This contract is made a part of and is incorporated by reference to the License to Operate an Automobile Salvage and Wrecking Yard issued by Hays County to Southwest Towing for the operation of a facility located at the intersection of Hunter Road and Centerpoint Road.

Southwest Towing recognizes the heavy responsibility of the Commissioners to protect the health, safety, and welfare of the citizens of Hays County and the weight of this responsibility when the Commissioners decide whether or not to approve this or any other license application. To insure that the applicant will not violate the above enumerated public rights the commissioners have placed a significant list of conditions upon the proposed facility. The applicant acknowledged the Commissioners power to deny his application if they believe that the health, safety, or welfare of Hays County will be adversely affected and, therefore, agrees to comply with the imposed conditions or terminate operation of the facility under the enforcement provisions of Article 10 of "An Ordinance Establishing Rules for Junkyards and Automotive Wrecking and Salvage Yards" (the "Ordinance"). In exchange for permission to operate an automotive wrecking and salvage yard under the ordinance, Southwest Towing agrees to comply with the following additional specific conditions:

- 1. Freon extraction.** Southwest Towing will maintain all applicable state and federal licenses and permits required for the removal and storage of freon.. Southwest Towing will maintain employee(s) qualified to function under freon removal licenses and permits and will use only these qualified employee(s) to remove freon so as to prevent the escape of freon to the environment.
- 2. Exterior Lighting.** All exterior lighting of the facility will be by directional lighting focused in a manner to eliminate as much as practicable all escaping light that might create a nuisance to the surrounding region. No exterior lighting fixture will be placed a height greater than 20 (twenty) feet.

3. **Exterior loud speakers.** The facility will be operated without any external loud speakers of the type used by some facilities to summons personnel working outside.
4. **Number of automobiles.** Southwest Towing will limit the number of vehicles resting upon the exterior surface of the facility to an absolute maximum of 100 vehicles. These vehicles will be located in single units without stacking or placing one vehicle on top of another.
5. **Dimensions of facility.** The facility will be limited to a rectangle shaped area approximately 280 (two hundred eighty) feet along Hunter Road and 250 (two hundred fifty) feet along Center Point Road. this space encloses approximately 70,000 square feet or approximately 1.62 acres.
6. **Spills of hazardous materials.** Existing federal and state laws make it a punishable violation of law to fail to immediately report and clean up spills of hazardous material. Failure to immediately report and clean up any and all spills of hazardous material at the facility will be grounds to revoke this license under the enforcement provisions of Article 10 of the ordinance.
7. **Access for inspection.** Representative(s) of Hays County will have access to the facility during all business hours without announcement for the purpose of inspecting for compliance with the term of this contract and the ordinance. All suspected violations of this contract and the ordinance will be reported and processed under the enforcement procedure set out in Article 10 of the ordinance.
8. **Surface water impoundment.** All surface water runoff will be captured in a surface impoundment designed to retain a 100 year rain storm. Any sediments accumulation in the bottom of the surface impoundment will from time to time as necessary be dredged and hauled to an approved disposal site.
9. **Storage of vehicles.** Storage of damaged vehicles shall be on an impervious surface and under cover to insure the containment and recovery of all vehicle fluids. Dismantling of vehicles, storage of solvents, batteries, and auto parts containing petroleum products, shall be in a enclosed structure.
10. **Tires.** Used and scrap tires shall be handled as prescribed by state rules for solid waste management.
11. **Vehicle crushing.** No crushing of vehicles will be conducted at this site.
12. **Facility access.** Vehicle access to this facility shall be limited to Centerpoint Road.
13. **Fencing.** A perimeter fence shall be constructed and maintained in accordance with all applicable state laws and regulations so as to prevent sight through the fence at any and all points.
14. **Site cleanup.** If this contract or license is terminated by Hays County in accordance to the procedure set out in Article 10 of the ordinance, Southwest Towing will remove any and all vehicles and vehicle parts from the exterior of the facility in no more than 60 calendar days. Failure of Southwest Towing to remove the vehicles and vehicle parts within the 60 day period will authorize Hays County to go upon the facility, remove said vehicle and vehicle parts, and collect the cost of this clean up from Southwest Towing..

3-G RANCH REPLAT (3 LOTS)

Mike McMinn presented a master plan drawing - will come back next week with a revised plat - roads will remain private with a homeowners association. Wayne Henderson, County Road Dept., requested better drainage easements shown on the plat and for a list of road materials for private roads. No action taken.

12904 ESTATES OF TURKEY HOLLOW SECTION 1 - FIRST & SECOND READING APPROVAL

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Estates of Turkey Hollow Section 1" subdivision on first and second readings. All voting "Aye".

12905 ESTATES OF TURKEY HOLLOW SECTION 2 - FIRST & SECOND READING APPROVAL

Lot 31 is a private park - was used in the past as a rock quarry - TNRCC has approved its use as a park. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Estates of Turkey Hollow Section 2" subdivision on first and second readings. All voting "Aye".

CHESTER YOUNG - REQUEST FOR PLATTING VARIANCE ON 50 ACRES

Allen Walther, Environmental Health Director, stated that he was unclear as to the parcel remaining after division - would like clarification of the entire acreage of the ranch owned by Chester Young - it is located over the Edwards aquifer recharge zone. No action taken.

2001 HILLS SUBDIVISION

Commissioner Barton advised that he is not ready to grant final approval of the "2001 Hills" subdivision - the City of Niederwald has not yet approved this subdivision. No action taken.

12906 CYPRESS CREEK ESTATES REPLAT LOTS 1A, 2A & 3A - THIRD READING APPROVAL

Eddie Gumbert presented "Cypress Creek Estates Replat Lots 1A, 2A, & 3A" for third and final reading - three lots are being created out of an original eleven lots. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Cypress Creek Estates Replat - Lots 1A, 2A, & 3A" subdivision on third and final reading. All voting "Aye".

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12907 LOST VALLEY REPLAT BLOCK B TRACT 13 - PUBLIC HEARING/2ND READING

Judge Etheredge called the public hearing open. Environmental Health Director Allen Walther stated that the topo lines are misdrawn on the plat - it may contain floodplain and require a floodplain drainage easement on the plat. Judge Etheredge called the public hearing closed. A motion was made by Commissioner Rippey, seconded by Commissioner Barton to approve "Lost Valley Replat Block B Tract 13" on second reading. All voting "Aye".

12908 HAYS COUNTRY OAKS SECTION 1 REPLAT BLOCK C LOTS 32A & 32B - PUBLIC HEARING, SECOND AND THIRD READING APPROVAL

Judge Etheredge called the public hearing open. Allen Walther, Environ Health, recommended approval - water pollution abatement plans are needed. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Hays Country Oaks Section 1 Replat of Lots 32A & 32 B Block C" subdivision on second and third readings. All voting "Aye".

12909 CALL FOR A PUBLIC HEARING TO ABANDON AN EASEMENT IN DEERLAKE ESTATES LOT 17

Commissioner Payne advised that the property owner has two lots and would like to relocate the right of way easement on the plat - easement on plat does not match the actual easement on the property. A motion was made by Commissioner Payne, seconded by Judge Etheredge to call for a public hearing to be held June 26, 1994 at 9:00 A.M. to consider abandonment of an easement in Deerlake Estates subdivision Lot 17. All voting "Aye".

12910 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A CONTRACT WITH BALDERACH & CO. FOR ARCHITECTURAL SERVICES RE:OLD H.E.B. BLDG

A standard form of Agreement was presented - project consist of renovation of existing building at the corner of Guadalupe, MLK , and S. LBJ (the old HEB store) - the total square footage is approximately 39,806 s.f. - the left quadrant is approximately 11,371 s.f. leased to Hi Lo Auto Parts (status pending). A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the County Judge to enter into a contract on behalf of Hays County with Balderach & Company for architectural services related to the old H.E.B. building. All voting "Aye".

12911 PUBLIC HEARING/APPROVE ROAD NAME DESIGNATION OF "PALOMINO ROAD" TO COUNTY ROAD #124

Judge Etheredge called the public hearing open. Commissioner Barton spoke of CR124 being mapped as "Goforth Village Road" - there are already a number of roads in Pct. 2 with the Goforth name - residents have agreed to "Palomino Road". Public hearing was closed. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve renaming CR124 as "Palomino Road". All voting "Aye".

DISCUSSION - PROPOSED LISTING OF THE BARTON SPRING SALAMANDER AS AN "ENDANGERED SPECIES"

Environmental Health Director Allen Walther spoke of a public hearing scheduled for Thursday June 16, 1994 from 1-4 PM & 6-10PM at the LBJ Auditorium in Austin. Judge Etheredge stated that the salamander issue has been convoluted by the designation of Barton Springs as "Outstanding Natural Resource Water" (ONRW) - has met with proponents and TNRCC people to get the interpretation - spoke of meeting with Secretary Babitt - Hays County is in a unique situation and we need to be an active participant in this issue - everyone on the Court needs to get involved and be well informed so that responsible decisions are made as this will have a long lasting affect in the future - these are complicated issues and we need to determine how federal laws will affect us and whether or not these laws are being enforced - the real issues are water quality and water quantity - endangered species are used to determine water quality - suggested that himself, Commissioner Barton, and Allen Walther create a position paper to present at the hearings. Commissioner Barton spoke of regional guidelines that could be developed with federal enforcement - we need to address the big picture that would deal with future endangered species and related issues and we need to take an active aggressive role in determining our fate in future regulations - the public needs to be better informed. Allen Walther stated that no rules have been developed yet regarding the salamander listing - TNRCC is doing research and work to amend their rules - the habitat of the salamander needs to be identified. Position Paper will express our concerns and ask for answers regarding adjacent waters and how will they be developed - we will ask to be included in the rule making - we need to protect our ability to have control over our own destiny and active participant. Court agreed to position paper as proposed. No action taken.

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Court was adjourned this the 13th day of June, 1994.

MINUTES APPROVED IN OPEN COURT ON THE 11th DAY OF July, 1994.

Eddy Etheredge
EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS

Ronnie Dannelley
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

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Resolution of the Hays County Commissioners Court  
June 6, 1994

Whereas the Texas Legislature in its last session adopted new legislation for the purpose of allowing small towns and rural communities with a common community of interest to petition the Public Utilities Commission for toll-free telephone calling between certain areas that were previously accessible through long-distance dialing only;

And whereas County government, along with the Hays County Economic Development Council and various municipalities and other organizations, has initiated such a petition;

And whereas connecting Hays County residents through a "local" calling network would allow for better communication within long established communities of interest and allow many citizens to more readily contact their schools, workplaces, and county seat;

And whereas such a system, provided at the minimal cost allowed for under legislative rules, would promote economic development throughout Hays County and serve to help break down unwanted barriers between the county's various small towns;

And whereas such a calling system would save thousands of dollars annually for municipal, county, and state governments, and for local school districts;

And finally, whereas the petition to the PUC will simply set in motion an election to allow each affected telephone user to vote on the wisdom of local toll-free calling, also known as Extended Area Service;

Therefore be it recorded that the Hays County Commissioners Court, meeting this 6th day of June, 1994, does hereby resolve to support and encourage the aforementioned petition, and does hereby call on the Public Utilities Commission to receive the petition favorably.

*Eddy Etheredge*  
Eddy Etheredge, County Judge

*Craig Payne*  
Craig Payne, Commissioner Pct. 3

*Pedro Rodriguez*  
Pedro Rodriguez, Pct. 1 Commissioner

*Oran Rippy*  
Oran Rippy, Commissioner Pct. 4

*Jeff Barton*  
Jeff Barton, Pct. 2 Commissioner

*Ronnie Dannelley*  
Clerk of the Court



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 20TH DAY OF JUNE A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
CRAIG D. PAYNE  
ORAN H. RIPPY  
RONNIE DANNELLEY

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 3  
COMMISSIONER, PCT. 4  
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12914 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$ 212,443.10 as presented by the County Auditor. All voting "Aye".

|                       |              |                     |              |
|-----------------------|--------------|---------------------|--------------|
| Fines                 | \$ 20.00     | Auditors Ofc        | \$ 130.13    |
| Treasurers Ofc        | \$ 167.70    | Extension Ofc       | \$ 259.55    |
| Grants Admin          | \$ 330.00    | Juvenile Prob       | \$ 299.98    |
| Election Admin        | \$ 337.80    | Indigent Care       | \$ 7,855.70  |
| Bldg. Maintenance     | \$ 1,695.03  | Environ Health      | \$ 496.61    |
| Personal Health       | \$ 1,431.43  | Civic Center        | \$ 212.50    |
| Countywide Oper       | \$ 47,496.61 | Tax A/C             | \$ 1,694.81  |
| District Clerk        | \$ 33.74     | County Clerk        | \$ 2,385.15  |
| Sheriffs Ofc          | \$ 1,684.59  | Jail Operations     | \$ 37,441.04 |
| County Judge          | \$ 168.76    | Human resources     | \$ 2,218.60  |
| Co Crt @ Law 1        | \$ 21.98     | District Attorney   | \$ 500.17    |
| J.P. 1-1              | \$ 134.48    | J. P. 2             | \$ 18.40     |
| J.P. 5                | \$ 57.40     | D.P.S.              | \$ 208.44    |
| Constable 1           | \$ 318.86    | District Court Oper | \$ 1,231.67  |
| Co & JP Crt Oper      | \$ 4,883.53  | Veterans Admin      | \$ 9.88      |
| Computer Svcs         | \$ 447.60    | Co Crt @ Law 2      | \$ 1.18      |
| Fire Marshal/EMC      | \$ 6.50      | TABC                | \$ 112.69    |
| Dist Crt Reporters    | \$ 3.29      | TJPC CCAP Grant     | \$ 2,669.23  |
| Historical Commission | \$ 686.00    | Renov/Spec Proj     | \$ 14.41     |
| THC/Kyle Survey Grant | \$ 534.00    | Road & Bridge Oper  | \$ 47,785.45 |
| Precinct 1            | \$ 435.00    | Precinct 2          | \$ 130.00    |
| Precinct 3            | \$ 239.18    | Precinct 4          | \$ 55.00     |
| Rec Mng/Co Clk        | \$ 1.88      | Health Svcs Grant   | \$ 852.45    |
| Law Library Fund      | \$ 140.86    | Road Construction   | \$ 16,225.96 |
| Anticip Notes         | \$ 28.12     | Foster Care Fund    | \$ 9,461.12  |
| Adult Prob Oper       | \$ 18,822.55 | Adult Prob Fac      | \$ 76.00     |

R&B Fund Credit = \$ 30.00

12915 APPROVE BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS

Budget amendments were requested as follows:

County Judge - transfer into telephone from Grants/Human Resources expenses paid from line item and balance of software from travel.

Human Resources & Treasurers Office - transfer position from Treasurer's office to Human Resources, after applying merit costs from County-wide, and budget authorized temporary step position in Treasurer's Office from Personnel cost savings in County Judge's Office - budget cost of personnel policy manuals from County-Wide in Human Resources printing.

County-Wide Operations - transfer \$ 16,424 from General Insurance Line to increase county portion of Central Appraisal District - Hays County share of C.A.D. FY94 building cost assessment.

District Attorney's Office - fund typewriter in office equipment line (\$500) from misc. and equipment maintenance lines (\$300), and the balance (\$200) from D.A. unspecified equipment budgeted in County-Wide office equipment line.

County Clerk - transfer dedicated computer lines cost into Telephone and Microfilming cost into Supplies from Insurance and Permanent Records.

Indigent Care - transfer for patient cards and drug and charges schedules printing costs; authorized purchase of two drawer file cabinet for Indigent Care (\$140) from discontinued telephone line charges.

Civic Center - transfer for tractor parts cost from savings in utility line item.

Justice of the Peace Pct. 3 - allow transfer of \$150 to office equipment line to fund computer work station furniture from printing line.



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Justice of the Peace Pct. 5 - transfer \$140 to restore office supply line to original amount and increase by net of 100 from dues and bonds.

Personal Health - transfer for supply expense from malpractice insurance cost savings - budget additional permanent transfers of FY93 accruals from General Fund to Health Services Grants Fund.

Health Services Grants Fund - adjust grants M & CH (469), Director of Nursing (478), Immunization (708) and Family Practice Clinic (715) for approved line adjustments.

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve budget amendments as proposed by the County Auditor. All voting "Aye".

| LINE ITEM - EXPENDITURES            | INCREASES | DECREASES |
|-------------------------------------|-----------|-----------|
| <b>BA # 94-50</b>                   |           |           |
| <b>COUNTY JUDGE</b>                 |           |           |
| 01-420-5489 Telephone               | \$ 1,300  |           |
| 01-420-5712 Data Proc Eqpt          | \$ 190    |           |
| 01-420-5429 Software Maint          |           | \$ 369    |
| 01-420-5311 Travel                  |           | \$ 671    |
| <b>GRANTS ADMINISTRATION</b>        |           |           |
| 01-404-5489 Telephone               |           | \$ 300    |
| 01-404-5213 Publications            | \$ 100    |           |
| 01-404-5462 Public Notices          |           | \$ 100    |
| <b>HUMAN RESOURCES</b>              |           |           |
| 01-421-5489 Telephone               |           | \$ 150    |
| <b>HUMAN RESOURCES</b>              |           |           |
| 01-421-5021 Staff Sal               | \$ 6,705  |           |
| 01-421-5110 FICA                    | \$ 68     |           |
| 01-421-5121 Retirement              | \$ 104    |           |
| 01-421-5160 Insurance               | \$ 677    |           |
| <b>TREASURER'S OFFICE</b>           |           |           |
| 01-402-5021 Staff Sal               |           | \$ 476    |
| 01-402-5110 FICA                    |           | \$ 420    |
| 01-402-5121 Retirement              |           | \$ 33     |
| 01-402-5160 Insurance               |           | \$ 660    |
| <b>COUNTY-WIDE OPERATIONS</b>       |           |           |
| 01-414-5091 Salary/Merit            |           | \$ 2,039  |
| <b>COUNTY JUDGE'S OFFICE</b>        |           |           |
| 01-420-5021 Staff Sal               |           | \$ 2,350  |
| 01-420-5110 FICA                    |           | \$ 326    |
| 01-420-5121 Retirement              |           | \$ 500    |
| 01-420-5160 Insurance               |           | \$ 750    |
| <b>COUNTY-WIDE OPERATIONS</b>       |           |           |
| 01-414-5402 County Portion CAD      | \$16,424  |           |
| 01-414-5340 Insurances              |           | \$17,824  |
| <b>HUMAN RESOURCES</b>              |           |           |
| 01-421-5461 Printing                | \$ 1,400  |           |
| <b>DISTRICT ATTORNEY'S OFFICE</b>   |           |           |
| 01-423-5711 Office Eqpt             | \$ 500    |           |
| 01-423-5391 Misc                    |           | \$ 200    |
| 01-423-5411 Office Eqpt Maint       |           | \$ 100    |
| <b>COUNTY-WIDE OPERATIONS</b>       |           |           |
| 01-414-5711 Office Equipment        |           | \$ 200    |
| <b>COUNTY CLERK'S OFFICE</b>        |           |           |
| 01-417-5489 Telephone               | \$ 1,800  |           |
| 01-417-5160 Insurances              |           | \$ 1,800  |
| 01-417-5211 Office Sply             | \$ 700    |           |
| 01-417-5221 Data Proc Sply          | \$ 300    |           |
| 01-417-5215 Perm Records            |           | \$ 1,000  |
| <b>INDIGENT CARE</b>                |           |           |
| 01-408-5211 Off Sply                | \$ 100    |           |
| 01-408-5461 Printing                | \$ 75     |           |
| 01-408-5711 Office Eqpt             | \$ 140    |           |
| 01-408-5489 Telephone               |           | \$ 315    |
| <b>CIVIC CENTER</b>                 |           |           |
| 01-413-5413 Vehicle Maint           | \$ 700    |           |
| 01-413-5480 Utilities               |           | \$ 700    |
| <b>JUSTICE OF PEACE 3</b>           |           |           |
| 01-427-5711 Office Equipment        | \$ 150    |           |
| 01-427-5461 Printing                |           | \$ 150    |
| <b>JUSTICE OF PEACE 5</b>           |           |           |
| 01-429-5211 Office Sply             | \$ 140    |           |
| 01-429-53221 Dues & Bonds           |           | \$ 140    |
| <b>PERSONAL HEALTH</b>              |           |           |
| 01-412-5212 Postage                 | \$ 500    |           |
| 01-412-5461 Printing                | \$ 300    |           |
| 01-412-5349 Malpractice Insur       |           | \$ 800    |
| <b>COUNTY-WIDE OPERATIONS</b>       |           |           |
| 01-414-5915 Transfer to Health Svcs | \$27,367  |           |
| <b>HEALTH SVCS GRANTS REVENUES</b>  |           |           |
| 10-392-0001 Transfer f/Gen Fund     |           | \$27,367  |

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| <u>LINE ITEM - EXPENDITURES</u>             | <u>INCREASES</u> | <u>DECREASES</u> |
|---------------------------------------------|------------------|------------------|
| <b>MOTHER &amp; CHILD HEALTH GRANT</b>      |                  |                  |
| 10-469-5219 Supplies & Oper                 | \$ 1,500         |                  |
| 10-469-5391 Other Expenses                  | \$ 1,500         |                  |
| 10-469-5448 Contract Svcs                   |                  | \$ 3,000         |
| <b>TDH/DIRECTOR OF NURSING GRANT</b>        |                  |                  |
| 10-478-5021 Staff Sal                       | \$ 1,200         |                  |
| 10-478-5448 Contract Svcs                   |                  | \$ 1,200         |
| <b>TDH/IMMUNIZATION GRANT</b>               |                  |                  |
| 10-708-5160 Insurances                      | \$ 938           |                  |
| 10-708-5021 Staff Sal                       |                  | \$ 688           |
| 10-708-5110 FICA                            |                  | \$ 250           |
| <b>TDH/MCH FAMILY PRACTICE CLINIC GRANT</b> |                  |                  |
| 10-715-5311 Travel                          | \$ 1,000         |                  |
| 10-715-5719 Equipment                       |                  | \$ 1,000         |

**12916 TRIPLE CREEK RANCH SECTION 1 - SECOND READING APPROVAL**

This is a 55 lot subdivision with private roads to be maintained by the Homeowners Association. A motion was made by Commissioner Rippey and seconded by Commissioner Payne to approve "Triple Creek Ranch Section 1" subdivision on second reading. All voting "Aye".

**12917 CEDAR SPRINGS RANCH - FIRST READING APPROVAL**

This is a 12 lot subdivision located on Bell Springs Road - no new roads involved - 60' strip required on the flag lots. A motion was made by Commissioner Rippey, seconded by Commissioner Payne to approve "Cedar Springs Ranch" subdivision on first reading. All voting "Aye".

**12918 3-G RANCH REPLAT OF LOT 1A SECTION 1, AND LOTS 7A & 8A OF SECTION 2 FIRST READING APPROVAL AND CALL FOR PUBLIC HEARING**

Mike McMinn presented the Replat to 3-G Ranch Sections 1 & 2 - Section 3 will be presented at a later date - the replat enlarges existing lots and re-routes a road easement - stated that none of the lots involved in this replat have been sold. A motion was made by Commissioner Barton and seconded by Judge Etheredge to call for a public hearing to be held on July 5, 1994 at 9:00 A.M. to consider Replat of 3-G Ranch Subdivision. All voting "Aye". A motion was made by Commissioner Barton, seconded by Commissioner Rippey to approve "3-G Ranch Replat of Lot 1A Section 1 and Lots 7A & 8A of Section 2" subdivision on first reading. All voting "Aye".

**12919 CHESTER YOUNG - PLATTING VARIANCE GRANTED ON 29.3 ACRES**

A request for variance from platting and identifying/mapping recharge features was submitted by Chester Young - he is selling 29.3 acres out of his ranch for single-family development. A motion was made by Commissioner Barton, seconded by Commissioner Payne to grant platting variance to Chester Young on a 29.3 acre tract on FM 150. All voting "Aye".

**12920 RE-APPOINT MEMBERS TO THE SOUTH CENTRAL TEXAS INDUSTRIAL DEVELOPMENT CORPORATION BOARD**

Judge Etheredge explained that the law requires additional action to be taken by the South Central Texas Industrial Development Board in order to finish out their original project - previous Board member Patty Sullivan does not want to be re-appointed - members to be re-appointed are: William M. Johnson, Clarence C. Cobb, Bob Gwynn, Pedro Rodriguez, and Jack E. Byrom. A motion was made by Judge Etheredge, seconded by Commissioner Rippey to re-appoint William M. Johnson, Clarence C. Cobb, Bob Gwynn, Pedro Rodriguez, and Jack E. Byrom to the South Central Texas Industrial Development Corporation Board of Directors. All voting "Aye".

**12921 AUTHORIZE THE COUNTY JUDGE TO WRITE A "LETTER OF INTENT" TO COOPERATE WITH NATURE CONSERVANCY REGARDING PROPOSED LAND PURCHASE**

Judge Etheredge explained that a "Letter of Intent" is needed regarding the Blue Hole Project - we need to keep this land in public interest - a commitment is needed from the Court. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the County Judge to write a "Letter of Intent" to cooperate with Nature Conservancy regarding proposed land purchase. All voting "Aye".

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**12922 AUTHORIZE EXTENSION OF CONTRACT WITH LANDATA (COUNTY CLERK'S RECORDS MANAGEMENT)**

Summary: County is in process of considering hiring a consultant to develop a plan for computer needs county-wide, including the services provided by Landata, however, it will be 3 - 6 months before a plan is finalized - it would seem more feasible to continue the current contract for 6 months rather than to re-bid - Vendor has agreed to continue the contract at the same rate. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize extension of contract with Landata for County Clerk's record management. All voting "Aye".

**12923 AUTHORIZE THE COUNTY JUDGE AND ALLEN WALTHERS TO DRAFT A LETTER TO TNRCC AND OTHER APPROPRIATE OFFICIALS SETTING OUT HAYS COUNTY'S POSITION ON " OUTSTANDING NATIONAL RESOURCE WATER" DESIGNATION**

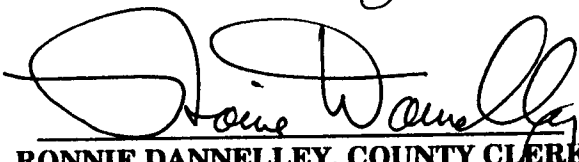
Judge Etheredge spoke of petitions that have been presented to the TNRCC by various groups and organizations (i.e. Save Barton Springs, Sierra Club, etc) - would utilize Federal Law that allows EPA to designate ONRW with specific guidelines for maintenance of waterway (high standards) - currently TNRCC has never designated ONRW - four bodies of water have been studied for this designation - other government entities have already taken a position on the Barton Springs designation - this designation could have a tremendous impact on future growth and development - Judge Etheredge stated that he feel like ONRW is not a proper designation for Barton Springs - feels like we should take care of water issues locally with assistance from the State of Texas. Commissioner Barton stated that ONRW is largely used in park areas - the aquifer is a complex waterway and needs to be thoroughly studied - we care about our water quality and control should be kept locally - there are existing regulations to protect water quality through the State. Judge Etheredge advised that Hays County needs to make our position known to State and Federal Officials. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge and Allen Walther to draft a letter to TNRCC and other appropriate Officials setting out Hays County's position on ONRW designation. All voting "Aye".

**EXECUTIVE SESSION - DISCUSSION OF POSSIBLE LITIGATION & PERSONNEL MATTERS**

Court convened into Executive Session to discuss possible litigation and personnel matters. Upon completion of discussion Court reconvened into open meeting. No action was taken.

MINUTES APPROVED IN OPEN COURT ON THE 11th DAY OF July, 1994.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 27TH DAY OF JUNE A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANNELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Rippy was not present at this time.

12924 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissiner Rodriguez, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$ 102,180.76 as presented by the County Auditor. All present voting "Aye".

| | | | |
|--------------------|--------------|--------------------|--------------|
| Lic & Permits | \$ 265.00 | Fines | \$ 36.00 |
| Auditors Ofc | \$ 139.45 | Treasurers Ofc | \$ 65.31 |
| Extension Ofc | \$ 112.64 | Grants Admin | \$ 465.36 |
| Juvenile Prob | \$ 434.82 | Indigent Care | \$ 13,626.01 |
| Transfer Station | \$ 47.35 | Bldg. Maint. | \$ 7,199.55 |
| Environ Health | \$ 702.11 | Civic Center | \$ 2,201.30 |
| Countywide Oper | \$ 18,253.95 | Tax A/C | \$ 57.81 |
| District Clerk | \$ 134.31 | County Clerk | \$ 467.56 |
| Sheriffs Ofc | \$ 1,707.14 | Jail Operations | \$ 9,350.23 |
| County Judge | \$ 33.75 | Human Resources | \$ 968.03 |
| District Attorney | \$ 403.34 | J.P. Pct. 1-1 | \$ 2.86 |
| J.P. 1-2 | \$ 487.88 | J.P. 2 | \$ 116.00 |
| J.P. 3 | \$ 53.23 | J.P. 4 | \$ 89.56 |
| J.P. 5 | \$ 250.11 | D.P.S. | \$ 221.67 |
| Constable 3 | \$ 133.56 | Constable 5 | \$ 149.83 |
| District Crt Oper | \$ 1,924.37 | Co & JP Crt Oper | \$ 3,272.22 |
| Veterans Admin | \$ 50.00 | CJD Juv Svcs Grant | \$ 405.00 |
| R & B Operations | \$ 16,828.84 | Precinct 2 | \$ 487.50 |
| Precinct 3 | \$ 98.13 | Precinct 4 | \$ 5,035.13 |
| Records Mng/Co Clk | \$ 300.20 | Health Svcs Grants | \$ 1,971.03 |
| Adult Prob Oper | \$ 9,452.76 | Adult Prob Fac | \$ 1,145.74 |
| D.A. Reimb Trust | \$ 2,900.12 | Constable 1 | \$ 147.88 |

General Fund Credit = \$ 13.88

12925 APPROVE BUDGET AMENDMENTS

The following budget amendments were proposed:

Transfer Station - Transfer \$150 into misc. supply and \$50 into septic tank maintenance from equipment maintenance for needed expenses.

Road & Bridge Operations - Transfer \$400 into misc. equipment for video equipment from safety training line.

Precinct 3 - Transfer for balance of FY94 mobile phone expenses from special project line

Health Services Grants - Transfer to fund TB contract services from supplies

Courthouse Renovation/Road Construction - Budget proceeds from sale of bonds to recognize receipt of funds and expenses for FY94 - balance of carryover will be budgeted in FY95

Anticipation Notes - Budget proceeds from anticipation note sale to recognize receipt of funds and expenses for FY94 - balance of carryover will be budgeted in FY95

A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to approve budget amendments as proposed by the County Auditor (Budget Amendment # 94-51). All present voting "Aye".

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| <u>Line Item - Expenditures</u> | <u>Increases</u> | <u>Decreases</u> |
|--|------------------|------------------|
| TRANSFER STATION | | |
| 01-409-5391 Misc Sply | \$ 150 | |
| 01-409-5414 Equip Maint | | \$ 200 |
| 01-409-5419 Septic Maint | \$ 50 | |
| ROAD & BRIDGE OPERATIONS | | |
| 03-438-5719 Misc Equip | \$ 400 | |
| 03-438-5332 Safety Training | | \$ 400 |
| PRECINCT 3 | | |
| 03-441-5489 Telephone | \$ 1,100 | |
| 03-441-5353 Spec Project | | \$ 1,100 |
| TDH/TB GRANT | | |
| 10-465-5448 Contract Svcs | \$ 241 | |
| 10-465-5219 Misc Sply | | \$ 190 |
| 10-465-5391 Other | | \$ 51 |
| COURTHOUSE RENOVATION | | |
| 20-459-5219 Misc Sply | \$ 100 | |
| 20-459-5391 Cost of Issuance | \$ 18,700 | |
| 20-459-5462 Public Notices | \$ 400 | |
| 20-459-5611 Construction/Renov | \$1,619,500 | |
| 20-459-5621 Architect Svcs | \$ 161,300 | |
| ROAD CONSTRUCTION | | |
| 20-458-5219 Misc. Sply | \$ 100 | |
| 20-458-5386 R.O.W Expense | \$1,856,179 | |
| 20-458-5391 Cost of Issuance | \$ 41,621 | |
| 20-458-5448 Contract Svcs | \$ 1,600 | |
| 20-458-5462 Public Notices | \$ 500 | |
| 20-458-5611 Construction | \$1,900,000 | |
| 29-458-5621 Engineering | \$ 200,000 | |
| REVENUES | | |
| 20-372-3458 Bond Proceeds | | \$5,800,000 |
| ANTICIPATION NOTES | | |
| 39-443-5391 Cost of Issuance | \$ 18,700 | |
| 39-443-5621 Architect/Eng Svc | \$ 24,000 | |
| 39-443-5732 Bldg Remodeling | \$ 207,045 | |
| 39-443-5797 Bldg Acquisition | \$1,150,255 | |
| REVENUES | | |
| 39-376-3443 Anticipation Note Proceeds | | \$1,400,000 |

12926 APPOINTMENTS TO THE HAYS COUNTY CHILD WELFARE BOARD

A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to approve appointments to the Hays County Child Welfare Board: Catherine Schultz, Sue Harrison, Anna Pharr, Corina Jamies, Angelita Tobias, and Julie New - Advisory Board members appointed are Juanita Rodriguez, and Joline Brown. All present voting "Aye".

12927 AUTHORIZE USE OF COUNTY R-O-W FOR UTILITY INSTALLATION ON CR 208 (PERMIT NO. 94-203 CITY OF KYLE)

A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to authorize use of County right-of-way to the City of Kyle for installation of a 2" water line across County Road #208 (Permit No. 94-203). All present voting "Aye".

12928 APPROVE COMMISSIONERS' COURT MINUTES FOR THE MONTH OF MAY 1994

A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to approve the Minutes of the Commissioners' Court for the Month of May 1994 as presented by the County Clerk. All present voting "Aye".

12929 APPROVE THE TREASURER'S REPORT FOR THE MONTH OF MAY 1994

A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to approve the Treasurer's Report for the Month of May 1994. All present voting "Aye".

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23930 RESCHEDULE COMMISSIONERS COURT MEETING OF JULY 4, 1994 TO JULY 5, 1994

A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to reschedule the Commissioners' Court meeting of Monday July 4, 1994 to Tuesday July 5, 1994 due to the July 4th Holiday. All present voting "Aye".

Note: Commissioner Rippy came to the meeting at this time

12931 HERITAGE WEST SUBDIVISION - 1ST READING

Surveyor Cotton Johnson presented the subdivision plat for "Heritage West" - it is located adjacent to Heritage Oaks subdivision - water will be acquired from Hill Country Water Supply Corp. - roads are public. A motion was made by Commissioner Rippy and seconded by Commissioner Payne to approve "Heritage West" subdivision on first reading. All present voting "Aye".

12932 COVES OF CIMARRON PHASE 2 SECTION 2 - 1ST READING

Allen Walther, Environmental Health Director, advised that the "Coves of Cimarron Phase 2 Section 2" subdivision has been approved by the City of Buda - staff supports first reading approval. A motion was made by Judge Etheredge and seconded by Commissioner Rippy to approve "Coves of Cimarron Phase 2 Section 2" subdivision on first reading. All present voting "Aye".

12933 HERITAGE HILLS REPLAT LOTS 17A & 17B - 1ST READING AND CALL FOR A PUBLIC HEARING

A motion was made by Commissioner Payne and seconded by Commissioner Rippy to approve "Heritage Hills Replat Lots 17A & 17B" subdivision on first reading and call for a public hearing to be held July 11, 1994 at 9:00 A.M. All present voting "Aye".

12934 SUNBECK ACRES REPLAT LOT 4A & 5A - 1ST READING AND CALL FOR A PUBLIC HEARING

David Williamson, surveyor, presented "Sunbeck Acres Replat" subdivision. A motion was made by Commissioner Rippy and seconded by Commissioner Payne to approve "Sunbeck Acres Replat Lots 4A & 5A" subdivision on first reading and call for a Public Hearing to be held July 11, 1994 at 9:00 A.M. All present voting "Aye".

12935 LOST VALLEY ADDITION RESUB LOT 13 - 3RD READING

Allen Walther, Environmental Health Director, stated that the floodplain has been identified on the plat - supports approval. Commissioner Payne advised that there is no location map on the plat. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Lost Valley Addition Resub Lot 13" on third reading subject to attaching a location map on the plat. All present voting "Aye".

12936 AUTHORIZE THE COUNTY TAX ASSESSOR-COLLECTOR TO ENTER INTO A CONTRACT WITH FRANCHISE AUTO DEALERS AND TO DESIGNATE SUBSTATIONS

Luanne Caraway, Tax Assessor-Collector, stated that she had been contacted by a major local automobile dealership regarding setting up a substation for the issuance of title application/motor vehicle sales tax receipts and stickers - other local dealerships are interested in contracting for the services - deputation's and bonds will be required - computer equipment will not be provided by the County. Basic terms: 1. County shall supply the Dealer with an inventory of receipts, stickers, and supplies as needed for issuance to the public; 2; The Dealer will report to the Tax A/C and include appropriate copies of all receipts issued, the number of stickers sold, the number of stickers voided, the number of stickers missing, and the sticker series numbers issued, along with full payment for taxes and fees collected; 3. The Dealer shall have its president or other person in charge of local operations and all employees of the Dealer who handle the issuance of receipts or

stickers take an oath of deputation to serve as authorized agents for the issuance of sales tax receipts and license renewal stickers; 4. The Dealer shall designate one or more of its officers, agents, or employees to serve as a receiving agent for the Dealer and the Dealer assumes full liability for the safekeeping of all receipts, stickers and supplies furnished by the County; 5. The Dealer shall collect the taxes and fees prescribed by the Hays Co. Tax A/C for each receipt and sticker issued and these fees shall not be commingled with any other funds in the possession of the Dealer; 6. The Dealer may accept individual checks in payment of fees provided that checks are made payable to the County Tax Assessor-Collector; 7. The Dealer is subject to audit by the Hays County Tax Assessor-Collector, Hays County Auditor, The Texas Dept. of Transportation, the Comptroller of the State of Texas, or any CPA designated by any one or more of the same; 8. Dealer agrees to post a surety bond, letter of credit, or cash deposit naming the Hays County Tax Assessor-Collector as obligee. See full text contract in file. A motion was made by Judge Etheredge and seconded by Commissioner Rippy to authorize the County Tax Assessor-Collector Luanne Caraway to enter into a Dealer Contract with Franchise Auto Dealers and to designate substations. All present voting "Aye".

12937 EXTEND THE CURRENT YEAR CONTRACT WITH THE SAN MARCOS/HAYS COUNTY EMERGENCY MEDICAL SERVICES

San Marcos Fire Chief Dan O'Leary appeared before the court - requested that the County extend the current contract to the end of the budget year - a draft of the new EMS contract was provided and include the changes below:

1. **2.02** A new board of directors made up of 2 Council members and 2 Commissioners and one Doctor
2. **4.03** EMS will fully staff tow ambulances (instead of 1 1/2)
3. **4.10** EMS will provide all medical equipment used on EMS calls, and provide medical training for dispatchers
4. **4.13** Council and Commissioners will set fees and charges
5. **4.15** EMS will provide emergency driver training for all employees
6. **4.16** EMS will participate in City and County disaster drills
7. **4.17** EMS shall maintain average response times in city and covered areas of Hays County with monthly reports sent to City Manager and County Judge. EMS may not service any area of another jurisdiction without a contract with that jurisdiction
8. **11.01** Contract to remain in effect indefinitely unless terminated with 180 days notice

A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to extend the current contract with the San Marcos Hays County EMS to the end of the fiscal year. All present voting "Aye".

12938 ADOPT EMPLOYMENT SERVICES PROGRAM FOR INDIGENT HEALTH CARE RECIPIENTS EFFECTIVE OCTOBER 1, 1994

A memo was received from Eva Cruz, Hays County Indigent Health Care Coordinator, regarding the optional employment services for indigent health care recipients - it would require eligible clients to register with the Texas Employment Commission and actively seek employment - this is currently a requirement of the Food Stamp and Medicaid Programs. See guidelines in file. A motion was made by Judge Etheredge and seconded by Commissioner Rodriguez to adopt the Employment Services Program for Indigent Health Care Recipients to be effective October 1, 1994. All present voting "Aye".

12939 PUBLIC HEARING AND ACTION TO ABANDON AN EASEMENT IN DEERLAKE ESTATES LOT 17

Judge Etheredge called the public hearing open. Artis Barnette, Real Estate Agent, appeared before the court - property owner owns adjoining lots and wishes to abandon the road easement indicated on the recorded plat as it is not the on site location of the roadway. Commissioner Payne spoke of abandoning a portion of the 30' easement and relocate it to the exact location - make it a 40 ft. easement as required - it will be a privately owned and maintained roadway. Judge Etheredge closed the public hearing. A motion was made by Commissioner Payne and seconded by Commissioner Rippy to abandon the existing 30 foot roadway easement located on Deerlake Estates Lot 17 and create a new 40 foot easement. All present voting "Aye".

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12940 AUTHORIZE PAYMENT OF \$ 3,260.00 TO TEXAS NATURAL RESOURCE CONSERVATION COMMISSION


A motion was made by Commissioner Payne and seconded by Commissioner Rodriguez to authorize payment in the amount of \$ 3,260.00 to TNRCC. All present voting "Aye"..

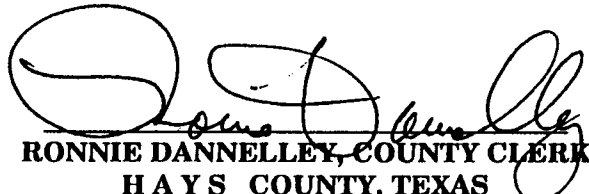
12941 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A CONTRACT WITH "ARCHAIC" TO PERFORM MASTER PLAN FOR THE STONE RESTORATION AT THE KYLE CEMETERY (CLG GRANT)

A motion was made by Commissioner Rodriguez and seconded by Judge Etheredge to authorize the County Judge to enter into a contract with "Archaic" to perform master plan for the stone restoration at the Kyle Cemetery (CLG Grant). All present voting "Aye".

Court was adjourned until Tuesday July 5, 1994.

MINUTES APPROVED IN OPEN COURT ON THE 11th DAY OF July, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

.....00.....

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 5TH DAY OF JULY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANDELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12942 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rippey to approve payment of county invoices in the amount of \$ 193,185.52 as presented by the County Auditor. All voting "Aye".

| | | | |
|--------------------|-------------|--------------------|-------------|
| Financial Adm | \$ 150.00 | Auditor | \$ 2,038.00 |
| Treasurer | \$ 1,237.00 | Extension Ofc | \$ 175.88 |
| Grants Admin | \$ 408.43 | Comm & Social Svcs | \$94,357.50 |
| Indigent Care | \$ 2,127.20 | Transfer Station | \$ 403.39 |
| Bldg. Maint. | \$ 1,211.74 | Environmental Hlth | \$ 74.73 |
| Personal Health | \$ 116.90 | Civic Center | \$ 750.00 |
| Countywide Oper | \$13,006.75 | Tax A/C | \$ 1,931.07 |
| District Clerk | \$ 835.43 | County Clerk | \$ 1,389.49 |
| Sheriffs Ofc | \$ 1,034.77 | Jail Operations | \$ 6,581.65 |
| County Judge | \$ 345.00 | Human Resources | \$ 1,005.00 |
| Co Crt @ Law 1 | \$ 167.67 | District Attorney | \$ 752.47 |
| J.P. 1-1 | \$ 89.10 | J.P. 1-2 | \$ 19.95 |
| J.P. 3 | \$ 58.08 | J.P. 5 | \$ 125.00 |
| D.P.S. | \$ 1,536.61 | Constable 1 | \$ 198.50 |
| Constable 2 | \$ 484.28 | Constable 3 | \$ 50.00 |
| District Crt Oper | \$ 3,386.60 | Co & JP Crt Oper | \$ 4,096.63 |
| Veterans Admin | \$ 670.51 | Computer Services | \$ 2,038.66 |
| R&B Operations | \$31,427.02 | Precinct 1 | \$ 90.00 |
| Precinct 2 | \$ 240.00 | Precinct 4 | \$ 10.50 |
| Right of Way | \$ 800.00 | Recrds Mng/Co Clk | \$ 2,581.00 |
| Health Svcs Grants | \$ 1,173.58 | Hot Check Fee | \$ 421.00 |
| Law Library Fund | \$ 54.25 | Adult Prob Oper | \$ 6,474.79 |
| Adult Prob Fac | \$ 2,942.93 | D.A. Reimb Trust | \$ 4,116.67 |

Gen Fund credit \$ 0.21

12943 APPROVE BUDGET AMENDMENTS

The following budgets amendments were requested:

Grants Administration - Transfer \$120 into office equipment line to fund balance of file cabinet cost, \$100 into office supplies for needed expenses; the total from postage line savings
Texas Historical Commission/Kyle Survey Grant - \$ 1,562 in expenditures; \$1,562 in revenues - budget additional award of funds in Kyle survey grant from agency (increase in funding)
Texas Historical Commission/Buda Brochure Grant - Transfer budgeted revenues from THC/Courthouse Master Plan Grant to THC/Buda Brochure Grant as per agency
Texas Historical Commission/Kyle Cemetery Grant - \$1,408 in expenditures; \$ 1,408 in revenues - Budget new grant award from agency for balance of FY94
Health Services Grants - Transfer amount originally budgeted for contract services into Dept. Health Salary line for Director of Nursing
Road & Bridge Operations - Fund cost of 3 dump trucks (TXDOT) originally to be on time warrants

A motion was made by Commissioner Barton, seconded by Commissioner Rippey to approve budget amendments as presented by the County Auditor (Budget Amendment No. 94-52). All voting "Aye".

| Line Item - Expenditure | Increase | Decrease |
|-----------------------------------|----------|----------|
| GRANT ADMINISTRATION | | |
| 01-404-5711 Off Equip | \$ 120 | |
| 01-404-5211 Off Sply | \$ 100 | |
| 01-404-5212 Postage | | \$ 220 |
| THC/KYLE SURVEY GRANT | | |
| 01-709-5429 Misc Services | \$ 1,562 | |
| REVENUES | | |
| 01-381-2709 THC/Kyle Survey Grant | | \$ 1,562 |

| Line Item - Expenditure | Increase | Decrease |
|---|-----------|-----------|
| 01-381-2710 THC/BUDA
BROCHURE GRANT | \$ 736 | |
| 01-381-2711 THC/COURTHOUSE
MASTER PLAN GRANT | | \$ 736 |
| 01-381-2721 THC/KYLE SLAVE
CEMETERY GRANT | \$ 1,208 | |
| 01-367-4479 THC Match/Donations | \$ 200 | |
| 01-721-5448 Contract Services | | \$ 1,408 |
| ROAD & BRIDGE OPERATIONS | | |
| 03-438-5713 Vehicles | \$ 21,000 | |
| 03-438-5351 Materials | | \$ 21,000 |
| DIRECTOR OF NURSING | | |
| 10-478-5011 Salary | \$ 5,601 | |
| 10-478-5448 Contract Services | | \$ 5,601 |

12944 AUTHORIZE AN INCREASE IN SHERIFF'S DEPARTMENT PETTY CASH FUND FROM \$500 TO \$1,000

Summary: The Sheriff's Dept. is required to travel to pick up prisoners, etc. with insufficient notice to process a check for travel through normal procedures - increasing the petty cash fund would allow sufficient funds on hand to pay these costs and be reimbursed through the normal payment process. A motion was made by Commissioner Barton, seconded by Commissioner Rippey to authorize an increase in the Sheriff's Department petty cash fund from \$500 to \$1,000. All voting "Aye".

12945 ROAD NAME DESIGNATION: NAME ROAD IN PCT. 4 LOCATED OFF BELL SPRINGS ROAD "LOST CREEK ROAD"

A written request to designate a road name was received from William Burns and some of the property owners/residents living along a road running just north of "Alexander's east gate" on CR 169 (Bell Springs Road), generally west and north for approximately 2.3 miles, ending at the properties of John Shriver and John Burns - the suggested name was "Lost Creek Road". A motion was made by Commissioner Barton, seconded by Commissioner Rippey to approve road name designation of "Lost Creek Road" to an unnamed road located off Bell Springs Road as requested. All voting "Aye".

12946 AUTHORIZE USE OF COURTHOUSE GROUNDS FOR "SING OUT FOR PEACE" CELEBRATION ON AUGUST 7, 1994 BEGINNING AT 7 P.M.

A request was made by Robin Wood for use of the courthouse grounds for the annual "Sing Out for Peace" celebration on August 7, 1994 - it will run from 7 p.m. until 10 p.m. and they will need access to electricity. A motion was made by Commissioner Barton, seconded by Commissioner Rippey to authorize use of the courthouse grounds for the "Sing Out For Peace" celebration to be held August 7, 1994. All voting "Aye".

12947 AUTHORIZE PURCHASE OF EQUIPMENT FOR ENVIRONMENTAL HEALTH DEPT.

Allen Walther, Director of Environmental Health, advised that this equipment purchase was originally budgeted and approved in account 10-466 but was transferred to 01-411 when we filed an allocation plan with the State. Equipment to be purchases is as follows:

- | | |
|--|--------------------|
| 1. One 486DX/33 PC with 4mb RAM, 170 mb hard disk drive, one 1.44 3.5" and one 5.25" floppy disk drive S.VGA NI 14" monitor, 101 enhanced keyboard, mouse, Intel etherexpress 16 bit network interface card with RJ-45 jack for ethernet 10 Base T, Windows 3.1, DOS 6.2 | \$ 1,499.00 |
| 2. One Asante Hub 8 port with RJ45 connectors | \$ 233.00 |
| 3. Two Eagle NPE400 Print Servers | \$ 592.00 |
| 4. One Wangtek 4000 DI-4N Backup System | \$ 1,075.00 |
| 5. One Cheyenne ArcServe 5 user 5.0 | \$ 239.00 |
| 6. Two 486DX/33 PC's with 4mb RAM, 170 mb hard disk drive, one 1.44 3.5" and one 5.25" floppy disk drive S.VGA NI 14" monitor, 101 enhanced keyboard, mouse, Intel etherexpress 16 bit network interface card with RJ-45 jack for ethernet 10 Base T, Windows 3.1, DOS 6.2 | \$ 2,998.00 |
| 7. One IBM 4039-10R Laser printer with Envelope Feeder | \$ 1,573.00 |
| 8. Four Microsoft Office 4.2 License | \$ 1,036.00 |
| | ===== |
| | \$ 9,845.00 |

A motion was made by Commissioner Barton, seconded by Commissioner Rippey to authorize purchase of \$9,845.00 in equipment for the Environmental Health Department. All voting "Aye".

12948 APPROVE OFFICIAL BOND FOR TAX ASSESSOR-COLLECTOR LUANNE CARAWAY

A motion was made by Commissioner Barton and seconded by Commissioner Rippey to approve the Official Bond for newly appointed Tax Assessor-Collector Luanne Caraway. All voting "Aye".

12949 KRUMNOW SUBDIVISION - FIRST READING APPROVAL

A motion was made by Commissioner Payne and seconded by Commissioner Rippey to approve the "Krumnow Subdivision" - Lots 1 & 2 - on first reading. All voting "Aye".

12950 COVES OF CIMARRON PHASE 2 SECTION 2 - SECOND READING APPROVAL

A motion was made by Commissioner Barton and seconded by Judge Etheredge to approve "Coves of Cimarron Phase 2 Section 2" subdivision on second reading. All voting "Aye".

3-G RANCH SECTION 1 REPLAT, SECTION 2 REPLAT, & SECTION 3 - PUBLIC HEARING HELD

Judge Etheredge called the public hearing open. Surveyor Mike McMinn presented the plats. Public Hearing was closed. No action taken this date.

ESTATES OF TURKEY HOLLOW SECTION 1 & SECTION 2

Surveyor David Williamson appeared before the Court - the Letters of Credit are not ready today. Allen Walther, DEH, spoke of need to add a plat note regarding the septic systems. Action postponed.

12951 AUTHORIZE COMMISSIONER JEFF BARTON TO REPRESENT THE COMMISSIONERS' COURT IN GRANTING A UTILITY CUT PERMIT, IF NECESSARY, ON COUNTY ROAD IN THE COVES OF CIMARRON (RACON RUN) WITH MAINTENANCE BOND REQUIRED

Commissioner Barton spoke of a private individual who needs to hook into the City of Buda's sewage system which will require crossing a county road - the City of Buda is willing to serve this person, however, they will not take responsibility for the lines connecting to their system. Darrell Brown, Road Director, stated that issuing the permit puts the liability on the owner of the utility line - if we allow private individuals to put utility lines in county right-of-way, who is responsible for repair, replacement, or relocation if necessary in the future. Judge Etheredge spoke of the private individual having a failing septic system over the recharge zone which is forcing him to seek relief - he is willing to take the liability. Commissioner Barton suggested allowing a road cut as long as it is patched appropriately - suggested negotiating with the City of Buda and the Landowner to work out the details - spoke of requiring a bond for one year - the City of Buda has no incentive to provide the services and incur the costs for areas outside of the city limits. Commissioner Payne suggested drafting an agreement with a one year bond signed by the property owner - when the City of Buda annexes the property, the lines will then become public. A motion was made by Commissioner Barton and seconded by Judge Etheredge to authorize Commissioner Jeff Barton to represent the Commissioners' Court in granting a utility cut permit on Raccoon Run in the Coves of Cimarron, if necessary, with a \$500 maintenance bond required. All voting "Aye".

12952 APPROVE INTERLOCAL AGREEMENTS FOR STREET MAINTENANCE WITH MOUNTAIN CITY AND THE CITY OF HAYS

Commissioner Barton submitted draft copies of the proposed interlocal agreements for street maintenance with Mountain City and the City of Hays - provides reimbursement to the county as determined by the road department for actual materials and labor. A motion was made by Commissioner Barton and seconded by Commissioner Payne to approve interlocal agreements for street maintenance with Mountain City and the City of Hays subject to approval by the District Attorney. All voting "Aye". (see pages 62-65 for full text)

DISCUSSION REGARDING GRANTING A VENDORS LICENSE AT DUDLEY JOHNSON PARK

Commissioner Barton spoke of having been approached by vendors regarding placement of concessions at the Dudley Johnson Park (5 Mile Dam) - spoke of suggestions regarding staffing the park and charging a usage fee - the park needs to be regulated - spoke of increasing the number of chemical toilets and increasing the number of times serviced. Workshop/Action next week.

JULY 5, 1994

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12953 CANCEL PREVIOUS CONTRACT AND ENTER INTO NEW CONTRACT WITH PSA FOR ARCHITECTURAL SERVICES RELATED TO THE JUVENILE SERVICES CENTER

A standard form of agreement between Owner and Architect was submitted by Phillips Swager Associates (PSA) - addresses the bidding/negotiation phase and construction phase of the project - fee amounts from the prior agreement have been incorporated into the new agreement with modifications - civil engineering is not included in the agreement - PSA recommends that Hays County contract with a local civil engineer to ensure all site issues are coordinated and properly documented for construction. A motion was made by Commissioner Payne and seconded by Commissioner Rodriguez to cancel the previous contract and enter into a new contract with Phillips Swager Associates (PSA) for architectural services related to the Juvenile Services Center. All voting "Aye".

12954 AWARD CONTRACTS FOR CONCRETE, REJECT ALL OTHER BIDS AND AUTHORIZE AUDITOR TO REBID ALL OTHER ROAD BUILDING MATERIALS

Purchasing Agent Cindy Casparis presented bid tabulations for concrete - she recommended that all other bids be rejected at this time and allow her to rebid all other road building materials - bids were written up to be FOB pit and did not divide up the precincts as we have in the past - this is not going to work for various reasons mainly because it will be difficult to make multiple awards - we have some very good estimates on amounts of materials we will be using, therefore, she would like to incorporate those estimates into the specifications for better pricing.

| <u>CONCRETE FOR STRUCTURES</u> | | |
|---|---|----------------------|
| <u>PCT. 1 & 2</u>
UOM | <u>INGRAM</u>
CY | <u>LAFARGE</u>
CY |
| Class A 5 Sack | 39.00 | 39.50 |
| Class B 4 Sack | 37.50 | 36.50 |
| Class C 6 Sack | 42.00 | 42.50 |
| ****LaFarge will add .50 per yard to the invoice for any distance farther than 11 miles from the plant into either of these precincts**** | | |
| <u>PCT. 3 & 4</u>
UOM | <u>INGRAM</u>
CY | <u>LAFARGE</u>
CY |
| Class A 5 Sack | 40.00/40.40 | 40.00 |
| Class B 4 Sack | 38.50/38.90 | 37.00 |
| Class C 6 Sack | 43.00/43.40 | 43.00 |
| ****Ingram will charge 35.00 for orders less than 4 yards**** | | |
| <u>AD MIXTURES</u> | | |
| | <u>LAFARGE</u> | |
| Portland Bulk Cement | 100.00 per ton
115.00 per ton per mile | |

A motion was made by Commissioner Payne and seconded by Judge Etheredge to award concrete bid for Precincts #1 & #2 to Ingram and Precincts #3 & #4 to LaFarge. All voting "Aye". A motion was made by Commissioner Payne and seconded by Commissioner Barton to reject bids for all other road building materials and authorize the Auditor to revise specifications and rebid. All voting "Aye".

12955 AUTHORIZE SABRINA ROBERTS TO BE CUSTODIAN OF THE LAW LIBRARY

Commissioner Payne spoke of money previously budgeted (\$600) and the appointment of ADA John Costello to oversee the Law Library - none of these funds have been spent - recommended appointing Sabrina Roberts (Treasurer's office employee) to perform this duty after hours at time and a half. A motion was made by Commissioner Payne and seconded by Judge Etheredge to authorize Sabrina Roberts to be custodian of the Law Library on a month to month basis. Commissioner Barton, Judge Etheredge, Commissioner Payne, and Commissioner Rippy voting "Aye". Commissioner Rodriguez abstained.

WORKSHOP DISCUSSION REGARDING EMULSION PROGRAM AND OTHER COUNTY ROAD PROJECTS

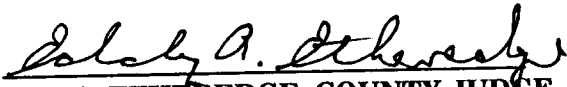
Road Director Darrell Brown spoke of having started grading road for emulsion - the road base has be to good for holding the emulsions for dust control - felt like 300 cars or more per day on a roadway would justify emulsion - he is starting on Green Pastures Subdivision, then Brushy Creek, and on to Rolling Hills & Rolling Oaks subdivisions. Commissioner Rippy suggested adding Hays Country Acres, Pauls Valley, and Windy Hills to the emulsion program. Darrell Brown stated that crews would be back on the Burnett Ranch Project this week - CR220 base work is nearly done and drainage work is being done - CR106 project will be started this week.


12956 SET GRADE AND STEP FOR NURSE PRACTITIONER AT THE HEALTH DEPT.

Director of Nursing Julie Hornberger requested that the starting salary for the Nurse Practitioner position be set at Grade 20 Step 4 instead of Grade 20 Step Minimum - Current applicant "Gloria Ann Dickey" is employed by the TDH/Caldwell County as an Advanced Nurse Practitioner - current salary is greater than the salary being offered and has five years public health experience and school nurse experience - she is a Hays County Resident (Wimberley) - salary will be paid from grant program income. George Aitken, Human Resources Director, stated that the applicant meets the position requirements and has years of experience - all new county employees hired since March 1, 1994 have been hired at step minimum and this would be the Court's first exception - Grade 20/Min is approximately \$ 33,592 per year - Grade 20 Step 4 is approximately \$ 36,359 per year (an increase of \$2,767 per year) - Step range is as follows: Step Minimum = \$ 16.15 ph, Step 1 = \$ 16.47 ph, Step 2 = \$ 16.80 ph, Step 3 = \$ 17.14 ph, Step 4 = \$ 17.48 ph. Court convened into closed Executive Session to discuss this personnel matter. Court reconvened into open meeting and the following action was taken. A motion was made by commissioner Barton to set the starting salary for the Nurse Practioner at Grade 20 Step 1 - motion died for lack of a second. A motion was made by Commissioner Rodriguez and seconded by Commissioner Rippy to set the starting salary for the Nurse Practitioner at the Hays County Health Department at Grade 20 Step 2. Commissioner Rodriguez, Commissioner Barton, and Commissioner Rippy voting "Aye". Commissioner Payne and Judge Etheredge voting "No".

Court adjourned until Monday July 11, 1994 at 9:00 o'clock A.M.

MINUTES APPROVED IN OPEN COURT ON THE 8th DAY OF August, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

STREET MAINTENANCE AGREEMENT
JULY 5, 1994

This Agreement is made and entered into by the City of Hays, a municipal corporation with its offices located in the City of Hays, Buda, Texas, 78610, hereinafter referred to as the "City", and Hays County, Texas, political subdivision of the State of Texas having a mailing address of Hays County Courthouse, San Marcos, Texas 78666, hereinafter referred to as the "County", each acting by and through its duly elected officials:

WITNESSETH:

WHEREAS, the City is desirous of obtaining the improvement of certain streets; and
WHEREAS, the City and the County have determined that it would be in the best interest of the citizens of the City and the county, and an efficient use of tax dollars of the County to perform various improvements on behalf of the City and for the City to reimburse the County for the cost of materials and labor used in the improvements; and
WHEREAS, through the enactment of this agreement, both the City and the County are making a declaration of good faith to honor the terms set out here in the belief that the citizens and taxpayers of each jurisdiction will benefit; and
WHEREAS, the City and County intend to conform this agreement in all respects with TEX. REV. CIV STAT. ANN. ART. 4412(32C), as amended, more commonly known as "The Interlocal Cooperation Act",
NOW, THEREFORE, it is mutually agreed as follows:

JULY 5, 1994

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I. TERM OF AGREEMENT

The term of this agreement shall commence on the date of execution of this agreement by the County and the City, and shall continue in full force and effect until such time as it may be terminated. To remain in effect, beyond the present fiscal year, it must be annually renewed by both the City and the county on or about the 30th day of September of each year. However, should no action be taken in the negative by October 1 on any given year, then the agreement shall be considered to have been automatically renewed by both bodies.

II. TERMINATION

This Interlocal Agreement is terminated 30 days after written notification on intent to terminate by either party. Or it may be terminated at any time by mutual agreement. Written notification to the County should be addressed to the Pct. 2 County Commissioner, current address P.O. Box 1180, Kyle, TX 78640; permanent address: Hays County Courthouse, San Marcos, TX 78666. Written notification to the City of Hays should be addressed to Mayor of the City at whatever is the official address of the City at the time.

III. SCOPE OF SERVICE

This agreement shall govern the repair and maintenance by the County along any and all City streets or portions thereof located within the corporate limits of the city, "City street" as used in this agreement shall mean a public thoroughfare or right-of-way which the City has the duty and authority to maintain or repair. This agreement shall not govern the construction of new streets or roads.

IV. COMPENSATION

Compensation for routine repair of potholes and similar surface imperfections on City streets shall be calculated by the County on a rate agreed to in advance by the City and County Commissioners Court, reflecting "best known" estimate of actual cost of time and materials to the County. That rate at the commencement of this agreement is set at \$96 per ton of materials used on City streets. Said rate includes cost of materials, labor and equipment used for application. The rate may be changed upon written notification to the City by and authorized representative of the Commissioners Court. Other types of work on City streets or right-of-way shall be calculated by the Director of the Hays County Road Department, on a fair estimated cost of actual work to be performed. The City shall be given an estimate before any substantial work is done, and it shall then be at the City's discretion whether to authorize work to commence. Once work is authorized by the City's agent, the City is obligated to pay for work performed.

V. AGENTS

The City shall designate one or two agents authorized to make Work Order Requests of the County in person, by mail or by telephone. The name of the agent or agents shall be submitted in writing to the Pct. 2 County Commissioner and a copy of this correspondence shall be on file in the Road Department. Requests for work should be made directly to the Road Department, or, failing that, to the Pct. 2 Commissioners' office.

VI. PERFORMANCE OF SERVICE

Such services as the County may provide shall be performed to the same standard and using the same quality of materials as Hays County roads of similar size, use and construction unless otherwise specified and agreed to by both parties to this agreement. In performing services under this agreement, the County shall be an independent contractor. The County shall be responsible and liable only for its own negligence or that of its agents in performing services under this agreement. The County is free, at its discretion, to contract with any third party for all or any part of services provided the City under this agreement.

VII. CLOSING STREETS

Should it become necessary, in the sole discretion of Hays County, to deny public access to any city street or streets or portions thereof during the performance of any service requested pursuant to this contract, County's Agent shall so notify the designated City's Agent. Upon receipt of such notice, the Council of the City shall promptly act to close the said City street or streets, or portions thereof or to direct the County to do so. In the event any such closure results in the denial of public access by any third party to private property, the City, as its sole cost and expense, shall provide such alternative public access as may be required by law. The County shall have no obligation to provide alternative public access in the event of any such closure.

VIII. NO WARRANTIES

Neither the agreement to perform nor the performance of any service pursuant to this contract or any written work order provided for in this contract shall create or constitute any warranty whatsoever, express or implied.

IX. FORCE MAJEURE

In the event that the performance by the County of any of its obligations or undertakings hereunder shall be interrupted or delayed by any occurrence not occasioned by its own conduct, whether such occurrence be an act of God or its lawful responsibility or the common enemy of war, riot civil commotion, sovereign conduct, or the act or conduct of any person or persons not a party or privy period of time as is reasonable necessary after such occurrence to remedy the effects thereof.

X. VENUE AND CHOICE OF LAW

The obligations and undertakings of each of the parties to this agreement shall be performable in Hays County, Texas, and this agreement shall be governed by an construed in accordance with the laws of the State of Texas.

XI. ENTIRETY OF AGREEMENT AND MODIFICATION

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any prior agreements, promises, negotiations, or representations not expressly set forth in this agreement are of no force or effect. Any oral representations or modification concerning this agreement shall be of no force or effect, excepting a subsequent modification in writing signed by the party to be charged and expressly authorized by the governing body of such party. No official representative, employee, or agent of the County has any authority to modify or amend this contract except pursuant to specific authority to do so granted by the Commissioners' Court of the County.

XII. HEADINGS

The headings at the beginning of the various provisions of this agreement have been included only in order to make it easier to locate the subject covered by each provision and are not to be used in construing this agreement.

XIII. ENACTMENT

Adoption of this agreement as a resolution of the Commissioners' Court of Hays County and its inclusion, in full, in the official minutes, shall constitute Hays County's acceptance of the agreement and explicit authorization for the Pct. 2 Commissioner to sign any City document or other official document or contract and notice related to this agreement, so long as said document, contract, work order, purchase order, or notice accurately reflects the true meaning and scope of the original agreement adopted by Commissioner and published in the record. Assuming it has already been adopted by the Commissioners' Court, this Interlocal Agreement takes effect immediately upon its legal adoption by the City.

STATE OF TEXAS
COUNTY OF HAYS

STREET MAINTENANCE AGREEMENT
JULY 5, 1994

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WITNESSETH:

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WHEREAS, the City and the County have determined that it would be in the best interest of the citizens of the City and the county, and an efficient use of tax dollars of the County to perform various improvements on behalf of the City and for the City to reimburse the County for the cost of materials and labor used in the improvements; and
WHEREAS, through the enactment of this agreement, both the City and the County are making a declaration of good faith to honor the terms set out here in the belief that the citizens and taxpayers of each jurisdiction will benefit; and
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VIII. NO WARRANTIES

Neither the agreement to perform nor the performance of any service pursuant to this contract or any written work order provided for in this contract shall create or constitute any warranty whatsoever, express or implied.

IX. FORCE MAJEURE

In the event that the performance by the County of any of its obligations or undertakings hereunder shall be interrupted or delayed by any occurrence not occasioned by its own conduct, whether such occurrence be an act of God or its lawful responsibility or the common enemy of war, riot civil commotion, sovereign conduct, or the act or conduct of any person or persons not a party or privy period of time as is reasonable necessary after such occurrence to remedy the effects thereof.

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JULY 5, 1994

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XI. ENTIRETY OF AGREEMENT AND MODIFICATION

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*****000*****

**STATE OF TEXAS
COUNTY OF HAYS**

ON THIS THE 11th DAY OF JULY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Craig Payne was not present when the meeting began.

12957 APPROVE COUNTY INVOICES

A motion was made by Commissioner Barton and seconded by Commissioner Rippy to approve the county invoices as presented by the County Auditor in the amount of \$ 62,408.03. All present voting "Aye".

| | | | | | |
|--------------------|-----------|--------------------|-------------|------------------|-------------|
| State Shared Rev | \$ 508.04 | Refunds/Voids | \$ 248.09 | Treasurer | \$ 461.00 |
| Extension Ofc | \$ 175.00 | Grants Admin | \$ 33.00 | Juv Probation | \$ 2,053.58 |
| Indigent Care | \$ 102.95 | Transfer Station | \$ 6,299.48 | Bldg. Maint. | \$ 2,976.45 |
| Civic Center | \$ 295.92 | Counywide Oper | \$ 457.50 | Tax A/C | \$ 418.27 |
| County Clerk | \$ 4.94 | Sheriffs Ofc | \$ 5,513.30 | Jail Operations | \$14,899.90 |
| County Judge | \$ 118.89 | Human Resources | \$ 293.50 | District Atty | \$ 31.50 |
| J.P. 1-2 | \$ 188.10 | J.P. 2 | \$ 62.00 | D.P.S. | \$ 417.75 |
| Constable 2 | \$ 228.29 | Dist Crt Operation | \$ 863.30 | Co & JP Crt Oper | \$ 823.20 |
| Computer Svcs | \$ 138.65 | Juv Svcs Grant | \$ 840.00 | Prot Hmkr Grant | \$ 298.57 |
| Dist Crt Reporter | \$ 46.78 | TJPC CCAP Grant | \$ 6,741.51 | R&B Operating | \$ 2,451.88 |
| Precinct 1 | \$ 289.59 | Precinct 2 | \$ 2,232.76 | Precinct 3 | \$ 88.00 |
| Health Svcs Grants | \$ 308.95 | Jail Construction | \$ 1,913.00 | Adult Prob Oper | \$ 5,727.65 |
| Adult Prob Fac | \$ 299.24 | Anticipation Notes | \$ 3,500.00 | | |

12958 APPROVE BUDGET AMENDMENTS FOR COMPUTER SERVICES, TAX OFFICE, AND TDA/CORRIDOR INCUBATOR GRANT

Budget amendments were requested as follows:

Computer Services - transfer into postage and data processing supplies from office supplies and equipment maintenance for needed expenses

Tax Office - transfer cost to activate telephone line and jack and to allow increases expense for balance of FY94 from several line items

TDA/Corridor Incubator Grant - Budget FY94 portion of grant awards balance to FY95 Budget as Grant year 5/1/94 to 12/31/94 (\$18,337 in expenditures & \$18,337 in revenues)

A motion was made by Commissioner Barton and seconded by Commissioner Rippy to approve Budget Amendment No. 94-53 as proposed by the County Auditor. All present voting "Aye".

| Line Item - Expenditures | Increases | Decreases |
|--|-----------|-----------|
| COMPUTER SERVICES | | |
| 01-456-5212 Postage | \$ 200 | |
| 01-456-5211 Off Sply | | \$ 200 |
| 01-456-5221 Data Proc Sply | \$ 800 | |
| 01-456-5421 DP Maint | | \$ 800 |
| TAX OFFICE | | |
| 01-415-5489 Telephone | \$ 900 | |
| 01-415-5411 Off Eqpt Maint | | \$ 500 |
| 01-415-5461 Printing | | \$ 100 |
| 01-415-5488 Data Lines | | \$ 300 |
| TDA/CORRIDOR INCUBATOR GRANT | | |
| 01-720-5021 Staff Sal | \$ 9,334 | |
| 01-720-5110 FICA | \$ 714 | |
| 01-720-5121 Retirement | \$ 654 | |
| 01-720-5160 Insurance | \$ 795 | |
| 01-720-5219 Misc Sply | \$ 450 | |
| 01-720-5311 Travel | \$ 390 | |
| 01-720-5471 Office Rent | \$ 0 | |
| 01-720-5712 Data Proc Eqpt | \$ 6,000 | |
| REVENUES | | |
| 01-384-7720 TDA/Corridor Incubator Grant | | \$18,337 |

12959 APPROVE THE COMMISSIONERS' COURT MINUTES OF JUNE 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve the Commissioners' Court Minutes of June 1994 as presented by the County Clerk. All present voting "Aye".

12960 APPROVE SPECIFICATIONS FOR GROUP HEALTH, LIFE & DENTAL INSURANCE AND AUTHORIZE AUDITOR'S OFFICE TO ADVERTISE FOR RFP'S

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve specifications for group health, life and dental insurance and authorize the Auditor's Office to advertise for RFP's. All present voting "Aye".

12961 ADOPT RESOLUTION CONTINUING DISASTER DECLARATION - THREAT OF WILDFIRES

Commissioner Barton spoke of grass fires and the structure fire in Buda over the weekend. An emergency burn ban was enacted by the County Judge last week. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to adopt Resolution continuing the Disaster Declaration - Threat of Wild Fires executed by the County Judge on July 7, 1994. All present voting "Aye".

RESOLUTION

STATE OF TEXAS *
COUNTY OF HAYS *

WHEREAS, Hays county has not had any appreciable rainfall for an extended period; and

WHEREAS, weather forecasters offer little promise of a change in these hot, dry conditions in the near future; and

WHEREAS, these hot, dry conditions pose the threat of large, fast-moving wild fires; and

WHEREAS, such fires have the potential of endangering lives and damaging property on a wide scale; and

WHEREAS, the Texas Disaster Act of 1975, Vernon's Texas Codes Annotated Government Code Chapter 418, and the Order of the Hays County Commissioners' Court dated December 14, 1981, authorize declaration of a state of disaster "if the threat of disaster is imminent"; and

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such a disaster authorized the imposition of controls on activities which tend to increase the likelihood of such fires; and

WHEREAS, such controls, once implemented have the potential of protecting lives and property by mitigating the threat of dangerous fires; and

WHEREAS, Eddy A. Ethredge, County Judge, on the 7th day of July, 1994, declared a state of disaster based on the threat of large wildfires in Hays County; and

WHEREAS, that state of disaster will be void at the end of seven days following its issuance without authorization by the Hays County Commissioners' Court;

NOW, THEREFORE, BE IT RESOLVED that this state of disaster is hereby continued until it is rescinded by the County Judge or by action of the Commissioners' Court; and

BE IT FURTHER RESOLVED that the issue of the continuance of this state of disaster shall be placed on the agenda of each regularly scheduled meeting of the Commissioners' Court until it is rescinded.

PASSED AND APPROVED this the 11th day of July, 1994.

JULY 11, 1994

Commissioner Payne came to the meeting at this time.

12962 KRUMNOW SUBDIVISION - LOTS 1 & 2 * SECOND & THIRD READINGS *

Ray Kotowski, Beeline Engineering, presented the "Krumnow Subdivision" for second and third readings. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve "Krumnow Subdivision - Lots 1 & 2" on second and third readings. All voting "Aye"

12963 HERITAGE HILLS REPLAT LOTS 17A & 17B - PUBLIC HEARING, SECOND & THIRD READINGS

Judge Etheredge called the public hearing open. Ray Kotowski, Beeline Engineering, presented the "Heritage Hills Replat Lots 17A & 17B" subdivision on second and third readings. The public hearing was closed. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve "Heritage Hills Replat Lots 17A & 17B" on second and third readings. All voting "Aye".

12964 HERITAGE WEST LOTS 1-24 * SECOND READING APPROVAL

Staff recommended approval on second reading - plat does not show topo info. A motion was made by Commissioner Rippey, seconded by Commissioner Payne to approve "Heritage West Subdivision" on second reading. All voting "Aye".

COVES OF CIMARRON SECTION 2 PH 2 BLK B LTS 23-35, BLK C LTS 10-18, BLK D LOTS 1-4

This subdivision lies in the Buda ETJ - Buda approval needed - no drainage plan has been filed. No action was taken.

12965 SUNDBECK ACRES I & II REPLAT LOTS 4A & 5A - PUBLIC HEARING, SECOND & THIRD READING APPROVAL

Judge Etheredge called the public hearing open. David Williamson, Byrn & Associates, presented the subdivision on second and third readings - no new roads. Public hearing was closed. A motion was made by Commissioner Rippey, seconded by Commissioner Barton to approve "Sundbeck Acres I & II Replat Lots 4A & 5A" subdivision on second and third readings. All voting "Aye".

12966 ESTATES OF TURKEY HOLLOW SECTION 2 - THIRD READING APPROVAL

David Williamson, Byrn & Assoc., presented plat on third reading - roads are to be built prior to plat being filed or a letter of credit filed. A motion was made by Judge Etheredge, seconded by Commissioner Rippey to approve "Estates of Turkey Hollow Section 2" subdivision on third reading - plat not to be filed until the roads are built or a letter of credit filed with the Clerk. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Rippey voting "Aye". Commissioner Payne voting "No".

12967 ESTATES OF TURKEY HOLLOW SECTION 1 - THIRD READING APPROVAL

David Williamson, Byrn & Assoc., presented plat on third reading - roads are to be built prior to plat being filed or a letter of credit filed. A motion was made by Judge Etheredge, seconded by Commissioner Rippey to approve "Estates of Turkey Hollow Section 1" subdivision on third reading - plat not to be filed until the roads are built or a letter of credit filed with the Clerk. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Rippey voting "Aye". Commissioner Payne voting "No".

12968 2001 HILLS - THIRD READING APPROVAL

Approval is still needed from the City of Niederwald - they will meet this evening to consider acceptance. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "2001 Hills" subdivision on third reading contingent on approval by the City of Niederwald. All voting "Aye".

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12969 3-G RANCH SECTION 1 & 2 REPLAT AND SECTION 3

No one appear representing this subdivision - staff has not received a final blueline copy of the plat. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to table any action regarding the 3-G Ranch subdivision. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Rippey voting "Aye". Commissioner Payne voting "No".

PLATTING VARIANCE REQUEST FOR A 20 ACRE TRACT ON CR220

Attorney Ed Phillips appeared representing the property owner of a 145.84 acre tract of land in the John T. George Survey - owner lives in Venezuela and wants to deed 20 acres to his daughter (Carol Jones Knolk) who is currently living on the property. No action taken this date.

I.H. 35 CORRIDOR COALITION - PRESENTATION

Denton County Judge Jeff Moseley, Chairman of the IH35 Corridor Coalition, appeared before the court and spoke of the coalition - this is an effort by the 21 counties along this vital transportation thoroughfare to preserve, protect and enhance its role as the economic spine of Texas - the coalitions main goal is the creation of a superhighway designation within the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) - no designation is in place but it is anticipated that such a designation for I-35 can be created within two and one-half years - each participating county shall pay a set amount according to a formula based on population and road mileage of I-35 (Hays County's portion = \$ 28,000) - an interlocal agreement was presented - spoke of proposed turnpike for truck traffic extending I-30 & I-40 from North Texas to Mexico and I-69 from Laredo to Tennessee - I-35 runs from Monterey Mexico to Duluth Minnesota - spoke of NAFTA agreement creating additional truck traffic - spoke of fiber optic systems that could be used to track truck cargoes. Judge Etheredge suggested that the Court hold a workshop with the City of San Marcos, SWTSU, and other interested parties to discuss this issue.

STATUS REPORT FOR HAYS COUNTY ROADWAY IMPROVEMENTS PROJECT

Rick Miller, Doucet & Associates Inc., gave a status report on the County Roadway improvements project:

1. The research for determining property owners, obtaining parcel numbers and pulling of deeds is underway for the Phase Two Roads.
2. Preparation of the property ownership strip maps for the Phase Two roads is underway.
3. Three engineering/surveying firms have been selected for providing services for this project. The firms are Rust/Lichliter/Jameson, Inc., K.C. Engineering Inc., and Winkley Alexander Inc. All information prepared by D&A for the Phase One roads has been turned over to the engineering firms.
4. D&A has contacted the Texas Natural Resources Conservation Commission (TNRCC) concerning the project roads that are located within the Edwards Aquifer Recharge Zone. The TNRCC will consider all of the road improvements as maintenance work. No permits or TNRCC Water Pollution Abatement Plans will be required for this work. We will be required to send final construction plans for each road to the TNRCC for their files and to follow generally accepted erosion and sedimentation control methods.
5. D&A has contacted the Barton Springs Aquifer Conservation District concerning the project roads that are located within the Barton Springs Recharge Zone. Only Darden Hill Road is located within the Barton Springs Recharge Zone. D&A will coordinate with the Barton Springs Aquifer Conservation District when design work begins on Darden Hill Road.
6. Mike Gossett has been retained as the project attorney.
7. D&A is negotiating with First Security Title on the cost of preparation of parcel run sheets for each parcel. First Security Title is preparing parcel run sheets for one road at this time. D&A, Mike Gossett and the two right-of-way acquisition agents will review the first run sheets to ensure the format is what is needed. The estimated cost is \$50 per run sheet.
8. D&A is working with Sign Arts of San Marcos on the preparation of project signs
9. D&A is obtaining two proposals from geotechnical engineering firms for work on this project.

A copy of the Assignment of Roads to Engineering/Surveying Firms and R-O-W Acquisition Agents for Phase One was presented and a sample of the road signs to be placed on roads being improved .

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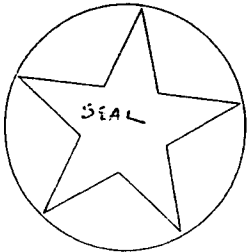
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HAYS COUNTY ROADWAY IMPROVEMENTS PROJECT - PHASE ONE

ASSIGNMENT OF ROADS TO ENGINEERING/SURVEYING FIRMS
AND RIGHT-OF-WAY ACQUISITION AGENTS

DATE: JUNE 7, 1994

| ROAD# / NAME | FROM | TO | PRECINCT | LENGTH (MILES) | CONSTRUCTION COST | ENGINEERING/SURVEY FIRM | ROW ACQUISITION AGENT |
|---------------------------------------|-----------------------|---------------------|----------|----------------|-------------------|-------------------------|-----------------------|
| CR 225 (LIME KILN ROAD) | SAN MARCOS CITY LIMIT | CR 222 | 4 | 2.05 | \$410,000.00 | RUST/LJA | MOULNET |
| CR 228 (WEST GOFORTH) | BUDA CITY LIMIT | SH 35 | 2 | 0.80 | \$180,000.00 | K/C ENGINEERING | MOULNET |
| CR 131 | CR 124 | SH 35 | 2 | 2.25 | \$450,000.00 | RUST/LJA | MOULNET |
| CR 222 (HILLIARD RD) | CR 225 | CR 383 | 4 | 2.82 | \$282,000.00 | RUST/LJA | MOULNET |
| CR 122 | SH 35 | CR 157 | 2 | 2.20 | \$440,000.00 | RUST/LJA | MOERBE |
| CR 215 (PURGATORY RD) | FM 32 | COMAL COUNTY LINE | 3 | 1.50 | \$300,000.00 | WINKLEY/ALEXANDER | MOERBE |
| CR 286 (OLD BASTROP HWY) | COMAL COUNTY LINE | CR 285 | 1 | 1.20 | \$144,000.00 | WINKLEY/ALEXANDER | MOULNET |
| CR 178 (WAYSIDE ROAD) | CR 178 EAST | CR 178 WEST | 3 | 2.10 | \$210,000.00 | WINKLEY/ALEXANDER | MOERBE |
| CR 101 (FITZHUGH RD) | CR 169 SOUTH | RR 12 | 4 | 5.15 | \$309,000.00 | K/C ENGINEERING | MOERBE |
| CR 181 (FIBCHER STORE RD) & QUAIL RUN | COMAL COUNTY LINE | BLANCO RIVER BRIDGE | 3 | 2.50 | \$300,000.00 | WINKLEY/ALEXANDER | MOERBE |
| CR 286 (OLD BASTROP HWY) | CR 234 N | SH 123 | 1 | 1.90 | \$114,000.00 | WINKLEY/ALEXANDER | MOULNET |
| CR 131 | FM 2001 | CR 124 | 2 | 0.95 | \$95,000.00 | RUST/LJA | MOULNET |
| CR 234 (CENTERPOINT ROAD) | SH 35 | CR 286 | 1 | 1.40 | \$140,000.00 | WINKLEY/ALEXANDER | MOULNET |



Hays County 1993 Bond Issue Roadway Improvements Project Phase One

County Road No. 225 - Lime Kiln Road
From: San Marcos City Limit
To: County Road No. 222

County Commissioner Precinct 4 - Oran Rippy

For information call: Doucet & Associates, Inc.
Attn: Rick Miller
(512) 329-8743

12970 APPROVE OFFERING SERVICE AS FISCAL AGENT FOR A COOPERATIVE PROJECT TO CREATE A SOIL SURVEY GEOGRAPHIC DATABASE FOR GIS OF HAYS COUNTY

Judge Etheredge spoke of request from Wayne Gabriel, Area Soil Scientist - USDA Soil Conservation Svc./Uvalde, requesting that Hays County take the role as fiscal agent for the Soil Survey Geographic Database (SSURGO) project - fiscal agent would handle funds from contributing partners. SCS will digitize maps to create the spatial data for SSURGO, and provide soil attribute files with current soil correlation and interpretations as an update of the published soil survey. A motion was made by Judge Etheredge, seconded by Commissioner Barton to offer Hays County's services as fiscal agent for a Cooperative Project to create Soil Survey Geographic Database for GIS of Hays County. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

12971 AUTHORIZE THE COUNTY JUDGE AND DISTRICT ATTORNEY TO CO-CHAIR A COMMITTEE TO STUDY AND PRESENT A PROPOSAL FOR CREATION OF A BAIL BOND BOARD FOR HAYS COUNTY

Judge Etheredge spoke of recent conversations with local bail bondsmen, attorneys, and Sheriff Hastings regarding the creation of a Bail Bond Board for Hays County. District Attorney Marcos Hernandez spoke of need for funding - a staff person would be needed to maintain files and file reports required by law. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the County Judge and District Attorney to Co-Chair a Committee to study and present a proposal for creation of a Bail Bond Board for Hays County. A voting "Aye".

12972 AUTHORIZE THE COUNTY TREASURER TO CHANGE THE FORMAT ON PAYROLL CHECKS EFFECTIVE OCTOBER 1, 1994 AND AMEND THE BUDGET ACCORDINGLY

County Treasurer Dottie Sims spoke of recommendation by TAC to change payroll check stubs to show usage & balance of vacation, sick and comp time for all employees - this will require a new check format and additional funds for program changes. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Treasurer to change the format on county payroll checks effective October 1, 1994 and amend the budget accordingly. All voting "Aye".

12973 AWARD CONTRACT FOR WATER SOFTENER AT LAW ENFORCEMENT CENTER

Cindy Casparis, Purchasing Agent, presented bid tabulations - specs called for a Peerless Dual water softener system or equal - the low bidder has a system that is equal in every way to the Peerless system except for price - recommends awarding contract to Mueller Water Conditioning.

Bid Tabulations

| | |
|-----------------------------------|---------------------|
| Mueller Water Conditioning | \$ 22,486.00 |
| Young & Pratt | \$ 44,140.00 |
| A. J. Monier & Co. | \$ 46,337.00 |
| Tx Industrial Mechanical | \$ 47,865.00 |

A motion was made by Judge Etheredge, seconded by Commissioner Rippy to award contract for water softener at the Law Enforcement Center to Mueller Water Conditioning in the amount of \$ 22,486.00. All voting "Aye".

12974 ACCEPT INDEPENDENT AUDITOR'S REPORT OF FISCAL YEAR 1993 FINANCIAL STATEMENT

George Armstrong of Armstrong, Vaughan & Associates, P.C., spoke of audit - all areas examined evidenced sound management - fund balances are acceptable. Ed Tharp spoke of internal controls - spoke of need for computerized systems throughout the county - suggested increasing the fee charged for collecting taxes for other entities - spoke of the inmate trust fund and grant funds (see report in file). A motion was made by Commissioner Rodriguez and seconded by Commissioner Barton to accept the Independent Auditor's Report of Fiscal Year 1993 Financial Statement. All voting "Aye".


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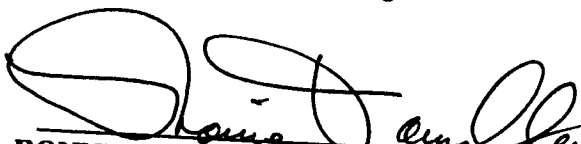
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12975 DISCUSSION REGARDING THE DUDLEY JOHNSON PARK (AKA 5 MILE DAM PARK) AND AMEND THE COUNTY PARK ORDINANCE

Commissioner Barton spoke of park maintenance (mowing and cleanup) and improvements - there is need for more control over the park, enforcement of the overnight parking ban and curfew - peak times (i.e. weekends & holidays) overstress the park and there is some rowdy behavior by users. Sheriff Paul Hastings spoke of patrolling the park - posting the regulations would make them enforceable - spoke of recent calls to the park involved assaults and shootings - allowing vendors in the park could help the situation - they could notify the Sheriff's Dept. of problems. Judge Etheredge spoke of private property in and around the park being utilized by the citizens and creating a problem with enforcement. Sheriff Hastings spoke of closing the park at 10:00 P.M. and banning alcohol would help a great deal - it is dangerous in the park after dark. Discussion was had on gate construction and fencing off the park area - floodplain designation creates a problem with the type of structures utilized - they cannot restrict the flow of water. Anton Allen appeared representing the Johnson family (family that donated the park to the county) - stated that the original agreement was for the county to build a fence or restrictive structure to prevent people from getting onto their remaining private property - stated that he supports a users fee to cover the cost of patrol. Bill Davis, a park user, spoke of banning vehicles from the park and creating a parking area outside the existing park. Connie Real, resident of Kyle, spoke of families using the park must deal with drunks, drug users, and people engaging in sexual conduct - spoke of trash in the park and groups of people that are living in the park - a telephone is desperately needed - spoke of people smoking marijuana by the playground - concerned about a nearby ditch full of glass - spoke of need for a defined parking area. Lynn Gravitz spoke of park use - he has been harassed at the park - spoke of need for additional park area to allow for more control. Bill Johnson, Wimberley resident, asked if a survey had been done of the park on users and how much it cost to maintain the park. Judge Etheredge stated that no survey has been done, however, he felt like the majority of the users are from San Marcos. Commissioner Barton spoke of funds spent for mowing and cleanup and recent improvements - staffing the park would be a big endeavor - we could contract out services to maintain the park and provide concessions. Sheriff Hastings stated that a users fee would eliminate the in and out traffic. Chief Deputy Sheriff Don Montague spoke of need for a better ordinance for enforcement of no overnight camping, no fires, 10 PM curfew, etc. - the majority of violent acts occur after 10 P.M. Discussion was had on banning alcohol possession. Commissioner Payne spoke in support of hiring a Peace Officer to enforce park regulations and collect users fee - could limit the capacity of users and close the park accordingly. A motion was made by Commissioner Barton, seconded by Judge Etheredge to amend the County Park Ordinance to include a 10:00 o'clock P.M. curfew, prohibit overnight parking or camping, and to prohibit possession of alcoholic beverages in county parks to be effective immediately and upon posting of appropriate signs. A motion was made by Commissioner Barton, seconded by Judge Etheredge to amend the penalties for violation of this ordinance to read: Each violation of this Ordinance, or of any regulation promulgated hereunder, if any, shall constitute a misdemeanor and, upon conviction, shall be punishable by a fine of not more than \$500.00. All voting "Aye". A motion was made by Commissioner Barton, seconded by Judge Etheredge to direct the District Attorney to update the Hays County Park Ordinance as amended this date. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 8th DAY OF August, 1994.


 EDDY A. ETHEREDGE, COUNTY JUDGE
 H A Y S COUNTY, TEXAS


 RONNIE DANNELLEY, COUNTY CLERK
 H A Y S COUNTY, TEXAS

000

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 18TH DAY OF JULY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12976 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 160,830.36 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|-------------------|--------------|-----------------|--------------|------------------|--------------|
| Lic & Permits | \$ 185.00 | Fines | \$ 33.00 | Auditors Ofc | \$ 447.08 |
| Treasurer's Ofc | \$ 103.12 | Extension Ofc | \$ 246.31 | Grants Admin | \$ 160.04 |
| Juvenile Prob | \$ 567.87 | Election Admin | \$ 292.92 | Indigent Care | \$ 10.79 |
| Bldg. Maint. | \$ 1,110.83 | Environ Health | \$ 593.28 | Personal Health | \$ 1,057.43 |
| Civic Center | \$ 679.98 | Countywide Oper | \$ 6,301.43 | Tax A/C | \$ 900.84 |
| District Clerk | \$ 1,157.96 | County Clerk | \$ 452.34 | Sheriffs Ofc | \$ 3,861.09 |
| Jail Operations | \$33,545.54 | County Judge | \$ 134.23 | Human Resources | \$ 567.12 |
| Co Crt @ Law 1 | \$ 59.64 | Dist Attorney | \$ 585.56 | J.P. 1-1 | \$ 38.30 |
| J.P. 1-2 | \$ 11.39 | J.P. 3 | \$ 54.04 | J.P. 5 | \$ 53.27 |
| D.P.S. | \$ 143.78 | Constable 1 | \$ 47.49 | Constable 3 | \$ 79.49 |
| Constable 4 | \$ 85.30 | Constable 5 | \$ 91.89 | Dist Crt Oper | \$ 8,479.08 |
| Co & JP Crt Oper | \$ 58.00 | Veterans Adm | \$ 47.68 | Computer Svcs | \$ 578.73 |
| Co Crt @ Law 2 | \$ 3.42 | Fire Marshal | \$ 101.46 | TABC | \$ 56.56 |
| Dist Crt Reprtr | \$ 704.00 | TJPC CCAP Grnt | \$ 26.75 | Corridor Incub | \$ 68.50 |
| Kyle Cemetery | \$ 1,776.12 | R&B Operations | \$ 30,672.64 | Precinct 1 | \$ 651.00 |
| Precinct 2 | \$ 2,999.49 | Precinct 4 | \$ 55.00 | Rec Mngmnt | \$ 779.48 |
| Health Svcs Grant | \$ 12,807.78 | Road Constrct | \$ 17,844.50 | Foster Care Fund | \$ 5,475.58 |
| Adult Prob Oper | \$ 7,363.52 | Adult Prob Fac | \$ 365.23 | Animal Control | \$ 37.60 |
| D.A. Reimb | | Anticip Notes | \$ 15,583.40 | Gen Fund Credit | * \$ 90.37 * |

12977 APPROVE BUDGET AMENDMENTS FOR VARIANCE DEPARTMENTS

Budget amendments were proposed as follows:

Building Maintenance - Transfer from utility savings to contract building maintenance, A/C maintenance, and balance of FY94 uniform costs

Justice of Peace Pct. 3 - Transfer continuing education funds to office supplies/postage

District Court Operations - Transfer to fund books, balance of quarterly payment administration assessment, and copier lease set-up from line items

Computer Services - Transfer costs of Justice of Peace juvenile software package from hardware maintenance line item.

Jail Operations - Transfer to increase petty cash fund by \$500 as authorized from new employee expense - fund authorized water softener

County Court at Law 2 - Transfer for postage expense

Adult Probation CSR Grant - Transfer for insurance costs as approved by CJAD

Adult Probation DRC Grant - Transfer between line items for needed expenses as approve by CJAD

Road & Bridge General Operations - Transfer cost of telephones & installation for remodeling building from building remodel expense into office equipment line

A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve budget amendment No. 94-54 as proposed by the County Auditor. All voting "Aye".

| Line Item - Expenditure | Increase | Decrease |
|-----------------------------|----------|----------|
| BUILDING MAINTENANCE | | |
| 01-410-5271 Fuel | \$ 500 | |
| 01-410-5451 Contract Maint | \$ 2,000 | |
| 01-410-5457 A/C Maint | \$ 2,400 | |
| 01-410-5474 Uniform Exp | \$ 500 | |
| 01-410-5487 Records Util | | \$ 4,900 |
| 01-410-5241 Maint Sply | \$ 4,500 | |
| 01-410-5484 Courthouse Util | | \$ 5,000 |

JULY 18, 1994

| Line Item - Expenditure | Increase | Decrease |
|---------------------------------|-----------|-----------|
| JUSTICE OF PEACE 3 | | |
| 01-427-5211 Off Sply | | |
| 01-427-5212 Postage | \$ 80 | |
| 01-427-5331 Cont Ed | \$ 170 | |
| ***** | | \$ 250 |
| DISTRICT COURT OPERATIONS | | |
| 01-436-5213 Books | | |
| 01-436-5403 Dist Crt Admin Svcs | \$ 650 | |
| 01-436-5301 Jury Exp | \$ 2,906 | |
| 01-436-5391 Misc. | | \$ 800 |
| 01-436-5441 Appld Atty | | \$ 400 |
| 01-436-473 Copier Lease | | \$ 2,606 |
| ***** | \$ 196 | |
| COMPUTER SERVICES | | |
| 01-456-5718 Software | | |
| 01-456-5428 Hardware Maint | \$ 5,000 | |
| ***** | | \$ 5,000 |
| COUNTY COURT AT LAW #2 | | |
| 01-461-5212 Postage | | |
| 01-461-5391 Misc. | \$ 140 | |
| ***** | | \$ 140 |
| JAIL OPERATIONS | | |
| 01-419-5391 Misc. | | |
| 01-419-5364 New Employee Exp | \$ 500 | |
| 01-419-5719 Misc. Eqpt | | \$ 500 |
| 01-419-5451 Contr Bldg Maint | \$ 22,486 | |
| ***** | | \$ 22,486 |
| ADULT PROBATION - CSR GRANT | | |
| 34-488-5329 Prof Fees | | |
| 34-488-5448 Contract Svcs | \$ 414 | |
| ***** | | \$ 414 |
| ADULT PROBATION - DRC GRANT | | |
| 34-495-5448 Contract Svcs | | |
| 34-495-5329 Prof Fees | \$ 4,300 | |
| 34-495-5499 Facil, Util & Eqpt | \$ 300 | |
| 34-495-5219 Sply & Operating | \$ 200 | |
| 34-495-5311 Travel | | \$ 1,500 |
| 34-495-5413 Furn. Transp. | | \$ 2,200 |
| ***** | | \$ 1,100 |
| ROAD & BRIDGE OPERATIONS | | |
| 03-438-5711 Off Equip | | |
| 03-438-5732 Bldg Remodel | \$ 482 | |
| | | \$ 482 |

12978 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR ROAD BUILDING MATERIALS

A motion was made by Commissioner Rippey, seconded by Commissioner Barton to approve specifications and authorize the County Auditor to advertise for bids for Road Building Materials. All voting "Aye".

12979 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS DEPT. OF PROTECTIVE AND REGULATORY SERVICES AND EXECUTE A CONTRACT FOR \$ 14,614.00

This is the renewal of an existing grant in which we had previously been receiving \$11,300 per year and the county provided the remaining \$21,000 to fund a protective homemaker position. Other counties were receiving more than we were, therefore, the Texas Dept. of Protective & Regulatory Services reviewed the grant and determined that we could receive up to \$14,614. This decreases the amount of matching funds that county has to provide for the position. Hays County has one of the lowest rates for foster care and TDHS attributes this to the establishment of this position by the county. A motion was made by Commissioner Rippey, seconded by Commissioner Barton to authorize the County Judge to accept Grant award from the Texas Dept. of Protective & Regulatory Services and execute a contract for \$14,614.00. All voting "Aye".

12980 AUTHORIZE UTILITY PERMITS #94101, 94202-94204

Darrell Brown, Road Director, presented the following Utility Permits for approval:
 94-101 - CR160/Harris Hill Road - To: Century Telephone of San Marcos (fiber optics)
 94-202 - Raccoon Run/Coves of Cimarron - To: City of Buda (wastewater line)
 94-203 - CR205/Dacy Lane - To: Goforth Water Supply Corp (water line)
 94-204 - Mary St/Hillside Terrace - To: Goforth Water Supply Corp (water line)

A motion was made by Commissioner Rippey, seconded by Commissioner Barton to authorize issuance of Utility Permits # 94101, # 94202, # 94203, and # 94204 as presented. All voting "Aye".

12981 AMEND PARK RULES AT DUDLEY JOHNSON PARK TO PROHIBIT DIVING; AND PARKING, EXCEPT IN DESIGNATED AREAS, AND CLARIFY PARK RULES FOR THE OFFICIAL RECORD TO SHOW AMENDED RULES

Commissioner Jeff Barton presented the following:

WARNING

The following park rules will be enforced. Violations are a Class C misdemeanor, subject to a fine up to \$500

1. No Alcohol.
2. No firearms
3. No glass containers
4. No overnight camping or parking
5. No skiing
6. No ski scooters
7. No use of motorboats with 18 hp or more
8. No diving
9. No parking except in designated areas
10. Park closes at 10 p.m.

Persons in violation of these rules or engaging in rowdy or disruptive behavior may be required to leave the park and may be fined. Caution: no lifeguard on duty at any time. These rules enacted and posted by order of the Hays County Commissioners Court.

A motion was made by Commissioner Rippy, seconded by Commissioner Barton to amend park rules at Dudley Johnson Park to prohibit diving; and parking, except in designated areas; and clarify park rules for the official record to show amended rules. All voting "Aye".

12982 AUTHORIZE PURCHASE OF SIGNS FOR DUDLEY JOHNSON PARK FROM PARK IMPROVEMENTS IN COUNTYWIDE MAINTENANCE AND INSTRUCT ROAD DEPARTMENT TO PUT SIGNS IN PLACE WHEN THEY ARRIVE

A motion was made by Commissioner Rippy, seconded by Commissioner Barton to authorize purchase of signs for Dudley Johnson Park from Park Improvements in Countywide maintenance budget and instruct the Road Department to put signs in place when they arrive. All voting "Aye".

12983 LAS LOMAS SECTION 1 REPLAT OF LOT 5 - CALL FOR A PUBLIC HEARING

Commissioner Payne stated that this is the last lot in the subdivision to be resubdivided. A motion was made by Commissioner Payne, seconded by Commissioner Barton to call for a public hearing to be held on August 1, 1994 at 9:00 A.M. regarding the replat of Lot 5 Las Lomas Section 1 subdivision. All voting "Aye".

VARIANCE REQUEST FOR 11 ACRES OUT OF A 84.77 ACRE TRACT ON CR 195

Andrea Barron, owner, appeared before the Court requesting a platting variance for 11 acres out of a 84.77 acre tract (Prochnow Estates) - property line goes to the center of the roadway. Allen Walther, Environmental Health Director, stated that he still needs to go on site - appears to meet the county guidelines for a variance. Commissioner Payne requested that the portion of this land that lies in the roadway needs to be dedicated to the county. No action taken

12984 MADRONE CANYON RANCH - FIRST READING APPROVAL

Knox Williams presented "Madrone Canyon Ranch" subdivision on first reading - this subdivision lies within Hays and Blanco counties - roads are private w/homeowners association - the majority of the floodplain is in Blanco County. Discussion was had regarding the right-of-way easement running from CR 101 into the subdivision - three 30 acre tracts were sold off without platting and are not a part of this subdivision. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Madrone Canyon Ranch" subdivision on first reading. All voting "Aye".

12985 PLATTING VARIANCE GRANTED TO MIKE FASS FOR 20.01 ACRES OUT OF 145 ACRES ON CR 220 (MT. SHARP ROAD)

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to grant a platting variance to Mike Fass for a 20.01 acre tract of land in the John T. George Survey, the Kenneth McKenzie Survey, and the Polly Mayes Survey in Hays County and located on CR 220. All voting "Aye".

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12986 HERITAGE WEST - THIRD READING APPROVAL

A motion was made by Commissioner Rippey, seconded by Commissioner Payne to approve "Heritage West" subdivision on third reading. All voting "Aye".

12987 COVES OF CIMARRON SECTION 2 PHASE 2 BLOCK B LOTS 23-35, BLOCK C LOTS 10-18, BLOCK D LOTS 1-4

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Coves of Cimarron Section 2 Phase 2 Block B Lots 23-35, Block C Lots 10-18, and Block D Lots 1-4" for third reading. All voting "Aye".

3-G RANCH SECTION 1 & 2 REPLATS

No action to be taken this date - Developer did not meet deadline for placement on the City of Niederwald's agenda.

12988 AUTHORIZE WAIVER OF FEES FOR DEVELOPMENT APPLICATION FOR FRIENDSHIP BAPTIST CHURCH

Allen Walther, Environmental Health Director, spoke of Friendship Baptist Church project for placement of temporary building for classrooms - this is a non-profit organization - floodplain and waste water fees = \$ 576.00 - the City of Dripping Springs has approved this project. A motion was made by Commissioner Rippey, seconded by Judge Etheredge to authorize waiver of fees for development application for the Friendship Baptist Church project. All voting "Aye".

12989 ADOPT RESOLUTION SUPPORTING GRADE SEPARATION PROJECT IN HAYS COUNTY

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt Resolution supporting Grade Separation Project in Hays County. All voting "Aye".

RESOLUTION

**STATE OF TEXAS
COUNTY OF HAYS**

WHEREAS, train traffic has increased dramatically in Hays County in the last five years; and
WHEREAS, that train traffic has contributed to serious traffic, public safety, and development problems in the Hays County cities of San Marcos, Kyle and Buda; and
WHEREAS, passage of the North American Free Trade Agreement (NAFTA) is expected to significantly increase both train and automobile traffic along the I-35 corridor, further contributing to the existing problem; and
WHEREAS, a committee made up of city and community officials from Hays County's nine incorporated cities, as well as the village of Wimberley, have recommended that the Texas Department of Transportation add railroad grade separations in Hays County to its 1995-97 Rural Transportation Program;
THEREFORE, BE IT RESOLVED, that the Hays County Commissioners' Court respectfully requests, that in the interest of public safety and public welfare, the Texas Department of Transportation include railroad grade separation projects for Hays County in its 1995-97 Rural Transportation Program.
BE IT ALSO RESOLVED, that a copy of this Resolution be made a permanent part of the minutes of Commissioners' Court.
WITNESSED OUR HAND AND SEAL this 18th day of July, 1994.

12990 TABLE ACTION TO ADVERTISE FOR BIDS ON CONSTRUCTION OF AN OFFICE BUILDING ON BROADWAY STREET

Cindy Casparis, Purchasing Agent, presented bid specs for construction of an office building next to the existing Health Department - needs input from the Court regarding insulation, walkway and number of windows and doors. Judge Etheredge spoke of using estimates from the new county extension building - felt like building a new building would be more economical than remodeling the existing building which would be replaced in the future with a Health Services Facility - suggested building a 5,000 ft. sq. building on the Civic Center property to house the Environmental Health Dept. - space is needed for mapping/planning to relocate them out of the courthouse. Commissioner Barton spoke of possible space at the H.E.B. building or the Annex. A motion was made by Judge Etheredge, seconded by Commissioner Payne to table action to advertise for bids on construction of an office building at this time. All voting "Aye".

12991 AUTHORIZE DOUCET & ASSOCIATES TO ENGINEER DRAINAGE PROJECTS IN PRECINCT 3 FROM BOND PROCEEDS

Commissioner Payne spoke of need for engineering on drainage projects on Paradise Valley Road (low water crossing) and Flite Acres Road (2 low water crossings) - Rick Miller, Doucet & Associates, indicated that he would like to provide the engineering services. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize Doucet & Associates to engineer drainage projects in Precinct 3 from Bond proceeds. All voting "Aye".

12992 AUTHORIZE DIRECTOR OF ENVIRONMENTAL HEALTH TO FILE FLOODPLAIN ORDINANCE VIOLATION IN JUSTICE OF THE PEACE COURT

Allen Walther, Director of Environmental Health, spoke of pending violation in the regulatory floodway - no engineering design study has been submitted - violation consist of a patio and volleyball court in the floodway. Commissioner Payne stated that the property owner has not been cooperative - was cited during construction and proceeded anyway. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the Director of Environmental Health to file the Floodplain Ordinance Violation in the Justice of the Peace Court. All voting "Aye".

DISCUSSION REGARDING REVISIONS TO HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES

Allen Walther, Director of Environmental Health, spoke of rules that were adopted in 1984 - some policy have changed and it is time to revise the rules - spoke of new innovative systems that are now available and need to be detailed in the rules - specific criteria need to be in the rules to all enforcement. Judge Etheredge spoke of negotiations with FEMA and TNRCC could be stronger with new revised local rules - spoke of endangered species and ONRW designation - supports local government control instead of federal control - we need to encourage people to use their land well and environmentally safe. Discussion was had regarding regional wastewater system and collective wastewater systems. Allen Walther advised that development prior to June 1984 is grandfathered - spoke of standards for affluent for surface discharge and subsurface discharge - spoke of need to properly maintain a system - spoke of rain water capture systems. The cities of San Marcos, Kyle, and Woodcreek are the only communities with wastewater systems in Hays County.

12993 APPROVE ADDITIONAL SIX (6) NON-PAID DEPUTY FIRE MARSHAL POSITIONS

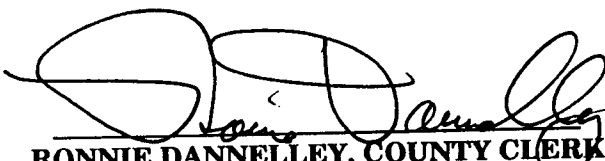
A. D. Carroll, Fire Marshal/Emergency Management Coordinator, spoke of need for additional Deputy Fire Marshal positions for his department - they will assist in daily activities which include investigation of all fires, enforcement of the outdoor burn ordinance, fire inspections, hazard material spills and reports, and warning/watching of approaching bad weather - all of the deputies will be fully qualified peace officers with various expertise - he currently has four Assistants who are familiar with the Hays County Emergency Management Plan. Judge Etheredge spoke of non-paid volunteers - we need to be careful on individuals who will be representing the county - spoke of county's liability. A motion was made by Judge Etheredge, seconded by Commissioner Payne to approve additional six (6) non-paid Deputy Fire Marshal positions. All voting "Aye".

DISCUSSION REGARDING RECENT HAIL DAMAGE

Maintenance Supervisor Kenny Lale spoke of hail damage to various county buildings - air conditioner damage was figured too low at the Law Enforcement Center and the Records Building - the County Treasurer is holding the claim check at this time. County Auditor Bill Herzog stated that the insurance payment is based on depreciated value and not replacement value. It was agreed by the Court to get independent cost estimates. No action taken this date.

MINUTES APPROVED IN OPEN COURT ON THE 8th DAY OF August, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

JULY 25, 1994

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 25TH DAY OF JULY A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
ORAN H. RIPPY
RONNIE DANDELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

12994 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 102,722.56 as presented by the County Auditor. All present voting "Aye".

| | | | | | |
|-------------------|-------------|-------------------|--------------|----------------------|--------------|
| Lic & Permits | \$ 4,883.70 | Fines | \$ 42.00 | Rents & Royalties | \$ 5,733.33 |
| Auditors Ofc | \$ 843.99 | Treasurers Ofc | \$ 902.33 | Extension Ofc | \$ 219.90 |
| Grants Admin | \$ 7.00 | Juvenile Prob | \$ 3,088.93 | Indigent Care | \$ 4,614.22 |
| Transfer Station | \$ 3.99 | Bldg. Maint. | \$ 7,211.03 | Environmental Health | \$ 202.35 |
| Civic Center | \$ 2,193.50 | Countywide Oper | \$ 22,932.44 | Tax A/C | \$ 383.15 |
| County Clerk | \$ 214.50 | Sheriff's Office | \$ 2,913.07 | Jail Operations | \$ 14,159.57 |
| County Judge | \$ 623.26 | Human Resources | \$ 206.00 | Co Crt @ Law 1 | \$ 140.08 |
| District Attorney | \$ 1,084.31 | J.P. 1-1 | \$ 79.23 | J.P. 1-2 | \$ 131.45 |
| J.P. 3 | \$ 149.99 | J.P. 4 | \$ 63.23 | J.P. 5 | \$ 87.79 |
| D.P.S. | \$ 1,099.31 | Constable 1 | \$ 35.93 | Constable 5 | \$ 536.97 |
| Dist Crt Oper | \$ 3,542.44 | Co & JP Crt Oper | \$ 8,156.03 | Veterans Admin | \$ 361.76 |
| TABC | \$ 45.17 | R & B Operating | \$ 4,526.14 | Precinct 1 | \$ 416.55 |
| Precinct 2 | \$ 122.50 | Precinct 3 | \$ 74.39 | Precinct 4 | \$ 197.27 |
| Right of Way | \$ 787.50 | Health Svcs Grant | \$ 316.10 | Law Library | \$ 3,845.39 |
| Adult Prob Oper | \$ 2,245.29 | D.A. Reimb Trust | \$ 2,059.48 | | |

12995 APPROVE BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS

The following budget amendments were proposed:

- Treasurer's Office - Transfer \$800 into software maintenance from county-wide operations insurance line item to fund authorized software change for payroll check format - reduction is due to insurance rate savings.
- Sheriff's office, Jail Operations, & County Judge's Office - Transfer for law enforcement supplies, overtime, and architectural (old jail use plans) in Sheriff's budget; Jail Operations overtime from within departments, and the balance of \$2,500 from County Judge's Office - special projects line; apply \$35,000 from County-wide Salary Line.
- District Attorney's Office - Transfer \$300 into Printing for special forms for telephone savings
- Constable Precinct 5 - Transfer balance of needed training costs from fuel line item.
- Veterans Officer - Transfer \$950 for FY94 cost to fund additional relief van driver from various line items within department budget.
- Personal Health - Transfer needed telephone and office supply expenses from contract services line.
- County Clerk - Transfer \$800 for balance of envelope printing from Permanent Records Supplies.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendments as proposed by the County Auditor (Budget Amendment # 94-55). All voting "Aye".

| Line Item - Expenditures | Increases | Decreases |
|-------------------------------|-----------|-----------|
| TREASURER'S OFFICE | | |
| 01-402-5429 Software Maint | \$ 800 | |
| COUNTY-WIDE OPERATIONS | | |
| 01-414-5340 Insurance | | \$ 800 |
| SHERIFF'S OFFICE | | |
| 01-418-5031 Overtime/Holiday | | |
| 01-418-5235 Law Enf Supply | \$ 15,000 | |
| 01-418-5362 C.I.D. Expense | \$ 4,900 | |
| 01-418-5411 Ofc Eqpt Maint | | \$ 2,000 |
| 01-418-5621 Architectural Svc | | \$ 2,900 |
| 01-418-5719 Misc Equipment | \$ 4,850 | |
| COUNTY JUDGE'S OFFICE | | |
| 01-420-5353 Special Projects | | \$ 2,350 |
| JAIL OPERATIONS | | |
| 01-419-5021 Staff Sal | | |
| 01-419-5031 Overtime/Holiday | | \$ 10,000 |
| COUNTY-WIDE OPERATIONS | \$ 30,000 | |
| 01-414-5091 Salary/Merit | | \$ 35,000 |

| Line Item - Expenditures | Increases | Decreases |
|-------------------------------|-----------|-----------|
| DISTRICT ATTY OFFICE | | |
| 01-423-5461 Printing | \$ 300 | |
| 01-423-5489 Telephone | | \$ 300 |
| CONSTABLE 5 OFFICE | | |
| 01-435-5331 Cont Ed | \$ 400 | |
| 01-435-5271 Fuel | | \$ 400 |
| VETERANS OFFICER | | |
| 01-455-5448 Contract Svcs | \$ 950 | |
| 01-455-5211 Office Sply | | \$ 100 |
| 01-455-5212 Postage | | \$ 60 |
| 01-455-5311 Travel | | \$ 100 |
| 01-455-5272 Veh Sply | | \$ 50 |
| 01-455-5271 Fuel | | \$ 490 |
| 01-455-5489 Telephone | | \$ 150 |
| PERSONAL HEALTH | | |
| 01-412-5211 Office Sply | \$ 200 | |
| 01-412-5489 Telephone | \$1,000 | |
| 01-412-5431 Medical Svcs | | \$1,200 |
| COUNTY CLERK | | |
| 01-417-5461 Printing | \$ 800 | |
| 01-417-5215 Permanent Records | | \$ 800 |

12996 AUTHORIZE UTILITY PERMIT FOR ROAD DEPARTMENT - SUNRISE ROAD (CR 331)

Permit No. 94302 on CR 331 (Sunrise Drive/Paradise Hills Subd) - to Wimberley Water Supply Corp. for water line. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize utility permit No. 94302 as presented by the County Road Department (Re: CR 331). All present voting "Aye".

12997 APPROVE INTERLOCAL AGREEMENT WITH CITY OF BUDA FOR WORK ON PRECISION DRIVE

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Interlocal Agreement with the City of Buda for work on Precision Drive. All present voting "Aye".

INTERLOCAL AGREEMENT

This Agreement is made on the ___ day of _____, 1994, between the City of Buda ("City") and the County of Hays ("County") pursuant to Tex. Gov't. Code Section 791.001, et seq., (1994 Supp.)

1. This agreement was authorized by the City at a properly scheduled meeting on the ___ day of _____, 1994.
2. This agreement was authorized by the County at a properly scheduled meeting on the ___ day of _____, 1994.
3. This agreement provides for the repair and restoration of Precision Drive which the County has accepted as a county road, but has been annexed into the City of Buda. Prior to annexation it was agreed that the road was damaged during work on an economic development project. Prior to annexation the County committed to the City that it would repair and restore the road even if it were annexed by the City. This agreement memorializes the prior agreement of the parties.
4. The County of Hays hereby agrees to repair and restore Precision Drive at no cost to the City of Buda according to generally accepted road construction standards that are practiced by the County. When completed, the road surface will be paved smooth. The County does not agree to comply with City road construction standards, but will permit City representatives to be present and observe the construction procedures. If the City is not satisfied with the procedures it shall first notify the supervisor on site of its dissatisfaction. If not satisfactorily resolved by him the City shall notify the Director of the Hays County Road Department of their complaint. If the complaint is not resolved at that level the matter shall be taken to the Precinct Two Commissioner or the County Judge. Their determination of any issue shall be final.
5. The County of Hays has not taken any core samples and makes no representations or warranties, express or implied, concerning the life or future wear of the road. The County will exercise good and workmanlike practices to restore the road to at least good a condition as it was in April 1994, but once it has completed its work, any future maintenance requirements will be the responsibility of the City.
6. The County of Hays agrees to complete the repair of Precision Drive within One Hundred Twenty (120) days after completion of the Capital Container Project or December 31, 1994, whichever date is earlier, acts of God excepted.
7. This writing expresses the entire agreement of the parties.

12998 APPROVE APPOINTMENT OF ELECTION JUDGES AND ALTERNATES FOR THE PERIOD OF AUGUST 1, 1994 THROUGH JULY 31, 1995

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve appointment of Election Judges and Alternates for the period of August 1, 1994 through July 31, 1995 as recommended by the Election Administrator. All present voting "Aye".

JULY 25, 1994

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1994-95 JUDGES & ALTERNATES

| <u>PCT. #</u> | <u>JUDGES</u> | <u>ALTERNATES</u> |
|---------------|---|--|
| 110 | Elias F. Salinas
Rt. 1 Box 10
San Marcos, Texas 78666
396-4789 & 396-6552 | Sylvia Caskey
Rt. 1 Box 15
San Marcos, Texas 78666
353-7510 |
| 111 | Nell Burleson
205 S. Johnson
San Marcos, Texas 78666
392-5646 & 396-6513 | Barbara Ahlberg
1017 W. San Antonio
San Marcos, Texas 78666
392-3727 |
| 112 | Gloria A. Castillo
1128 Marshall St.
San Marcos, Texas 78666
754-6277 & 353-3650 | Minnie Flores
618 S. LBJ
San Marcos, Texas 78666
392-5186 & 392-6641 |
| 113 | Rose Brooks
308 Magnolia St.
San Marcos, Texas 78666
353-0770 | Baudelia Arredondo
P. O. Box 460
San Marcos, Texas 78666
353-0416 |
| 114 | Rosemary Suniga
1038 Field St.
San Marcos, Texas 78666
392-7221 & 472-5059 | William F. (Bill) Gribbon
1202 Thorpe Ln. #409
San Marcos, Texas 78666
754-6466 |
| 116 | Johnnie Armstead
1421 W. Hopkins
San Marcos, Texas 78666
353-0124 | Ruth Howard
1615 Marlton
San Marcos, Texas 78666
392-9837 |
| 120 | Melvia Randle
608 Conway Dr.
San Marcos, Texas 78666
392-0933 | Zoila Polanco
707 N. Barbara Dr.
San Marcos, Texas 78666 |
| 121 | Mary Ann Till
Rt. 2 Box 354-A
San Marcos, Texas 78666
353-4943 | |
| 222 | Dale Linebarger
3301 Bliss Spillar Rd
Manchaca, Texas 78652
280-0170 | |
| 223 | Ethelene Dunham
P. O. Box 595
Kyle, Texas 78640
268-9841 | |
| 224 | Lois Franklin
P. O. Box 1167
Buda, Texas 78610
295-7601 | Cynthia Dixon
Rt. 1 Box 224
Buda, Texas 78610
295-7111 |
| 225 | Minerva Falcon
P. O. Box 355
Kyle, Texas 78640
268-3924 & 268-5341 | Mary Louis Curry
500 Bluesage
Kyle, Texas 78640
268-0624 |
| 226 | Joleen Brown
58-H Cole Springs Rd.
Buda, Texas 78610
295-2271 | Donald W. Grahm:
205 Daybreak Cv.
Buda, Texas 78610 |
| 227 | Lois LaCaze
57 FM 150 East
Kyle, Texas 78640
268-3924 & 353-4120 | Vickie Simpson
P. O. Box 326
Kyle, Texas 78640
268-9631 & 268-7801 |

- | | | |
|-----|--|---|
| 228 | Juanita Rodriguez
406 Sunbonnet
Buda, Texas 78610
295-7851 | |
| 229 | Debora Sorrells
34 Camino Real
Kyle, Texas 78640
398-6348 & 873-2400 | Robert Ronson
Rt. 1 Box 126-F
Kyle, Texas 78640
268-0508 & 353-4444 |
| 230 | Josephine Burdette
523 Country Ln.
Buda, Texas 78610
295-3082 | |
| 315 | Carol Kutscher
Rt. 1 Box 151-AA
San Marcos, Texas 78666
353-1554 | Stan Livingston
509 Quail Run
San Marcos, Texas 78666
353-4111 |
| 330 | Susan R. Braden
925 Burluson
San Marcos, Texas 78666
392-5070 | Jessica Hall
1249 Belvin St.
San Marcos, Texas 78666
396-1867 |
| 331 | Deanna Badget
1707 Mustang Ln.
San Marcos, Texas 78666
392-7637 | Mary L. Pate
2227 Mustang Ln.
San Marcos, Texas 78666
392-2916 |
| 334 | Aart Milliecam
111 W. Holland
San Marcos, Texas 78666
392-7530 & 396-8020 | Casandra Tvdik
126 E. Holland
San Marcos, Texas 78666
353-8443 |
| 335 | Mary Joe Roddie
5005 Fischer's Store Rd.
Wimberley, Texas 78676
847-2362 | Kathy Gold
Rt. 2 Box 72-G
Wimberley, Texas 78676
847-3260 |
| 336 | Ida Edwards
1917 Ramona Cir
San Marcos, Texas 78666
754-0021 | Berry James
Blanco Star Rt. Box 10
San Marcos, Texas 78666
392-0375 & 392-4105 |
| 337 | Sarah A. Davis
Rt. 2 Box 56
Wimberley, Texas 78676
847-3527 | Bernice Neumann
27 Valley Spring Rd.
Wimberley, Texas 78676
847-2729 |
| 440 | Jessie Halm
HC-01 Box 60
Dripping Springs, Tx. 78620
858-4514 | Ray Lang
211 Windy Hill Rd.
Dripping Springs, Tx. 78620
894-0407 |
| 441 | Prentice A. (P.A.) Lindsey
1007 Hidden Hills Dr.
Dripping Springs, Tx. 78620
858-7588 | Peggy Montgomery
HC-02 Box 91
Dripping Springs, Tx. 78620
858-7352 |
| 442 | Judy Templeton
P. O. Box 99
Driftwood, Texas 78619
894-0062 | Stan A. Jones
Box 9-B Hwy 150
Driftwood, Texas 78619
858-4343 |
| 443 | Jo Overton
HCR-1 Box 999
Austin, Texas 78737
288-1527 | John M. Bryant
10555 Davy Crockett
Austin, Texas 78737
288-0334 |

JULY 25, 1994

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445 John McGee
415 Oakridge
San Marcos, Texas 78666
392-4162

Ken Luna

446 John Gaddie
117 Laurel Ln.
San Marcos, Texas 78666
392-8600

Alfred B. Sullivan
21 Timbercrest
San Marcos, Texas 78666
392-2608

447 Tom Ash
Rt. 2 Box 5
San Marcos, Texas 78666

448 Connie Rogers
1079 Rolling Oaks Dr.
Driftwood, Texas 78619
847-3709

Doris Airhart
800 Rolling Oaks Dr.
Driftwood, Texas 78619
847-9707

449 Sybil Floyd
P. O. Box 438
Dripping Springs, Tx. 78620
858-7308 & 858-4612

Hazel Bassett
P. O. Box 615
Dripping Springs, Tx. 78620
858-4441

451 Ted Hindson
1410 Alamo St.
San Marcos, Texas 78666
392-8825

Dan Farlow
123 Nichols Dr.
San Marcos, Texas 78666
392-3466 & 245-3259

CENTRAL COUNTING STATION

Bob McJohnson - Counting Station Manager
65 Sleepy Hollow
San Marcos, Texas 78666
353-2872 & 396-7190

Mark D. Lambdin - Tabulation Supervisor
706 Dale
San Marcos, Texas 78666
353-4444

Janis Womack - Presiding Judge
630 E. Hopkins
San Marcos, Texas 78666
353-4444

ABSENTEE BOARD

George Boemerman - Judge
613 Lindsey
San Marcos, Texas 78666
396-3413

Delia Lucio - Judge
516 Candlelight
San Marcos, Texas 78666
396-0427

Vannis Mathews -- Worker
396-7210

Louis Moloney - Worker
392-3277

12999 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR PROPOSALS FOR COMPUTER HARDWARE AND SOFTWARE FOR THE TAX OFFICE

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for proposals for computer hardware and software for the County Tax Office. All present voting "Aye".

13000 PLATTING VARIANCE GRANTED TO JERRY PENNIX FOR 11 ACRE TRACT ON CR195

A motion was made by Commissioner Rippy and seconded by Judge Etheredge to grant a platting variance to Jerry Pennix for an 11 acre tract out of an 84 acre tract (John Cassidy Survey No. 85) on CR195. All present voting "Aye".

13001 AUTHORIZE BAIL BOND STUDY GROUP TO SPEND UP TO \$800 FOR DEVELOPMENT OF RULES AND REGULATIONS FOR A BAIL BOND BOARD FOR HAYS COUNTY

County Judge Eddy Etheredge spoke of Bail Bond Study Group meeting - they will put together a recommendation for funding the creation of a Hays County Bail Bond Board - funds are needed now for legal study of creation of the board. A motion was made by Judge Etheredge and seconded by Commissioner Rippy to authorize the Bail Bond Study Group to spend up to \$800 for development of rules and regulations for a Bail Bond Board for Hays County. All present voting "Aye".

BURNETT RANCH ROAD PROJECT - WORKSHOP DISCUSSION

Delbert Chance, County Road Dept. Supervisor, gave a report of roads completed in the Burnett Ranch Subdivision and those being worked on - suggested adding another crew to speed up the project (6-8 people). Sherman Brodbeck, Vice President of the Burnett Ranch Homeowners Assn., spoke of the road project - suggested that Circle Drive be concentrated on as it would benefit more people in the subdivision. Judge Etheredge spoke of need to complete this project - need to put it back under the Unit Road System - we need to advise property owners of what is going on with the project - \$230,000 has already been put into this project with only 45% completion. Commissioner Rodriguez spoke of Precinct 1 suffering from this project - they have very little equipment left to work with. Commissioner Barton spoke of the emulsion needs in Precinct 2. Delbert Chance stated that he would like to see crews work 10 hours per day 4 days per week - this would allow more time working than traveling to and from the job site - gave a report of other work being done by the road department (spot seal, re-base, etc) in other areas of the county. Action was postponed until Commissioner Pct. 3 Craig Payne is present.


13002 TRIPLE CREEK RANCH SECTION 2 - FIRST READING APPROVAL

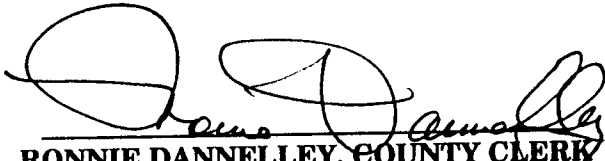
Patsy Greiner, Mapping/Planning Admin., spoke of her concerns regarding the Triple Creek Ranch subdivision - the length of the cul-de-sac poses a safety concern - concerned about the length of the drive on Lot 96 and the top of the drive on Lot 95 - Lot 69 has very little buildable land. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve "Triple Creek Ranch Section 2" subdivision on first reading. All present voting "Aye".

EXECUTIVE SESSION

The Commissioners' Court convened into closed Executive Session (from 10:00 A.M. - 12:30 P.M.) to discuss land acquisition (Section 551.072, 551.073 GC), contemplated litigation (Section 551.071 GC), and personnel matters (Section 551.074 GC). No action was taken.

MINUTES APPROVED IN OPEN COURT ON THE 27th DAY OF August, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S C O U N T Y, T E X A S


RONNIE DANNELLEY, COUNTY CLERK
H A Y S C O U N T Y, T E X A S

AUGUST 1, 1994

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 1ST DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13003 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton and seconded by Commissioner Payne to approve payment of county invoices in the amount of \$ 127,519.74 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| Financial Adm Svc | \$ 150.00 | Auditors Ofc | \$ 107.33 | Treasurer Ofc | \$ 300.00 |
| Extension Ofc | \$ 209.28 | Grants Admin | \$ 210.64 | Election Admin | \$ 446.00 |
| Indigent Care | \$ 6.00 | Transfer Station | \$ 42.18 | Bldg. Maintenance | \$ 1,740.82 |
| Environ Health | \$ 187.09 | Personal Health | \$ 514.95 | Countywide Oper | \$17,277.86 |
| Tax A/C | \$ 94.50 | District Clerk | \$ 31.90 | County Clerk | \$ 39.00 |
| Sheriffs Ofc | \$ 1,066.21 | Jail Operations | \$18,940.62 | County Judge | \$ 311.65 |
| District Attorney | \$ 125.34 | J.P. 1-2 | \$ 0.96 | J.P. 3 | \$ 313.70 |
| J.P. 5 | \$ 125.00 | D.P.S. | \$ 252.38 | Constable 1 | \$ 382.50 |
| Constable 5 | \$ 235.22 | Dist Court Oper | \$ 891.63 | Co & JP Crt Oper | \$ 6,048.89 |
| Computer Svcs | \$ 1,298.00 | Co Crt @ Law 2 | \$ 200.00 | R&B Operations | \$34,260.96 |
| Precinct 1 | \$ 258.00 | Precinct 3 | \$ 86.65 | Records Mng/Co Clk | \$ 5,976.00 |
| Health Svcs Grants | \$ 2,002.78 | Law Library Fund | \$ 829.00 | Road Construction | \$23,745.85 |
| Crlths Renov/Road | \$ 66.50 | Anticipation Notes | \$ 53.50 | Adult Prob Oper | \$ 6,055.13 |
| Adult Prob Fac | \$ 2,572.12 | Animal Control | \$ 32.22 | Constable 3 | \$ 31.38 |

13004 APPROVE BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS (BA # 94-56)

Budget amendments were proposed as follows:

Auditor's Office - Transfer between supplies categories and increase postage from temporary personnel savings, fund chair for purchasing \$200 from personnel savings.

Juvenile Probation - Transfer needed expense items from juvenile detention line.

Tax Office - Transfer cost of installing files from unspecified amount for tax office budgeted in Countywide equipment line; transfer to postage line from personnel savings.

District Clerk - Transfer \$500 into office supplies from telephone line item.

Sheriff's Office - Transfer \$712 from Data Processing Supplies and \$1000 from Data Processing Maint & Repair to Data Processing Equipment - this transfer would be used by the Data Processing Dept. to purchase two CPU's for the Sheriff's Department.

Sheriff's Ofc/Jail Operations - Transfer into communications equipment maintenance for tower site costs and for inmate uniforms from other line items.

D.P.S. - Transfer \$600 for telex maintenance from various line items.

Co Crt @ Law #1 & #2 and County Court Operations - Transfer line items for needed expenses between depts.

Health Service Grants Fund - Fund \$5,500 equipment costs per Compter Services Dept. from transfer of line items, program income funds.

A motion was made by Commissioner Barton and seconded by Commissioner Payne to approve budget amendments as proposed by the County Auditor (Budget Amendment No. 94-56). All voting "Aye".

| Line Item - Description | Increases | Decreases |
|----------------------------|-----------|-----------|
| AUDITOR (401) | | |
| 01-401-5212 Postage | \$ 150 | |
| 01-401-5221 Data Proc Sply | \$ 500 | |
| 01-401-5211 Ofc Sply | | \$ 350 |
| 01-401-5449 Temp Personnel | | \$ 300 |
| 01-401-5711 Office Eqpt | \$ 200 | |
| 01-401-5160 Insurance | | \$ 200 |
| JUVENILE PROBATION (405) | | |
| 01-405-5212 Postage | \$ 150 | |
| 01-405-5331 Cont Ed | \$ 400 | |
| 01-405-5473 Copier Lease | \$ 150 | |
| 01-405-5489 Telephone | \$ 450 | |
| 01-405-5491 Juv Detention | | \$ 1,150 |

| Line Item - Description | Increases | Decreases |
|-------------------------------------|-----------|-----------|
| TAX ASSESSOR/COLLECTOR (415) | | |
| 01-415-5212 Postage | \$ 2,000 | |
| 01-415-5331 Cont Ed | \$ 500 | |
| 01-415-5711 Off Eqpt | \$ 523 | |
| 01-415-5391 Misc | | \$ 200 |
| 01-415-5488 Data Lines | | \$ 200 |
| 01-415-5021 Staff | | \$ 2,100 |
| COUNTY-WIDE OPERATIONS | | |
| 01-414-5711 Ofc Eqpt | | \$ 523 |
| DISTRICT CLERK (416) | | |
| 01-416-5211 Ofc Sply | \$ 500 | |
| 01-416-5489 Telephone | | \$ 500 |
| SHERIFF (418) | | |
| 01-418-5415 Comm Eqpt Maint | \$ 2,500 | |
| 01-418-5271 Fuel | | \$ 1,000 |
| 01-418-5461 Printing | | \$ 1,500 |
| 01-418-5221 Data Proc Sply | | \$ 712 |
| 01-418-5421 Data Proc Maint | | \$ 1,000 |
| COMPUTER SERVICES | | |
| 01-456-5712 Equipment | \$ 1,712 | |
| JAIL OPERATIONS (419) | | |
| 01-419-5234 Inmate Items | \$ 3,000 | |
| 01-419-5236 Bedding/Linens | | \$ 3,000 |
| DEPARTMENT OF PUBLIC SAFETY (430) | | |
| 01-430-5417 Law Enf Eqpt Maint | \$ 600 | |
| 01-430-5211 Off Sply | | \$ 100 |
| 01-430-5235 Law Enf Sply | | \$ 200 |
| 01-430-5488 Data Lines | | \$ 100 |
| 01-430-5489 Telephone | | \$ 200 |
| COUNTY COURT AT LAW #1 (422) | | |
| 01-422-5211 Ofc Sply | \$ 23 | |
| 01-422-5213 Books | \$ 122 | |
| 01-422-5321 Dues & Bonds | \$ 76 | |
| 01-422-5212 Postage | \$ 100 | |
| 01-422-5391 Misc | \$ 8 | |
| 01-422-5473 Copier Lease | \$ 150 | |
| 01-422-5711 Ofc Eqpt | \$ 47 | |
| 01-422-5331 Cont Ed | | \$ 100 |
| 01-422-5489 Telephone | | \$ 100 |
| CO & JP COURT OPERATIONS (437) | | |
| 01-437-5211 Off Sply | \$ 23 | |
| 01-437-5305 Trial Exp | \$ 618 | |
| 01-437-5321 Dues & Bonds | \$ 50 | |
| 01-437-5301 Jury Expense | | \$ 648 |
| 01-437-5445 Transcription | | \$ 500 |
| COUNTY COURT AT LAW #2 (461) | | |
| 01-461-5212 Postage | \$ 231 | |
| 01-461-5489 Telephone | | \$ 100 |
| MATERNAL & CHILD HEALTH GRANT (469) | | |
| 10-469-5719 Equipment | \$ 5,500 | |
| 10-469-5219 Splys & Operating | | \$ 4,500 |
| 10-469-5311 Travel | | \$ 1,000 |

13006 CALL FOR A PUBLIC HEARING TO CONSIDER RENAMING CR 146 (AKA CARPENTER ROAD) TO "BEACON HILL ROAD"

Commissioner Barton submitted a written request from the landowners on County Road 146 to rename their road "Beacon Hill Road". A motion was made by Commissioner Barton, seconded by Commissioner Payne to call for a public hearing to be held August 15, 1994 at 9:00 o'clock A.M. to consider renaming CR146 (aka Carpenter Road) to "Beacon Hill Road". All voting "Aye".

13007 ACCEPT LAND INVENTORY REPORT SUBMITTED BY MARY STEWART & ASSOCIATES

Curtis Stewart, Mary Stewart & Associates, presented the Hays County Land Report and explained the different ways it categorizes the data (by date, by grantor, by grantee, type of documents, and by legal description) - to facilitate the editing, adding, deleting and printing of the county land transactions, a software program has been installed on the county auditor's computer. A motion was made by Commissioner Barton, seconded by Commissioner Payne to accept the Land Inventory Report submitted by Mary Stewart & Associates. All voting "Aye".

13008 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A "BOOM MOUNTED HYDRAULIC IMPACT HAMMER"

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve specifications and authorize the County Auditor to advertise for bids for a "boom mounted hydraulic impact hammer. All voting "Aye".

13009 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS DEPT. OF TRANSPORTATION AND TO EXECUTE A CONTRACT

Grant funds are being provided by the Texas Dept. of Transportation under the Section 16 Grant Program - grant funds will be used to purchase a wheelchair lift vehicle for the Hays County Veteran's Affairs Office to transport area veterans to medical facilities in San Antonio - this will replace the existing bus which has no air conditioning and over 240,000 miles - grant is for \$35,112 and the County will provide \$11,000 in matching funds. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the County Judge to accept Grant Award from the Texas Department of Transportation and to execute a contract for \$ 35,112.00. All voting "Aye".

13010 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE MEADOWS FOUNDATION, EXECUTE A CONTRACT FOR \$ 93,200.00, AND TO FURTHERMORE AUTHORIZE THE COUNTY AUDITOR TO ADMINISTER THE FUNDS

Judge Etheredge spoke of the county assisting the Texas Hill Country Branch of the NAACP to write and submit a grant proposal to the Meadows Foundation in Dallas - these grant funds are part of a project to restore the historic Old Dunbar School to house the W. M. Mitchell Community Center - both the Meadows Foundation and the Local NAACP has asked the county to be the administrator for this grant - this is the first grant made in Hays County by the Meadows Foundation - the county previously committed \$10,000.00 to the local NAACP as matching funds for a grant proposal. Kyeve Tatum, President of the local NAACP, spoke of the project - he thanked the court for their assistance - Jeff Kester will be coordinating the components of this project - spoke of other local entities that are contributing in-kind services. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to authorize the County Judge to accept the Grant Award from the Meadows Foundation and execute a contract for \$ 93,200.00, and to furthermore authorize

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13012 LAS LOMAS SECTION 1 REPLAT OF LOT 5 - PUBLIC HEARING & 1ST READING

Judge Etheredge called the public hearing open. Tim Fulfei, Real Estate Agent for Steve Mercantile, spoke - this is a 15 acre tract being divided into 3 lots (5A, 5B, & 5C) - the road will be dedicated and not be a part of the lots. Allen Walther, EHD, stated that a written request for a recharge variance is needed. Judge Etheredge closed the public hearing. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Las Lomas Section 1 Replat of Lot 5" on first reading. All voting "Aye".

13013 BARTON RANCH - PLATTING VARIANCE GRANTED

Property is located in the recharge zone - dividing one tract of land into two large acreage tracts (20 ac & 38.064 ac) - no new road involved. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to grant a platting variance for a 49 acre tract in the Barton Ranch property. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Barton abstained.

13014 ADOPT THE HAYS COUNTY SICK LEAVE POOL AND CREATE A POOL COMMITTEE

Human Resources Director George Aitken presented the proposed Hays County Sick Leave Pool Policy - the policy would allow full-time employees to use the sick leave pool - contributions are to be voluntary until such time as the court may find it necessary to make it mandatory - the Pool Committee would consist of the County Judge, County Treasurer, County Auditor, County Medical Director, and the Human Resources Director - they would make the decision on whether an employee has a valid reason for receiving sick leave from the pool - this policy was created using State Laws. A motion was made by Commissioner Payne, seconded by Commissioner Barton to adopt the Hays County Sick Leave Pool and create the Pool Committee. All voting "Aye".

HAYS COUNTY

SUBJECT: Sick Leave Pooling

PURPOSE: To establish guidelines for the creation and operation of a sick leave pool to benefit certain employees who suffer a catastrophic injury or illness. A catastrophic injury or illness is defined as:

A severe condition or combination of conditions affecting the mental or physical health of the employee or the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the company for the employee.

Licensed practitioner means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of his/her license.

Immediate family is defined as an employee's spouse, mother, father, brother, sister, son or daughter.

ADMINISTRATION OF THE POOL: Commissioners' Court appoints Human Resources as the overall pool administrator, as such, Human Resources, will be responsible for developing mechanisms to transfer accrued sick leave into and out of the pool; developing rules and procedures for the operation of the pool; and developing forms for contributing leave to, or using leave from, the pool.

3. Employees may also use pool sick leave if they contributed sick leave to the pool and then exhausted their sick leave balance in the same fiscal year. Such employees may receive only the number of hours they contributed to the pool that fiscal year unless they suffer a catastrophic illness or injury.
4. Employees must exhaust all accrued leave before they are eligible to use leave from the pool. Exception: Employees who are off work due to an on-the-job injury or illness are not required to exhaust their annual leave.
5. Employees on pool sick leave accrue paid leave when using pool sick leave, provided the employees returns to work following the leave.
6. Employees with catastrophic illness or injuries are not required to contribute to the pool before they can use pool leave.
7. Employees who use pool leave are not required to pay back pool leave.

CONTRIBUTING SICK LEAVE TO THE POOL:

1. Contributions to the pool are strictly voluntary.
2. Active employees may contribute up to 3 days of sick leave to the pool each fiscal year, in increments of eight hours.
3. Employees who make contributions to the pool may not stipulate who is to receive their contributions.
4. Employees will be encouraged to contribute to the pool at the time of their separation of employment.
5. Employees who contribute leave to the pool cannot get it back unless they are eligible to use it.

REQUESTING TO USE LEAVE FROM THE POOL:

1. Requests for pool leave will be forwarded to the Pool Administrator through appropriate supervisory channels, and will be considered on a first-come, first-served basis. A Pool Committee will be designated to review all requests for leave. The Pool Administrative Committee will have five work days from the date a request is received in which to approve all or part of the request, or deny the request.
2. The Pool Administrative Committee shall recommend to the amount of leave to be granted.
3. Any unused balance of pool leave granted to an employee shall be returned to the pool. The estate of a deceased employee is not entitled to payment for unused pool leave.
4. An employee may request to use pool leave only once per fiscal year, per catastrophic illness, unless the employee does not use the maximum leave granted on the first request.

GRANTED LEAVE:

1. The amount of leave given and used from the pool is not to exceed one third of the balance of hours in the pool.
2. Leave time given from the sick leave pool must be so noted on time sheets when used.

ESTABLISHMENT:

The Hays County Sick Leave Pool will become effective October 1, 1994. During the month of January/February 1995 Hays County staff may contribute sick leave without a restricted amount.

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requiring 50 hours per year of pro-bono work by Attorneys. A motion was made by Judge Etheredge, seconded by Commissioner Payne to authorize funding of \$4,000.00 out of the Countywide Self Insurance line item to allow Legal Aid to close out its pending cases. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Barton was not present to cast his vote.

13016 APPROVE PROPOSAL FOR CONVERTING EXISTING OPEN AIR DUCT SYSTEM TO DUCTED AIR SYSTEM (AIR CONDITIONING SYSTEM) AT THE HEALTH DEPARTMENT

Judge Etheredge spoke of health problems with employees at the Health Department on Broadway Street - the problem has been identified as mold and mildew due to the air conditioner duct system (open air duct system) - proposed to convert this system to an ducted air system - it will be necessary to tear out the ceiling tile and insulation and replace the existing ductwork - a portion of the building will have to be vacated while the work is being done - several proposals were received: TomCo Heating & Air Conditioning = \$ 6,800 S.R.I. Sturdivant Refrigeration Inc. = \$ 4,770 plus \$65 each for HVS Grilles on supply duct. Jacque Jordan, Insurance Representative, spoke of possibly getting insurance reimbursement - spoke of one employee that has been out of work since December on workers compensation - has now been paid impaired benefits and is not being paid a salary - court needs to decide how she will be compensated, if any - Workers Comp has suggested that all workers removing the tile and insulation should be gloved, masked, and goggled and all materials removed should be disposed of in bags. Assistant County Auditor Paula Pond suggested setting up a separate line item in the budget to determine exact costs. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve proposal submitted by S.R.I. Sturdivant Refrigeration Inc., with work to begin immediately, and to furthermore authorize Judge Etheredge, Allen Walther, and Dr. Birdwell to make determination for further work that may be necessary. All voting "Aye".

13017 AUTHORIZE SALARY AT GRADE 20 STEP 5 FOR PEDIATRIC NURSE PRACTITIONER (HEALTH DEPT.)

County Physician Dr. Larry Birdwell spoke of length discussion held in Executive Session - the Pediatric Nurse Practitioner position is necessary in order to proceed with the new programs - a Grade 20 Step 5 is consistent with State salaries (a little below the State level) - this position will bring in additional program income. Commissioner Barton spoke of having originally been opposed to the proposed salary - he has since researched the options and availability of nurse practitioners - supports the request. Commissioner Payne stated that he is still opposed to a Step 5 for this position - there are other professional people with certificates/licenses that are being paid at minimum steps - we need to slow down the growth at the Health Dept. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Medical Director to offer a Grade 20 Step 5 salary to the Pediatric Nurse Practitioner at the Health Dept. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Payne voting "No".

13018 ACTION TO REJECT ALL COMPUTER CONSULTANT PROPOSALS AND AUTHORIZE PURCHASING TO PREPARE AN RFP FOR THE NEW CRIMINAL JUSTICE INFORMATION SYSTEM

Cindy Casparis, Purchasing Agent, submitted a memo to the Court regarding the committee that was formed in March 1994 to review the RFP's for a computer consultant for the county (committee was DPA Debbie Polk, Commissioner Barton, County Auditor Bill Herzog, and PA Cindy Casparis) - committee was looking for a consultant to assess the county's computer hardware and software, interview the offices to see what is needed and assist the county in writing RFP's to bring our offices

DISCUSSION REGARDING THE BURNETT RANCH ROAD PROJECT

Commissioner Payne spoke of ongoing work at Burnett Ranch Subdivision with a three man crew - project should be completed by the Spring of 1995 - they have already paved 4 miles of road. Judge Etheredge spoke of suggestion to put this crew back under the direction of the Road Department. Commissioner Payne spoke of political decisions that are being made on this project - feels like it needs to remain under his supervision. Darrell Brown, Road Director, stated that if he were in charge of this project he would be required to do the work to meet county standards - felt like Commissioner Payne should make decisions for modified work. Judge Etheredge spoke of how this project is affecting other precincts - some taxpayers in the Pct. 4 area are currently paying a high road tax for the same type of situation that Burnett Ranch is getting for less on a contract with the county at 0% financing. Commissioner Rodriguez spoke of this project taking people from Pct. 1. Judge Etheredge spoke of Unit Road System - this project is affecting the level of work in other precincts - we need to finish this project and get work back to normal - felt like all the employees, equipment, and materials should go through the road department. Commissioner Rippey asked about political decisions being made - we need to be doing the modified work as originally discussed by the court. Faye Gibson, resident of Section 2 Burnett Ranch Subd., asked about work to be done on Circle Drive - this is the main road and needs to be done as soon as possible. Darrell Brown, Road Director, spoke of need for a separate budget line item for this project.

13019 ADOPT RESOLUTION REGARDING INTERVENTION IN THE ONRW PROPOSAL

Commissioner Barton presented a Resolution for adoption expressing appreciation to various government officials who intervened to effectively block the Outstanding National Resource Water (ONRW) proposal. Judge Etheredge spoke of the county's official position regarding this matter - information was needed and needed to be put on hold to study the issues - felt like all the facts were not known in the beginning when others were approving it - Hays County is now in a leadership position regarding this environmental issue and we support the property owners rights. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt resolution regarding intervention in the ONRW proposal. All voting "Aye".

Resolution of the Hays County
Commissioners Court

Whereas several months ago members of the Hays County Commissioners Court expressed concerns and reservations about the proposed inclusion of the Barton, Bear and Onion Creek watersheds as Outstanding National Resource Waters;

And whereas those concerns were expressed to various state officials; and to the local governing bodies of neighboring communities who had endorsed the proposal, as well as to the groups directly responsible for initiating the ONRW petition;

And whereas subsequently a number of Hays County citizens organized to express their objections to ONRW status;

And whereas in early July County Judge Eddy Etheredge sent a formal letter on behalf of the Commissioners Court to Gov. Ann Richards outlining specific problems and questions about the ONRW proposal for Barton Springs and the adjacent waters;

And whereas in that letter the Commissioners Court asked the governor to suspend consideration of the ONRW petition and its proposed federal regulation in favor of local regulations and a more careful study of what effect various new rules might have on the local economy and environment;

And whereas Gov. Richards, after weighing the evidence and listening to her constituents, intervened to effectively block the ONRW proposal, directing the Texas Natural Resource Conservation Commission instead to develop a plan based on state rules and local involvement;

And whereas the Hays County Commissioners Court has been given every indication that it will be included in the rule-making process;

Therefore Be It Resolved, that the Commissioners Court, on behalf of the people of Hays County, offers its thanks and appreciation to Gov. Richards for her timely intervention, for her willingness to study and review the questions posed by Hays County and others, and for her courage in taking on such a controversial issue;

Moreover, be it resolved that the Commissioners Court of Hays County express its appreciation to its legislative delegation at the state and federal level, particularly State Rep. Libby Linebarger, Rep.-Elect Alec Rhodes, Congressman Greg Laughlin, and State Sen. Ken Armbrister, for their help in relating Hays County's point of view to the appropriate people and agencies;

Finally, be it further resolved that the Commissioners Court of Hays County wishes the governor and the community at large to know that it fully recognizes the responsibilities that come with the right and privilege of local regulation; therefore, while the Court has been and remains skeptical about the benefits of micro-managed federal regulation of local resources, no one should misunderstand Hays County's commitment to conservation: the Court is dedicated, as we believe a majority of the people of Hays County are dedicated, to a middle road of reasonableness that both preserves historic and common sense property rights and conserves our wildlife, our waterways, and our way of life for future generations.

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EXECUTIVE SESSION - DISCUSSION OF PERSONNEL MATTERS, CONTEMPLATED LITIGATION, AND LAND ACQUISITION

The Commissioners' Court convened into Executive Closed Session to discuss personnel matters, contemplated litigation, and land acquisition matters. Upon completion of the closed session the court reconvened into open meeting.

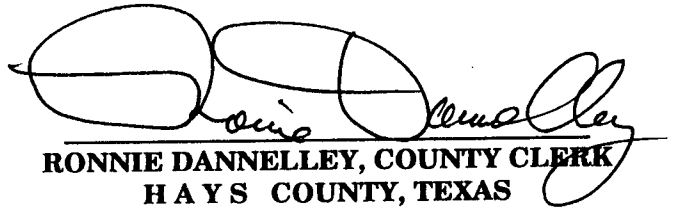
13020 APPROVE GRADE 6 STEP MINIMUM FOR TEMPORARY POSITION IN THE COUNTY TREASURER'S OFFICE

County Treasurer Dottie Sims requested that the new accounting position in the her office be officially graded at Grade 6 Step Minimum - this position was temporarily graded at Grade 4 Step Minimum - there are sufficient funds in the Treasurer's budget to cover the proposed G6/SM with \$1,893.14 left over in salaries and fringes. A memo from Human Resources Director George Aitken states that he has completed his job analysis of the proposed new position "Accounting Clerk" for the FY95 budget cycle - the job analysis does support a group classification of Grade 6. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve Grade 6 Step Minimum for the Temporary Position of Accounting Clerk in the County Treasurer's Office. Commissioner Rodriguez, Commissioner Payne, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Barton abstained.

Court was recessed until Thursday August 4, 1994 at 10:00 A.M. to continue Executive Session and take possible action if necessary.

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 4th DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANNELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

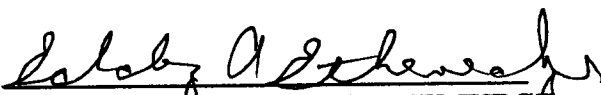
EXECUTIVE SESSION - PENDING LITIGATION


Court convened into Executive Session to discuss pending lititagon (FEMA issue) - no action was taken.

HEALTH DEPARTMENT BUILDING - DISCUSSION REGARDING ROOF REPAIRS

Kent Chatagnier, Roofing Consultant, appeared to discuss the roof situation at the Hays County Health Department. Judge Etheredge spoke of future plans to construct a new building on property adjacent to the existing Health Dept. building and tear the old one down. A length discussion was had regarding work to be done. Discussion was had on warranties, etc.

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 8th DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANNELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13021 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 96,398.43 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|-------------------|--------------|-------------------|--------------|--------------------------|--------------|
| State Shared Rev | \$ 319.00 | Fines | \$ 28.00 | Auditors Ofc | \$ 308.47 |
| Treasurers Ofc | \$ 654.42 | Extension Ofc | \$ 1,161.39 | Grants Admin | \$ 345.65 |
| Juvenile Prob | \$ 1,415.29 | Election Admin | \$ 38.00 | Indigent Care | \$ 32,266.13 |
| Transfer Station | \$ 5,221.91 | Bldg. Maintenance | \$ 1,486.53 | Environ Health | \$ 267.97 |
| Personal Health | \$ 195.90 | Civic Center | \$ 1,080.46 | Countywide Operating | \$ 366.44 |
| Tax A/C | \$ 558.89 | District Clerk | \$ 115.46 | County Clerk | \$ 599.14 |
| Sheriffs Ofc | \$ 6,735.86 | Jail Operating | \$ 14,032.16 | County Judge | \$ 1,346.36 |
| Human Resources | \$ 39.40 | Co Crt @ Law 1 | \$ 47.92 | District Attorney | \$ 1,242.39 |
| J.P. 1-1 | \$ 56.78 | J.P. 1-2 | \$ 391.41 | J.P. 2 | \$ 95.26 |
| D.P.S. | \$ 356.02 | Constable 1 | \$ 46.02 | Constable 2 | \$ 656.71 |
| Constable 5 | \$ 91.12 | Dist Court Oper | \$ 2,326.61 | Co & JP Crt Oper | \$ 454.00 |
| Veterans Admin | \$ 30.80 | Computer Svcs | \$ 694.07 | Co Crt @ Law 2 | \$ 35.70 |
| TPR/Prot Hmkr | \$ 218.98 | Fire Marshal/emc | \$ 53.29 | TABC | \$ 22.70 |
| Dist Crt Reporter | \$ 39.05 | TJPC CCAP Grant | \$ 22.95 | Corridor Incubator Grant | \$ 39.96 |
| R&B Operations | \$ 11,996.04 | Precinct 1 | \$ 210.00 | Precinct 2 | \$ 344.34 |
| Precinct 3 | \$ 1,500.00 | Rec Mng/Co Clerk | \$ 630.12 | Health Svcs Grants | \$ 166.12 |
| Adult Prob Opera | \$ 3,888.61 | Adult Prob Fac | \$ 1,128.06 | New Canaan Grant | \$ 1,321.69 |

General Fund Credit = \$ 291.12

13022 AMEND BUDGET OF VARIOUS DEPARTMENTS

The following budget amendments were proposed:

Personal Health - Transfer \$500 to travel from medical services for balance of FY94

Civic Center - Transfer \$1,200 into Misc. equipment for four each exhaust fans and electrical work from contract building maintenance where budgeted.

Tax Office - Transfer \$500 into office equipment line to fund typewriter replacement of non-repairable item in Dealer section from personnel savings.

County Clerks Office - Transfer balance of cost of required fee books from Permanent Records line item.

County/JP Court Operations & District Court Operations - Transfer between departments for Appointed Attorney Expenses for balance of FY94.

Road & Bridge General Fund - Operations - Transfer \$3,600 into Road Equipment for TxDot pneumatic roller, \$240 in Communications Eqpt. for 3 walkie talkies; additional for uniforms and vehicle parts from fuel and materials line items.

Records Management Fund - Transfer for balance of Landata contract FY94

Health Services Grant - Immunization - Transfer for balance of travel - FY94

Adult Probation Operating - CJAD/Computer Tracking Grant - Accept and budget new grant to recognize FY94 receipt of funds (\$15,000) - carryover balance to be rebudgeted in FY95

Sheriff's Office - Transfer \$1,100 from Books and Periodicals to Travel to cover the costs of meals and lodging to an out-of-town school.

Community & Social Services - Transfer \$4,000 into Legal Aid from county-wide Insurance rate savings.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the budget amendments as proposed by the County Auditor (Budget Amendment No. 94-57 & 94-58). All voting "Aye".

| Line Item - Expenditures | Increases | Decreases |
|--|-----------|-----------|
| PERSONAL HEALTH | | |
| 01-412-5311 Travel | \$ 500 | |
| 01-412-5431 Medical Svcs | | \$ 500 |
| CIVIC CENTER | | |
| 01-413-5619 Misc. Eqpt | \$ 1,200 | |
| 01-413-5451 Contr. Bldg. Maint | | \$ 1,200 |
| TAX OFFICE | | |
| 01-415-5213 Off Eqpt | \$ 500 | |
| 01-415-5021 Staff | | \$ 500 |
| COUNTY CLERK | | |
| 01-417-5213 Books | \$ 100 | |
| 01-417-5215 Perm Records | | \$ 100 |
| CO/JP COURT OPERATIONS | | |
| 01-437-5441 Apptd Atty Expense | \$ 16,500 | |
| DISTRICT COURT OPERATIONS | | |
| 01-436-5441 Apptd Atty Expense | | \$ 16,500 |
| ROAD & BRIDGE OPERATIONS | | |
| 03-438-5272 Veh Sply | \$ 5,000 | |
| 03-438-5474 Uniform Exp | \$ 2,550 | |
| 03-438-5714 Road Eqpt | \$ 3,600 | |
| 03-438-5715 Comm Eqpt | \$ 240 | |
| 03-438-5271 Fuel | | \$ 5,000 |
| 03-438-5332 Safety Training | | \$ 240 |
| 03-438-5476 Mats/Towels | | \$ 500 |
| 03-438-5351 Materials/Supplies | | \$ 5,600 |
| RECORDS MANAGEMENT | | |
| 08-445-5448 Contract svcs | \$ 972 | |
| 08-445-5489 Telephone | | \$ 900 |
| 08-445-5215 Perm Records | | \$ 72 |
| TDH/IMMUNIZATION GRANT | | |
| 10-708-5311 Travel | \$ 90 | |
| 10-708-5219 supplies | | \$ 90 |
| CJAD/COMPUTER TRACKING GRANT | | |
| 34-605-5329 Professional Fees | \$ 14,230 | |
| 34-605-5499 Facil,Util, & Eqpt | \$ 770 | |
| REVENUES: | | |
| 34-384-2605 CJAD/Computer Tracking Grant | | \$ 15,000 |
| COMMUNITY & SOCIAL SERVICES | | |
| 01-407-5874 CAA Legal Aid | \$ 4,000 | |
| COUNTY OPERATIONS | | |
| 01-414-5340 Insurance | | \$ 4,000 |

13023 AWARD ANNUAL ROAD MATERIALS CONTRACT

Cindy Casparis, Purchasing Agent, made the following recommendations for awarding the road building materials contract:

Colorado Materials: Flexible base (Countywide)
 Aggregate (Countywide)
 Hotmix (Countywide)
 Patching Material (Countywide)

Rogers Materials: MS-1 (Countywide)
 Cold Lay (Countywide)

Koch Materials: Emulsions (Countywide)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award annual contract for Road Building Materials as recommended by the County Purchasing Agent to Colorado Materials (flexible base, aggregate, hotmix, & patching), Rogers Materials (MS-1 & cold lay), and Koch Materials (emulsions). All voting "Aye".

13024 APPROVE RESTORATION OF RECORD VOLUMES (NEW CANVASS COVERS)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve restoration of record volumes (new canvass covers) in the County Clerk's Office in the amount of \$1,100 out of budgeted Records Management funds. All voting "Aye".

13025 APPROVE COMMISSIONERS' COURT MINUTE OF JULY 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioners' Court Minutes of July 1994 as presented by the County Clerk. All voting "Aye".

13026 APPROVE UTILITY PERMIT # 94303 (LA BUENA VISTA DRIVE)

Utility Permit # 94303 is a tap and road bore on La Buena Vista Drive by Wimberley Water Co. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permit # 94303 on La Buena Vista Drive (Woodcreek Ph III). All voting "Aye".

13027 RECLASSIFICATION OF ADMINISTRATIVE ASSISTANT/TRAINING COORDINATOR (GRADE 7) TO A BOOKKEEPER (GRADE 4)

Sheriff Hastings requested reclassification of Administrative Assistant/Training Coordinator (Grade 7) to a Bookkeeper (Grade 4) position. This position was evaluated by Human Resources and a job description was prepared. A motion was made by Commissioner Barton and seconded by Commissioner Rodriguez to reclassify the Administrative Assistant/Training Coordinator position in the Sheriff's office to a Bookkeeper position (Grade 4). All voting "Aye".

13028 AUTHORIZE COUNTY TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPT OF TRANSPORTATION ISTE A PROGRAM FOR APPROXIMATELY \$165,000

Grants Administrator Richard Salmon reports that \$33,000 in matching funds will be provided by the Junior Service League - the grant funds are part of a local project to restore and rehabilitate the historic Hays County Jail - the restored building will be used as a visitor's center and house an expanded Junior Service League (JSL) Thrift Store - the JSL currently leases a building on Cheatham Street that is inadequate for their needs - the JSL has requested Hays County be the nominator for this project as outlined in the rules of the TXDOT/ISTEA program. A motion was made by Commissioner Barton and seconded by Commissioner Rodriguez to adopt resolution authorizing the County to submit a grant application to the Texas Department of Transportation ISTE A Program for approximately \$165,000.00. All voting "Aye".

RESOLUTION

A resolution of the Commissioners Court of the County of Hays, Texas hereby authorizes the submission of a grant application to the Texas Department of Transportation - Statewide Transportation Enhancement (ISTEA) Grant Program.

WHEREAS, the Junior Service League of San Marcos will be designated as the sponsor for the grant application under the rules of the Texas Department of Transportation (TxDOT). The grant request is for approximately \$165,000 to the TxDOT to renovate the historic Hays County Jail.

NOW, THEREFORE, BE IT RESOLVED BY THE Commissioners' Court for Hays County, Texas:

1. to request a grant for approximately \$165,000 from the Texas Department of Transportation - Statewide Transportation Enhancement Grant Program
2. to commit \$33,000 in funds provided by the Junior Service League, if approved, as match funds for the restoration of the historic Hays County Jail.
3. to recommend to the Texas Department of Transportation that this project be considered for "enhancement" funding.
4. to approve the cost budget detailed in Attachment 2 "Schedule and Budget" of the ISTE A grant application. Grant and matching funds will meet local, state and federal codes and regulations pertaining to ADA, Fire, Safety, and Health requirements.
5. to authorize the County Judge to execute all necessary documents as may be required to initiate process and complete the ISTE A "enhancement" project.

PASSED AND APPROVED at a meeting of the Commissioners' Court of Hays County, Texas on the 8th day of August, 1994.

13029 SUPPORT PLANNING GRANT PROPOSAL BEING SUBMITTED BY THE TEXAS PARKS & WILDLIFE TO THE TEXAS DEPARTMENT OF TRANSPORTATION ISTE A PROGRAM TO IDENTIFY THE MOST FEASIBLE HIKE AND BIKE ROUTES FOR THE LBJ SCENIC HILL COUNTRY TRAIL

Richard Salmon, County Grants Admin., reports that the Texas Dept. of Parks & Wildlife will submit a planning grant proposal to identify the most feasible hike and bike trail routes for the LBJ Scenic Hill Country Trail - Hays County is included in this overall plan, although only a very limited area east of Dripping Springs will be evaluated in this proposal - no funds are being requested, only support for the proposal. A motion was made by Commissioner Barton and seconded by Commissioner Rodriguez to adopt resolution supporting the grant proposal being submitted by the Texas Parks & Wildlife to the Texas Dept. of Transportation ISTE A Program to identify the most feasible hike and bike routes for the LBJ Scenic Hill Country Trail. All voting "Aye".

RESOLUTION

WHEREAS, the federal government has allotted 10 percent of Surface Transportation Program funds for what are known as "transportation enhancements", and these enhancements include provisions for pedestrian and bicycle facilities, as well as acquisition of scenic easements, scenic and historic sites;

WHEREAS, these enhancement monies are estimated to be \$180 million to Texas over the 6-year term of the authorizing federal legislation known as the Intermodal Surface Transportation Efficiency Act of 1994 (ISTEA);

WHEREAS, the Texas Department of Transportation has the responsibility for selecting and funding eligible projects within the State, and the department has called for proposals due August 16, 1994;

WHEREAS, the LBJ Scenic Hill Country Trail is a citizen-driven vision of a continuous bicycle and pedestrian trail linking Austin and San Antonio with Hill Country communities, state and local parks, and natural and historic resources in the Hill Country;

WHEREAS, the precise route location and the character and design of the trail corridor will be determined in the planning study by regional coordination and localized public input;

WHEREAS, the trail would serve residents and visitors alike, benefiting their needs for safe non-motorized transportation healthful outdoor exercise, and recreational travel;

WHEREAS, Hays County seeks to promote opportunities for its citizens, tourism and economic development, and preservation of the Hill Country's natural and historic resources;

WHEREAS, the Enhancement Program requires the endorsement of jurisdictions in which a proposed project is located;

WHEREAS, the Enhancement Program requires a minimum 20 percent non-federal share of project costs, and the non-federal share of this project is being borne through the partnership between the Texas Parks and Wildlife Department and the jurisdictions through which the LBJ Scenic Hill Country Trail would pass;

NOW, THEREFORE, BE IT RESOLVED THAT THE Commissioners Court for Hays County, Texas APPROVES the Texas Parks and Wildlife Department's proposal for Enhancement Funding at a meeting of the Commissioners' Court of Hays County, Texas on the 8th day of August, 1994.

13030 APPOINT CARL SCUDDER AS FIRE COMMISSIONER TO THE WIMBERLEY RURAL FIRE PREVENTION DISTRICT

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to appoint Carl Scudder as Fire Commissioner to the Wimberley Rural Fire Prevention District as recommended by Commissioner Payne. All voting "Aye".

13031 AUTHORIZE DOUCET & ASSOCIATES TO PERFORM ENGINEERING SERVICES RELATED TO THE JUVENILE SERVICES FACILITY

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize Doucet & Associates to perform engineering services related to the Juvenile Services Facility as recommended by Commissioner Payne. All voting "Aye".

13032 BURGER OAKS SUBDIVISION - 1ST READING APPROVAL

Mr. Kalaher presented "Burger Oaks" subdivision (lots 1-8) on first reading - this subdivision is located at Fitzhugh and Ted Burger Roads. A motion was made by commissioner Rippy, seconded by Judge Etheredge to approve "Burger Oaks" subdivision on first reading. All voting "Aye".

13033 FIELDSTONE REPLAT, LOTS 7A, 7B, & 7C - FIRST & SECOND READING APPROVAL

The City Dripping Springs has approved replat of Fieldstone Lot 7 - it is located on a county maintained roadway. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Fieldstone Replat - Lots 7A, 7B, & 7C" subdivision on first and second reading. All voting "Aye".

13034 LAS LOMAS SECTION 1 REPLAT - LOTS 5A, 5B & 5C - SECOND & THIRD READING APPROVAL AND VARIANCE TO GEOLOGICAL SURVEY

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Las Lomas Section 1 Replat - Lots 5A, 5B, & 5C" on second and third readings and grant a variance to geological survey requirement. All voting "Aye".

13035 AUTHORIZE ENTERING INTO A CONTRACT FOR DRIPPING SPRINGS OFFICE SPACE FOR THE SHERIFF'S DEPT., J.P. 4, CONSTABLE 4, ADULT PROBATION, AND THE HEALTH DEPARTMENT

Sheriff Paul Hastings appeared and spoke of need for office space in Dripping Springs for various county departments - the Sheriff's Dept. has been given notice that they must vacate their substation office by August 31, 1994 - this would impact the Adult Probation Dept. as they use this office space also - the new Justice of the Peace will need office space along with the Constable of Pct. 4 by January 1, 1995 - there is very little unoccupied office space in Dripping Springs and with the present rise in economic growth in the area it is becoming more difficult to locate affordable space - located two possibilities as follows:

1. The Commons: east of RR12 on US290 and houses the Hill Country Market Dripping Springs Pharmacy and others - managed by Evergreen Leasing out of Austin - 3500 sq. ft. available - rental of 50¢ per sq. ft. plus 8¢ per sq. ft. per month maintenance fee with minimum of 5 year lease - this space is not finished out and it would cost the County \$15-\$17 per sq. ft. to finish out- this calculates to between \$36,000-\$40,800 if we leased 2,400 sq. ft of space - monthly rent would be \$1,392.00 plus utilities.
2. Trailhead (fka Redwood Center) located on the west side of the business district at US290 and Bonnie Drive (between the Middle School & High School) - Manger/Owner is George Scott - 2,400 sq. ft. - rental is 35¢ per sq. ft. on a two year lease with an option to renew the third year at 45¢ - space is vacant and was last used as a church - it is a metal building in excellent condition - owner is in the process of totally renovating it as a retail center - it also houses the Dripping Springs Chamber of Commerce and Visitors Center - make-ready cost is \$4,927.00 - monthly rental on two year lease would be \$840.00 plus utilities - optional third year rent would go to \$1,080.00. Mr. Scott stated that he could have the portion for the Sheriff's Dept., Constable, and Adult Probation ready by Sept. 1, 1994 if Court approves this date and the J.P. offices ready by November 1, 1994.

County Auditor Bill Herzog spoke of his concerns about the total cost - exceeds bid procurement requirement (over \$15,000). Judge Etheredge suggested leasing the space to the end of the year. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize Judge Etheredge, Commissioner Rippy and District Attorney Marcos Hernandez to negotiate and enter into a contract for office space in Dripping Springs. All voting "Aye".

DISCUSSION REGARDING APPLICATION BY BRUCE & HOLLY COLLIE TO AMEND CERTIFICATE OF ADJUDICATION (TNRCC)

Judge Etheredge submitted a letter to the TNRCC on May 31, 1994 requesting that a public hearing be held in regard to the application by Bruce and Holly Collie to increase the amount of water diverted per annum from the Blanco river. Bruce Collie appeared before the Court - stated that his property is located on Flite Acres Road - he is producing hay and coastal bermuda - will not be pumping water during the drought - stated that he will be going by the rules, unlike others who are pumping illegally - public notice was published in the San Marcos Record. Judge Etheredge stated that the Court has not taken a position and no action is required this date - the Hays County Environmental Health Director is currently getting answers to his questions.

DISCUSSION REGARDING EARLY VOTING AND POLLING PLACES

A letter from the Office of the Secretary of State Elections Division was sent to the County Judge and the Election Administrator encouraging the county to expand the opportunities for voters to cast their ballots early - early voting has been and continues to be an essential component in the electoral process in Texas - with the demanding schedules of modern-day America, it makes sense that during the 17-day early voting period Texas voters will be more likely to cast a ballot at their convenience - we need to designate polling places in high traffic areas within the community. Joyce Cowan, Election Administrator, appeared before the Court - spoke of early voting sites throughout the county (5 temporary sites) - her office is a permanent site and open daily during early voting dates - suggested that another fulltime site be established in San Marcos (the Courthouse would be ideal) - August 25th is the recommended Dept. of Justice submission deadline for preclearance of early voting sites for the November 8, 1994 General Election.

13036 ENTER INTO CONTRACT WITH BICKERSTAFF, HEATH & SMILEY FOR LEGAL CONSULTATION CALL-IN SERVICES

Bickerstaff, Heath & Smiley submitted a renewal contract for legal consultation call-in services for the 1994-1995 year. Judge Etheredge stated that he would like to include all the county commissioners on the list of authorized people to receive legal advise. A motion was made by Judge Etheredge, seconded by Commissioner Barton to enter into renewal contract with Bickerstaff, Heath, & Smiley for legal consultation call-in services and to include all the County Commissioners' as authorized persons to make requests. All voting "Aye".

| | |
|---|-------|
| THE STATE OF TEXAS | ORDER |
| THE COUNTY OF HAYS | |
| WHEREAS many legal issues arise in conducting the affairs of Hays County; | |
| WHEREAS it is necessary for the efficient and proper conduct of county affairs to have legal questions addressed and answered, and resolved reasonably promptly; | |
| WHEREAS the law firm of Bickerstaff, Heath & Smiley, L.L.P. located in Austin, Texas has had made available to Hays County a legal consultation call-in service, through which it will provide up to twenty (20) hours of legal advise annually for which Hays County has paid an initial payment of Seventy-Five Dollars (\$75.00) to be applied against the cost of call-in consultation services actually used and billed monthly at Seventy-Five Dollars (\$75.00) per hour, in addition to expenses such as postage, copying, express mail, messenger service, long distance calls, and any other out-of-pocket expenses incurred; | |
| THEREFORE, IT IS ORDERED: That this Commissioners Court on behalf of this County hereby acts pursuant to its authority under state law to retain the law firm of Bickerstaff, Heath & Smiley, L.L.P. to be available to provide up to twenty (20) hours of legal consultation services to this County over twelve (12) months from the signing of this Order and Agreement. | |
| This additional legal services beyond the scope of the consultation services or in excess of the twenty (20) hour limit may be undertaken pursuant to this Order; provided that, however, any such additional services may be undertaken only upon specific request of the County Judge or his designee after a determination of applicable hourly rates and an estimate of the probable cost of such services. | |
| BE IT SO ORDERED. Adopted on this 8th day of August, 1994. | |

13037 AUTHORIZE APPOINTMENT OF A COMMITTEE TO REVIEW PROPOSALS FOR AN ARCHITECT FOR THE COURTHOUSE RENOVATION PROJECT

A committee is needed to review proposals for architectural services related to the Courthouse Renovation Project - suggested committee members are: Judge Eddy Etheredge, Commissioner Jeff Barton, Hays County Historical Commission Chairperson Lila Stilson-Knight, a San Marcos person, and a Hays County citizen. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize Judge Etheredge to appoint the Committee to review proposals for an Architect for the Courthouse Renovation Project. All voting "Aye".

13038 AUTHORIZE INTERLOCAL AGREEMENT FOR TEMPORARY LEASE OF PREMISES FROM THE CITY OF SAN MARCOS FOR THE HEALTH CLINIC

Judge Etheredge spoke of space available at the Municipal building (space previously occupied by the Central Appraisal District) - temporary space is being offered by the City of San Marcos for up to eight weeks at no cost to the County except for utilities - the City Council will take action on the Interlocal Agreement this evening. A motion was made by Judge Etheredge, seconded by Commissioner Rippey to authorize the Interlocal Agreement with the City of San Marcos for temporary lease of city premises for the County Health Department Clinic. All voting "Aye".

INTERLOCAL AGREEMENT FOR TEMPORARY LEASE OF PREMISES

THIS AGREEMENT is made and entered into this 8th day of August, 1994, by and between the City of San Marcos, whose address is 630 East Hopkins Street, San Marcos, Texas 78666, hereinafter called "Lessor"; and HAYS County, whose address is County Courthouse, San Marcos, Texas 78667, hereinafter called "Lessee".

In consideration of the mutual covenants to be performed, the parties hereto agree as follows:

1. DESCRIPTION OF LEASE PREMISES: Lessor does hereby lease, demise and let unto Lessee the ground floor interior of the Municipal Building situated in San Marcos, Texas, save and except the front lobby, elevator and stairwell common areas and being 9,000 square feet, more or less, with the address of 632A East Hopkins St.
2. TERM: Eight weeks beginning on the ninth day of August, 1994, and terminating on the fourth day of October 1994.
3. RENTAL: No rental is charged under this Agreement.
4. USE OF THE PREMISES: The Leased Premises shall be used as office and clinic space by the Lessee. The Leased Premises shall not be used for any other type of activity without the written consent of the Lessor.
5. UTILITIES: Lessee shall promptly pay to the Lessor, upon receipt of a request by Lessor, twelve percent (12%) of the total monthly charge for natural gas service to the Public Works Office Complex and the Municipal Building, and shall pay all charges for electricity and telephone service furnished to the Leased Premises. The Lessor shall pay for water, wastewater and garbage service to the building.
6. INDEMNIFICATION AND INSURANCE:
 - a. Lessee shall indemnify and hold Lessor harmless from any and all claims (including attorney's fees) of others for injuries to persons or property arising out of Lessee's negligent conduct of its business operations on the Leased Premises.
 - b. Lessee shall maintain adequate insurance on Lessee's personal property located within the Leased Premises.
7. ASSIGNMENT AND SUBLETTING: Lessee may not assign this Lease or sublet the Leased Premises, or any part thereof, except upon the prior written consent of the Lessor.
8. MAINTENANCE AND REPAIRS:
 - a. Lessor agrees to keep and maintain the Leased Premises in good repair including, but limited to the roof, walls and foundation of the building, and agrees to keep the building in a structurally sound and weathertight condition.
 - b. Lessee agrees to take good care of the Leased Premises and to return the Leased Premises in good condition, reasonable wear and tear excepted.
 - c. Lessee agrees to take care of all day-to-day janitorial services and maintenance of the Leased Premises.
9. INSPECTIONS: Lessor or its officers, agents and representatives, shall have the right to enter into and upon any and all parts of the Leased Premises at all reasonable hours to inspect the Leased Premises or clean or make repairs or alterations or additions as Lessor may deem necessary (but without any obligation to do so, except as expressly provided for herein).
10. PARKING: Lessee's employees and clientele may use unreserved parking areas adjacent to the Leased Premises for vehicle parking, on a first come, first serve basis. Lessee agrees to coordinate with St. John's Catholic Church to obtain permission for the use of a portion of the church's parking area, and Lessee shall place appropriate directional signs regarding use of this additional parking area by Lessee's employees and clientele.

IN WITNESS WHEREOF, Lessor and Lessee have executed this Agreement in duplicate.

AUGUST 8, 1994

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13039 DECLARE AN EMERGENCY AND AMEND THE BUDGET TO PAY FOR ROOF REPAIRS TO THE COUNTY HEALTH DEPARTMENT BUILDING

Roofing Consultant Kent Chatagnier spoke of reviewing the Health Department building roof - six roofing contractors were notified and five submitted base bids as follows:

| | |
|----------------------------------|--------------|
| Dan James Inc. (Lago Vista) | \$ 24,850.00 |
| L. D. Tebben Co. (Blanco) | \$ 35,580.00 |
| Port Enterprises (Austin) | \$ 32,480.00 |
| Stokes Construction (San Marcos) | \$ 24,658.00 |
| Easley Roofing (Victoria) | \$ 34,000.00 |

Spoke of roof work having a 5-10 year life expectancy - spoke of Class A roof - has asked that manufacturers warranty not be included or bond required for this project - Stokes Construction appears to be the low bidder, however, documentation is needed to back up the bid proposal. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to declare an emergency (unforeseen emergency/public health & safety issue) and amend the budget not to exceed \$ 27,000.00 to pay for roof repairs to the Hays County Health Department building and to furthermore exempt from bid process and award contract to Stokes Construction, low bidder, and if he is unable to comply with the bid, the contract will be awarded to the next lowest bidder. All voting "Aye".

CITIZEN INPUT REGARDING VARIOUS SUBJECTS (NON AGENDA ITEMS)

Stagecoach Road - Paula Wolking, Teacher & resident of Willow Creek Subdivision, spoke of street sign installed indicating the street name as "Stagecoach Road" - she has lived on this road for 12 years and it has always been known as "Stagecoach Trail" and is legally addressed as such - presented a petition signed by 23 of the 28 residents on this roadway requesting that the road name be designated as "STAGECOACH TRAIL". This item will be placed on the next commissioners court agenda for action.

3G Subdivision - Mrs. Carrie Beaty, owner of Lot 6, appeared before the Court and spoke of Yvonne Gardner and 3G Land development - stated that she will continue appearing before the Commissioners as long as 3G continues with development - Court needs to make sure that 3G complies with all the subdivision requirements - names of adjacent property owners must appear on the plat to be recorded - stated that for 14 months her family has lived without proper waste system or access to her property and her neighbor is also forced to live in unsanitary conditions - felt like it is the Court's responsibility to see that laws are followed. Commissioner Jeff Barton spoke of the civil dispute between Yvonne Gardner and the Beatys and his hope that the situation will be resolved soon - the plat Mrs. Beaty refers to has not yet been approved for filing, however, it is his opinion that it is in compliance with the county subdivision specifications.

Juvenile Services Facility - PSA representative presented the design document to the Court for viewing - spoke of work being done and civil engineering work needed - will need to relocate the existing power line. Judge Warner recommended that sallyport area needs to be fenced for security. Judge Etheredge suggested that the Juvenile Board be allowed to look at the plans prior to the court approving the plans.

EXECUTIVE SESSION

Court convened into closed executive session to discuss personnel matters, contemplated litigation, and land acquisition matters. Upon completion the Court reconvened into open meeting.

13040 AUTHORIZE COUNTY JUDGE TO SIGN LETTER OF INTENT TO THE NATURE CONSERVANCY

Judge Etheredge stated that the Court has discussed in executive session entering into a letter of intent with The Nature Conservancy to negotiate on behalf of the county for the purchase of property in the Wimberley area (Blue Hole property) which consist of 125 acres - the letter will authorize TNC to negotiate on behalf of the county and is not a commitment to purchase - to see if property can be bought at a price that would be acceptable with the Commissioners Court. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the County Judge to sign Letter of Intent to the Nature Conservancy for possible purchase of the "Blue Hole Property". All voting "Aye".

Mr. Charles Bassett, Regional Director
The Nature Conservancy
P.O.Box 2267
Chapel Hill, NC 27515-2267

Re: Letter of Intent - "Blue Hole Property"
Wimberley, Hays County, Texas

Dear Mr. Bassett:

This letter summarizes the general terms whereby Hays County, Texas (hereinafter referred to as "the County") requests The Nature Conservancy of Texas, Inc. (hereinafter referred to as "TNC") to serve as an intermediate buyer for a property to be purchased by the County for natural area conservation. The following sections set out the general terms describing the properties, purchase price and special conditions.

PROPERTY

1. The property to be purchased is described in Exhibit A and consists of approximately 125.14 acres. The purchase will be in the form of a option to purchase contract. The County will retain the right to accept assignment of the option or require TNC to take title after which time the county will purchase the property.

PURCHASE PRICE

2. The purchase price for the property will be a mutually agreed amount, but in no event will it be greater than the fair market value. If the County accepts assignment of the option it will reimburse TNC for the option fee, as well as the applicable expenses set forth under Paragraphs 3, 4 and 5.

3. In addition to the purchase price, the County will reimburse TNC for all reasonable direct costs incurred in acquiring the property. Direct costs include but are not limited to: option fees, appraisal costs, survey costs, title insurance, recording fees, attorney fees for document preparation, land acquisition activities, and other appropriate expenses. After the effective date this Letter of Intent. TNC will utilize service providers selected from a County approved list of qualified contractors and will coordinate with the County to ensure that direct costs associated with acquisition are approved and authorized by the County prior to expenditure.

4. The County will reimburse TNC for all direct costs incurred

- (a) in the acquisition of the property,
- (b) in the event the County directs TNC to exercise its option to purchase the property and,
- (c) during TNC's actual holding period for the property in which interest will be computed at up to seven and one-half percent (7.5%).

5. The County will reimburse TNC for all reasonable indirect costs incurred in acquiring the property calculated as follows:

- (a) three percent (3%) of the land cost up to \$500,000,
- (b) two percent (2%) of the land cost between \$500,000 and \$11 million, and,
- (c) one percent (1%) of the actual land costs above \$1 million.

SALE CONDITIONS


6. The County will make every attempt to purchase the property from TNC under a formal agreement embodying the terms of this Letter of Intent.

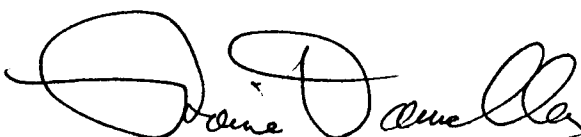
7. In the event the County is unable to purchase the property, TNC shall have the right to sell any of the involved property.

DISCLAIMER

This Letter of Intent sets forth the basis terms of Hays County's intention to purchase land owned by The Nature Conservancy of Texas, Inc., or to request The Nature Conservancy of Texas, Inc. to purchase land for the County. The County and The Nature Conservancy of Texas, Inc. each acknowledge and agree this Letter of Intent does not impose any binding obligation on either party.

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

AUGUST 12, 1994

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STATE OF TEXAS

COUNTY OF HAYS

ON THIS THE 12TH DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
CRAIG D. PAYNE
RONNIE DANNELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13041 DECLARE AN EMERGENCY AND AMEND THE BUDGET TO REPAIR THE HAYS COUNTY RECORDS BUILDING ROOF

Judge Etheredge stated that the purpose of this meeting is to consider an emergency budget amendment to repair the Records building roof and air conditioning system - rain and hail damage has caused the roof to leak and ceiling tile to collapse on the ground floor and the second floor. Kent Chatagnier, Roofing Consultant, spoke of his review of the situation - bids were received from

| | |
|---|--------------|
| Dan James Inc. (Lago Vista) for roof work = | \$ 18,900.00 |
| AusTex AC for AC work = | \$ 4,961.00 |
| Stokes Construction (San Marcos) for roof work = | \$ 20,955.00 |
| Balcones Air Conditioning & Refrigeration for AC work = | \$ 5,492.00 |


Low bidder was Dan James Inc./AusTex AC with total of \$ 23,861.00. Judge Etheredge spoke of damage to other buildings in the county and insurance settlements pending - LEC has the largest number of air conditioning units that need repaired and flashing damage. Discussion was had on work to be done. Commissioner Payne suggested that air conditioning be installed on the second floor of the building. Kent Chatagnier suggested compromise and air conditioning the back portion of the second floor.

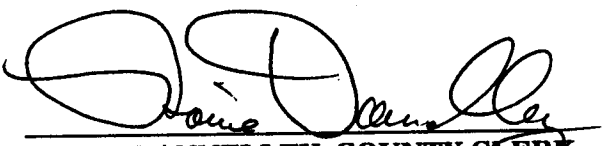
A motion was made by Judge Etheredge, seconded by Commissioner Barton to declare an emergency and amend the budget to repair the Records Building roof in an amount not to exceed \$30,000.00 and award the contract to Dan James Inc./AusTex AC. All present voting "Aye".

A motion was made by Commissioner Payne and seconded by Commissioner Barton to authorize Roofing Consultant Kent Chatagnier to explore the cost of an additional air conditioner for the second floor of the Records Building. All present voting "Aye".

Commissioner Rodriguez spoke of his concerns about not notifying and using local vendors. Judge Etheredge stated that local vendors need to notify the Purchasing Agent and be placed on her list - some local vendors do not want to submit bids.

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 15TH DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANNELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13042 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 161,501.43 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|-------------------|--------------|--------------------|--------------|--------------------|--------------|
| Fines | \$ 333.00 | Auditors Ofc | \$ 75.69 | Treasurers Ofc | \$ 45.00 |
| Juvenile Prob | \$ 865.66 | Election Admin | \$ 9.00 | Transfer Station | \$ 315.00 |
| Bldg. Maintenance | \$ 1,446.67 | Eniron Health | \$ 217.29 | Personal Health | \$ 90.00 |
| Civic Center | \$ 57.98 | Countywide Oper | \$ 20,141.52 | Tax A/C | \$ 69.72 |
| District Clerk | \$ 380.90 | County Clerk | \$ 1,950.43 | Sheriffs Ofc | \$ 1,627.62 |
| Jail Operations | \$ 32,992.64 | County Judq3e | \$ 756.37 | Human Resources | \$ 18.92 |
| Dist. Attorney | \$ 227.48 | J.P. 1-2 | \$ 20.31 | J.P. 2 | \$ 4.14 |
| J.P. 3 | \$ 40.00 | J.P. 5 | \$ 60.00 | D.P.S. | \$ 526.13 |
| Constable 1 | \$ 77.71 | Constable 5 | \$ 72.16 | Dist. Court Oper | \$ 3,247.33 |
| Co & JP Crt Oper | \$ 5,679.93 | Computer Svcs | \$ 107.32 | Fire Marshal/EMC | \$ 475.00 |
| Dist Crt Reporter | \$ 123.96 | TJPC CCAP Grant | \$ 13.00 | Renov/Spec Proj | \$ 212.09 |
| R&B Operations | \$ 36,502.14 | Precinct 1 | \$ 958.00 | Precinct 2 | \$ 1,145.14 |
| Precinct 4 | \$ 2,055.00 | Health Svcs Grants | \$ 309.00 | Law Library Fund | \$ 70.95 |
| Road Construction | \$ 13,920.37 | Foster Care Fund | \$ 8,982.34 | Adult Prob Oper | \$ 14,725.64 |
| Adult Prob Fac | \$ 1,980.44 | D. A. Reimb Trust | \$ 3,613.44 | Antidipation Notes | \$ 5,000.00 |

13043 AMEND THE BUDGET OF VARIOUS DEPARTMENTS

The following budget amendments were proposed:

Treasurer's Office - Transfer \$ 925 into printing for new payroll check format printing and \$ 200 into postage from personnel costs savings and continuing education.

District Attorney's Office - Transfer \$ 700 into equipment lease for copies for balance of expenses FY94 from telephone line item.

County Judge's Office - Transfer \$ 2,275 into data processing equipment for notebook computer from personnel cost savings and office equipment maintenance.

Renovation/Special Projects - Fund partial emergency renovations in Health Dept. building HVAC duct system from balance of line items in Renovation dept. budget.

EMC/Fire Marshal - Transfer \$300 to fund 2 file cabinets into equipment line from authorized amount budgeted in as unspecified in countywide office equipment line item.

Road & Bridge Operations - Transfer for tools from balance of Road equipment, increase dumpster hauling from personnel cost savings.

Adult Probation Operating - Transfer \$4,000 into travel from professional fees for balance of FY94.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendments as proposed by the County Auditor (Amendment No. 94-59). All voting "Aye".

| Line Item - Expenditure | Increases | Decreases |
|--------------------------|-----------|-----------|
| TREASURER'S OFC | | |
| 01-402-5461 Printing | \$ 925 | |
| 01-402-5212 Postage | \$ 200 | |
| 01-402-5021 Staff Sal | | \$ 900 |
| 01-402-5331 Cont Ed | | \$ 225 |
| DISTRICT ATTORNEY'S OFC | | |
| 01-423-5473 Copier Lease | \$ 700 | |
| 01-423-5489 Telephone | | \$ 700 |

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| | | |
|--------------------------------------|----------|----------|
| COUNTY JUDGE'S OFC | | |
| 01-420-5712 Data Proc Eqpt | \$ 2,275 | |
| 01-420-5021 Staff | | \$ 279 |
| 01-420-5110 FICA | | \$ 13 |
| 01-420-5121 Retirement | | \$ 20 |
| 01-420-5411 Ofc Eqpt maint | | \$ 463 |
| 01-420-5449 Temp Personnel | | \$ 1,500 |
| RENOVATION/SPECIAL PROJECTS | | |
| 01-601-5444 Health Dept. Emerg Renov | \$ 8,800 | |
| 01-601-5021 Staff | | \$ 7,721 |
| 01-601-5031 Overtime | | \$ 174 |
| 01-601-5110 FICA | | \$ 433 |
| 01-601-5191 Travel Allowance | | \$ 400 |
| 01-601-5241 Supplies | | \$ 50 |
| 01-601-5448 Services | | \$ 22 |
| EMC/FIRE MARSHAL | | |
| 01-472-5711 Ofc Eqpt | \$ 300 | |
| COUNTY-WIDE OPERATIONS | | |
| 01-414-5711 Ofc Eqpt | | \$ 300 |
| ROAD & BRIDGE OPERATIONS | | |
| 03-438-5719 Misc Tools | \$ 300 | |
| 03-438-5714 Road Eqpt | | \$ 300 |
| 03-438-5452 Trash Hauling | \$ 800 | |
| 03-438-5021 Staff | | \$ 800 |
| ADULT PROBATION OPER/SUPV | | |
| 34-486-5311 Travel | \$ 4,000 | |
| 34-486-5329 Professional Fees | | \$ 4,000 |

13044 CLARIFY AND RE-ESTABLISH ROAD NAME DESIGNATION IN PCT. 3 OF "STAGECOACH TRAIL" (WILLOW CREEK SUBD)

The following petition was submitted:

We, the undersigned residents of Stagecoach "Trail", request the Hays County Commissioners Court to change the legal name of our street from Stagecoach Road/Drive to Stagecoach Trail. For the past twelve years the residents of this street have recorded Stagecoach Trail as our legal description rather than Stage coach Road, currently used by the new intermediate school. We willingly changed our street numbers for the implementation of 911, but we find it unnecessary to submit to a second change of a street name, when it fact our street signs bear the name Stagecoach Trail. We also do not want to conflict with the Old Stagecoach Road that exists in our county. We appreciate your prompt attention.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to clarify and re-establish the road name designation in Pct. 3 of "Stagecoach Trail" in the Willow Creek Subdivision. All voting "Aye".

13045 APPROVE CONTRACT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TRANSFER OF RECLAIMED ASPHALT PAVEMENT

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve contract agreement with the Texas Dept. of Transportation for the transfer of reclaimed asphalt pavement. All voting "Aye".

AGREEMENT FOR THE TRANSFER OF
RECLAIMED ASPHALT PAVEMENT
(TEXAS POLITICAL SUBDIVISION)

THIS AGREEMENT, is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter identified as the "State", and the County of Hays, a Texas political subdivision, acting by and through its duly authorized officers, hereinafter identified as the "Entity".

W I T N E S S E T H

WHEREAS, the State owns and operates a system of highways for public use and benefit; and
WHEREAS, reclaimed asphalt pavement, hereinafter identified as "RAP", is created and used by the State for various aspects of highway construction and maintenance; and
WHEREAS, Articles 6673I and 6674I-2, Vernon's Texas Civil Statutes, established the State's requirements concerning RAP; and
WHEREAS, the State is authorized under the aforementioned statutes to transfer the ownership of RAP to Texas Political Subdivisions; and
WHEREAS, the Entity has submitted a written request for 2500 cubic yards of RAP to be transferred from the State; and
WHEREAS, the State desires to transfer to the Entity 2500 cubic yards of RAP located at S.H. 80 & S.H. 21 near San Marcos;
NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

1B. DONATION OF RAP

The State has determined that there is no foreseeable need for RAP and/or the cost of handling will exceed its worth. The State agrees to donate the RAP to the Entity.

2. USE OF RAP

The Entity agrees to use the RAP in a manner consistent with the requirements established in Articles 6674I-2, V.T.C.S., as amended.

3. TRANSFER OF TITLE

Upon the date of final execution of this agreement, title and ownership of the RAP transfers from the State to the Entity. Upon passing of title, the State relinquishes all liabilities associated with the RAP to be transferred.

4. REMOVAL OF RAP

A. The Entity shall remove the RAP from the State's stockpile within thirty (30) calendar days from the date of final execution. In the event the RAP is not removed within the 30 day period, the Entity must notify the State to explain the reasons for the delay. In the event the Entity does not notify the State, this agreement will be declared null and void and the ownership of the RAP will revert back to the State. The State will not be responsible to refund any payments made under this agreement.

B. The Entity shall notify the State at least 48 hours prior to removing the RAP.

C. The Entity shall provide all traffic control to comply with the Texas Manual on Uniform Traffic Control Devices (TMUTCD) when removing the RAP from the State's stockpile. Access to the TX DOT's stockpile from the mainlanes, ramps or connectors of a controlled access highway will not be permitted unless a traffic control plan is submitted and approved by the State.

5. INDEMNIFICATION

To the extent permitted under existing law, the Entity shall indemnify and hold harmless the State from all claims and liabilities due to activities of itself, its agents, employees or officers performed under this agreement and which results from any error, omission or negligent acts of the Entity or any person employed by the Entity. Additionally, to the extent permitted under existing law, the Entity shall indemnify and hold harmless the State from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting said claim or liability which might be imposed on the State as the result of such activities of the Entity, its agents, employees or officers.

6. AMENDMENTS

Any changes in the scope, character or costs established herein shall be enacted by a written amendment executed by both parties.

7. COMPLIANCE WITH LAWS

The Entity shall comply with all federal, state and local laws, statutes, ordinances, rules and regulations, and the order and decrees of any court or administrative body in any manner affecting the performance of this agreement.

8. LEGAL CONSTRUCTION

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any provision hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein.

9. PRIOR AGREEMENTS SUPERSEDED

This agreement constitutes the sole and only agreement of the parties hereto and supersedes any prior understandings and/or written or oral agreements between the State and the Entity respecting the within subject matter.

10. AGREEMENT PERIOD

This Agreement shall become effective upon the date of final execution by the State and shall terminate upon the Entity's removal of the RAP or unless terminated as provided herein.

13046 APPROVE UTILITY INSTALLATION PERMITS FOR THE ROAD DEPT.

The following permits were presented for approval:

- #94205 on Petras Way (Kai Vista) to Goforth Water Supply Corp.
- #94401 on Cross Creek Dr. (Bear Creek Estates) to Hill Country Water Supply
- #94402 on Nutty Brown Road to Hill Country Water Supply
- #94403 on Long Creek (Heritage Oaks) to Hill Country Water Supply
- #94404 on Trail Driver (Big Country) to Hill Country Water Supply

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Installation Permits # 94205, 94401, 94402, 94403, and 94404 as presented by the County Road Department. All voting "Aye".

13047 ACCEPT INTERNAL AUDIT REPORT OF KYLE AREA VOLUNTEER EMS INC.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Audit Report of the Kyle Area Volunteer EMS Inc. All voting "Aye".

13048 ACCEPT INTERNAL AUDIT REPORT OF JUVENILE PROBATION DEPARTMENT

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Audit Report of the Juvenile Probation Department. All voting "Aye".

13049 APPROVE CONTRACT WITH TXDOT FOR REPLACEMENT OF AN OFF-SYSTEM BRIDGE ON CHAPARRAL DRIVE AT LITTLE BEAR CREEK

Judge Etheredge explained that this federal project requires a 20% local match plus indirect costs, making the county's portion = \$ 50,071.00 of the \$234,000.00 project - an amount of \$4,280.00 is needed to put into escrow at this time. A motion was made by Commissioner Barton, seconded by Commissioner Payne to enter into a Construction and Maintenance Agreement for Bridge Replacement or Rehabilitation Off The State System with the Texas Dept. of Transportation and to allocate \$ 4,280.00 out of Road & Bridge General Right-Of-Way funds at this time. All voting "Aye".

CONSTRUCTION AND MAINTENANCE AGREEMENT
FOR BRIDGE REPLACEMENT OR REHABILITATION
OFF THE STATE SYSTEM

THIS AGREEMENT, made on the date shown hereinafter, by and between the Texas Department of Transportation, hereinafter called the "Department", and Hays County, a local government or governmental agency or entity, hereinafter called the "Governmental Agency, acting by and through its Commissioners Court and by virtue of the authority shown on Exhibit A attached hereto and made a part hereof.

WITNESSETH

WHEREAS, the Governmental Agency is owner of a bridge located on a public road or street within its jurisdiction at Little Bear Creek on CR 102 (Chaparral Drive); and

WHEREAS, under Title 23, United States Code as amended by the Intermodal Surface Transportation Efficiency Act of 1991 and subsequent Federal legislation, a program entitled 1993-95 Off-State System Federal-Aid Bridge Replacement and Rehabilitation Program has been approved by the Texas Transportation Commission and said bridge is included in this program; and

WHEREAS, it is incumbent upon the Department to assure accomplishment of this work.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, as hereinafter set forth, it is agreed as follows:

1. The Governmental Agency hereby authorizes the Department or its contracted consultant and Department's contractor to enter on the site of said bridge and adjacent right of way or relocation right of way to perform surveys, inspection, construction and other purposes necessary to replace or rehabilitate said bridge and approaches.
2. The Governmental Agency agrees to provide, at its expense, the necessary adjustment of any and all utilities and services, whether publicly or privately owned, as may be necessary to permit the work authorized herein. Existing utilities will be adjusted in respect to location and type of installation in accordance with requirements of the Department.
3. The Governmental Agency agrees to provide 20% of the actual construction cost of the bridge replacement or rehabilitation project including preliminary engineering and construction engineering, or that portion of the cost of

3. The Governmental Agency agrees to provide 20% of the actual construction cost of the bridge replacement or rehabilitation project including preliminary engineering and construction engineering, or that portion of the cost of the project not reimbursable by the Federal Highway Administration. This amount also includes compensation to the State for work performed under this agreement based upon direct labor, equipment, material and other direct expenditures; and indirect costs at the rates in effect for the fiscal years during which the work is accomplished. The indirect cost rate will be based on the Texas Department of Transportation's Indirect Cost Plan. The Governmental Agency further agrees to acquire, at no cost to the Department, any additional right of way, if required.

Within 30 days following execution of this agreement the Governmental Agency agrees to pay to the Department by check made payable to the Texas Department of Transportation an amount equal to 20% of the estimated cost of the preliminary engineering for the project plus the estimated indirect costs to the Department for performance of that service. Forty-five days prior to the Department's scheduled date for the contract letting, the Governmental Agency agrees to pay to the Department an amount equal to the remainder of the Governmental Agency's obligatory 20% participation in the project including indirect costs on that remaining participation. If, at any time during plan development or construction of the project, it is found that the amount received is insufficient to pay the Governmental Agency's obligation, then the Department shall immediately notify the Governmental Agency which shall promptly transmit the required amount to the Department. After the project is completed, the actual cost will be determined by the Department, based on its standard accounting procedures, and any excess funds paid by the Governmental Agency shall be returned to the Governmental Agency.

4. If, after execution of the agreement, the Governmental Agency elects to terminate the project, the Governmental Agency shall be responsible for those eligible expenses incurred by the State which are attributable to the project.

5. As part of preliminary and construction engineering, the Department will prepare or provide for the construction plans, advertise for bids and let the construction contract, or otherwise provide for the construction and will supervise the construction or reconstruction as required by the plans. It is mutually agreed that as the project is developed to the construction stage, both parties shall approve the plans by signature approval thereon, and a copy of such plans will be attached hereto, marked "Exhibit B", and made a part hereof.

6. In the event the terms of this agreement are in conflict with the provisions of any other existing agreements and/or contracts between the Governmental Agency and the Department, this agreement shall take precedence over the other agreements and/or contracts.

7. Upon completion of the project, the Governmental Agency agrees to accept ownership and operate and maintain the facility authorized by this agreement for the benefit of the public without charge.

8. The Governmental Agency acknowledged that while not an agent, servant, or employee of the State, it is responsible for its own acts and deeds and for those of its agents or employees during the performance of the work authorized in this contract.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate on the date herein stated.

13050 RAMSEY RANCH SUBDIVISION - FIRST READING APPROVAL

A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Ramsey Ranch" subdivision on first reading. All voting "Aye".

13051 KIRBY SPRINGS RANCH PHASE 2 REPLAT LOTS 24A & 24B - FIRST READING

Patsy Greiner advised that a public hearing was held in Dripping Springs on August 11, 1994 and notice was published accordingly - a letter was submitted by the City of Dripping Springs stating that their ordinance does not apply to this resubdivision (division of land into parcels of five acres or more shall not be included in this definition of subdivision, where each party has access and no public improvement is being dedicated). A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Kirby Springs Ranch Phase 2 Replat Lots 24A & 24B" on first reading. All voting "Aye".

13052 KIRBY SPRINGS RANCH PHASE 2 REPLAT LOTS 27A & 27B - FIRST READING AND CALL FOR PUBLIC HEARING

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Kirby Springs Ranch Phase 2 Replat Lots 27A & 27B" on first reading and call for a public hearing to be held August 29, 1994 at 9:00 A.M. All voting "Aye".

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13053 3-G RANCH SECTIONS 1 & 2 REPLAT AMENDED - FIRST READING AND CALL FOR A PUBLIC HEARING

Patsy Greiner, Admin. Coord, advised that 3G Ranch Sections 1 & 2 have already been approved on first and second readings, however, the dimensions of Lot 7 has since been changed thereby causing an amendment. Commissioner Barton spoke of problems created by owner continuing to make changes to the subdivision and creating confusion. Niederwald Mayor Fern Howze spoke of lots being sold - stated that she has never received a copy of this amended plat - the Niederwald City Council meets only once a month and the next scheduled date is September 11, 1994. a motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve "3G Ranch Sections 1 & 2 Replat Amended" on first reading and call for a public hearing on August 29, 1994 at 9:00 A.M. All voting "Aye".

13054 3-G RANCH SECTION 3 - FIRST READING APPROVAL

Patsy Greiner, Admin. Coord., spoke of her concerns about "3-G Ranch Road" - a temporary cul-de-sac is needed and a letter of credit prior to the third reading. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "3-G Ranch Section 3" subdivision on third reading. All voting "Aye".

13055 FIELDSTONE BLOCK A REPLAT LOTS 7A, 7B & 7C - THIRD READING APPROVAL

A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve "Fieldstone Block A Replat Lots 7A, 7B, & 7C" on third reading. All voting "Aye".

13056 TRIPLE CREEK RANCH SECTION 1 - THIRD READING APPROVAL

Patsy Greiner, Admin. Coord., advised that the Letter of Credit has not been submitted - Environmental Health will not sign-off on the final plat until LOC is filed - the roads will be privately maintained with a Homeowners Association in place. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve "Triple Creek Ranch Section 1" subdivision on third reading. All voting "Aye".

13057 ROAD NAME DESIGNATION: RENAME CR146/CARPENTER ROAD AS BEACON HILL ROAD - PUBLIC HEARING AND ACTION

Judge Etheredge called the Public Hearing open to consider renaming Carpenter Road as Beacon Hill Road. Commissioner Barton spoke of petition that was submitted - a Carpenter Lane already exists in Pct. #2. The public hearing was closed.

| |
|---|
| <p>Jeff Barton
Commissioner, Precinct II
Kyle, Tx 78640</p> <p>Dear Sir:</p> <p>We, the land owners, on County Road 146, request the Court of Commissioners to name Co. Rd. 146, Beacon Hill Road.</p> <p>Our hill is the highest in north Hays county and has been known to most of us all our lives as Beacon Hill. There was a flashing beacon light on the hill from World War II until in the 1950's, thus the name.</p> <p>Sincerely yours,</p> <p>s/ Melvin & Jo Ann Thames
s/ Jack & Gaye Dahlstrom
s/ John & Brenda Thames
s/ Glen Lange
s/ Lori Lange</p> |
|---|

A motion was made by Commissioner Barton, seconded by Judge Etheredge to rename CR146/Carpenter Road as "Beacon Hill Road". All voting "Aye".

GUADALUPE-BLANCO RIVER AUTHORITY - PRESENTATION RE: EDWARDS AQUIFER

Bill West, General Manager at GBRA appeared before the Court and spoke of water availability from the Guadalupe basin - surface water is an important factor to sustain the aquifer - spoke of the Trans Texas study - Houston, Corpus Christi, and San Antonio are the demand areas - spoke of the GBRA proposal - a large percentage of water rights are irrigation rights which are not being utilized - by supplying San Antonio with water, we protect the San Marcos and Comal Springs - spoke of water sale contracts (not a transfer of water rights) - spoke of need for the County to have a representative to protect their water interest.

13058 AUTHORIZE THE TEXAS DEPARTMENT OF COMMERCE TO ACT AS NOMINATING ENTITY FOR THE TEXAS HEARTLAND NETWORK FOR A GRANT PROPOSAL TO THE TEXAS DEPT. OF TRANSPORTATION ISTE A PROGRAM

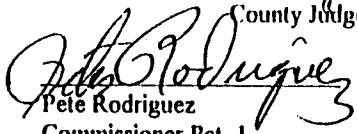
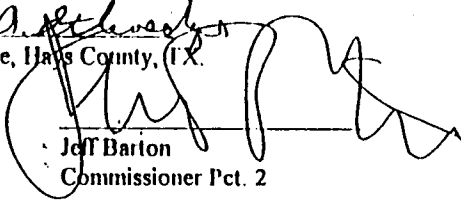
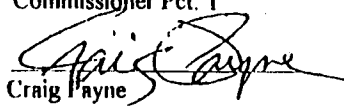
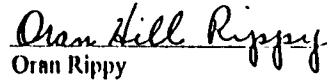
A portion of Hays County is included in the Texas Heartland Network and the TxDOT wants local matching funds to come from the localities - the Heartland Network will give us \$7,000 which will be dedicated for their project - the county is not committing any local funds, but may benefit with some long term planning for hike and bike trails in the Wimberley and Dripping Springs areas - the Texas Heartland Network received a grant from the Meadows Foundation to be used as matching funds for the development of the Heartland Network. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to adopt resolution authorizing the Texas Dept. of Commerce to act as nominating entity for an application to the TxDOT ISTE A Program for the Texas Heartland Network. All voting "Aye".

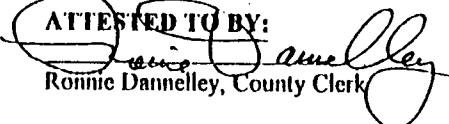
RESOLUTION # 13058

BE IT RESOLVED that the Hays County Commissioners Court has authorized the Texas Department of Commerce to act as nominating entity for an application to the Texas Department of Transportation - Statewide Transportation Enhancement (ISTEA) Program for the Texas Heartland Network.

Hays County is included in the overall Texas Heartland Network project. ISTEA and matching funds will be used to plan a "Linking System" which will include facilities and travel information for pedestrians and bikers to and from the Discovery Centers in Hays, Gillespie and Blanco counties, landscaping and beautification with appropriate signage and planning with local property owners for hike and bike routes. Hays County will work with the Department of Transportation, the Department of Commerce and the Texas Heartland Network to insure proper disbursement of \$7,000 in matching funds.

PASSED AND APPROVED at a meeting of the Commissioners Court of Hays County, Texas on the 15th day of August, 1994.

| | |
|--|---|
| 
Pete Rodriguez
Commissioner Pct. 1 | 
Jeff Barton
Commissioner Pct. 2 |
| 
Craig Payne
Commissioner Pct. 3 | 
Oran Hill Rippey
Commissioner Pct. 4 |

ATTESTED TO BY:

Ronnie Dannelley, County Clerk



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EXECUTIVE SESSION

The Court convened into closed executive session to discuss land acquisition, contemplated litigation, and personnel matters. No action was taken.

Judge Etheredge advised that budget workshops will begin on August 18, 1994 at 1:00 P.M. in the County Judge's office at the Courthouse Annex - a schedule of workshops was presented to members of the Court. Court was recessed until Wednesday August 18, 1994 at 1:00 P.M.

MINUTES APPROVED IN OPEN COURT ON THE _____ DAY OF _____, 1994.

**EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS**

**RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS**

**STATE OF TEXAS
COUNTY OF HAYS**

ON THIS THE 17th DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|--------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13059 APPROVE PLANS AND AUTHORIZE COUNTY AUDITOR TO GO OUT FOR BIDS ON THE JUVENILE SERVICE CENTER

A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to approve plans and authorize County Auditor to go out for bids on the Juvenile Service Center. All present voting "Aye".

BUDGET WORKSHOP

Judge Etheredge spoke of problem with Auditors computer - not able to utilize the computer at this time and the proposed budget has not yet been printed out for filing with the County Clerk and distribution to the various departments. We are \$1,189,864 over the estimated revenues - recommends that the following items be paid for out of reserves and taken out of the budget: \$ 150,000 Sheriffs cars, \$ 312,135 Computer hardware & software, \$ 220,000 Building remodeling, \$ 35,500 Autos for other depts.(total=\$ 472,229).

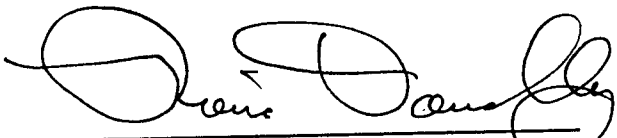
Gave the following figures: 42.25 ¢ current tax rate, (4.25) ¢ tax decrease-increase evaluations, 4.00 ¢ add'l tax for new debt (anticipation notes & road/courthouse bonds), (2.00) ¢ we debt reserves to lower tax rate = 40.00 ¢ Estimated Effective Tax Rate Included in Proposed FY 95 budget:

- | | | | |
|-----|--|------------|---|
| 1) | Cost of Living | \$ 250,000 | 2 1/2% approx |
| 2) | Merit & Step raises | \$ 100,000 | |
| 3) | Automobile - Juv Prob | \$ 12,000 | new |
| | Constable #1 | \$ 5,000 | |
| | Constable #5 | \$ 8,500 | |
| | Bldg. Maint. | \$ 10,000 | |
| | Sheriffs Ofc | \$ 150,000 | 10 budgeted + 10 financial |
| 4) | Add'l funding for Community & Social Services - add'l | \$ 73,000 | approx |
| 5) | Bldg. remodeling | \$ 200,000 | HEB in addition to anticipation note \$ |
| | | \$ 20,000 | Annex 1st floor remodeling |
| 6) | Juv. Detention Operations | \$ 100,000 | expenses net of income(in conting) |
| 7) | Funds for matching grants | \$ 30,000 | (new item per request of grant admin) |
| 8) | Rent for JP#4 and other ofcs | | |
| 9) | Increase District Clerk office from 35 hours to 40 hours | | |
| | Add: additional position in District Clerk (part-time to full-time) | | |
| 10) | Sheriffs Office - Add 3 patrol deputies | | |
| | Add 1 dispatcher | | |
| | Add 1 training sergeant | | |
| | Add 1 training assistant | | |
| 11) | Add 1 bldg. maint. person | | |
| 12) | Add 1 secretary in D.A.'s office | | |
| | Add Attorney D.A. | | |
| 13) | Upgrade Constable #1 office administrator to Deputy Constable | | |
| 14) | Add 1 Deputy Constable for Constable #5 | | |
| 15) | Computer Hardware and Software \$312,135 in Data Processing Dept. for Countywide | | |

Judge Etheredge went over items included in proposed budget - spoke of building maintenance person needed - should hire someone for \$25,000.00 that could handle air conditioning, air quality, determines wiring diagrams, etc. - Human Resources is providing a job description (Grade 12) for this position - spoke of Attorney proposed for the District Attorney's office - Constable #1 upgrading of office administrator to Deputy Constable (no new clerical staff will be included) - Sheriff Hastings has agreed to not request additional civil process officer if Constable #5 is given a Deputy Constable to serve papers - the Sheriff is still ultimately responsible for papers sent to him- computer hardware/software was discussed. Began going through the budget. Sheriff's Dept. - requested additional personnel - discussion was had regarding Animal Control and the office in general. North Hays County EMS District - Judge Etheredge spoke of NHC EMS budget request for funding = \$108,000 - state mandates are requiring more training, etc. which is increasing their cost of operations - they are unable to general enough taxes to cover their expenses - this same dilemma is affecting the Fire Districts - felt like the County has an obligation to provide adequate EMS services to county residents. Discussion was had regarding the San Marcos/Hays County EMS and services being provided to other county's who are not contributing to the operational costs (i.e. Caldwell and Guadalupe Counties). Bailiffs - Judge Etheredge spoke of requests from the District and County Court Judges requesting increases in their Bailiff's & Court Reporters salaries. Bailiffs/Courthouse Security could be placed under the Sheriff's dept. as Deputies.

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 18th DAY OF August A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

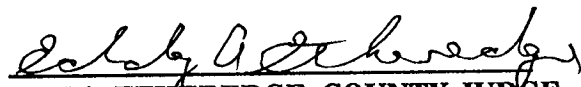
EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANNELLEY

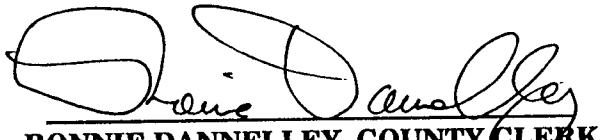
COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Court went through the recommended budget - changes made were as follows: Grants Admin - moved Grants Auditor out of this budget, increased postage to \$150 and reduced public notice expense to \$750. Juvenile Probation - Ed Cooper appeared and discussed increase in his duties with the new Juv Svcs Center - requested salary increase for staff. San Marcos Library - increased funding to \$27,910. Kyle EMS - budget \$5000 for defibrilator. Discussed other EMS services. San Marcos EDC - budgeted \$25,000. Womens Center - increase to \$25,000 to help fund expansion. Legal Aid - Mike Grazioplene appeared requesting funding \$25,600. Bldg. Maint - Add one maint person & \$220,000 for Misc. Capital Imprvmnts. Sheriffs Ofc - 10 new vehicles (annually) + 10 out of reserves (one time purch) discussed adding on the jail storage to house purchasing - no \$ in budget to remodel old jail. Co Court at Law 1 - Bailiff's need to be re-evaluated by Human Resources. District Atty - additional ADA needed to do bond forfeitures and civil matters. J.P. 1-1 - 40 hr work week approved. Constable 1 - increase Ofc. Admin. to Deputy - no new office staff and provide bailiff service to J.P. Constable 5 - added Deputy Constable position - reduced vehicle to \$6,500

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 22nd DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|---------------------|----------------------|
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13060 AMEND BUDGETS OF JAIL OPERATIONS, SHERIFF'S OFFICE, AND ROAD & BRIDGE OPERATIONS

The following budget amendments were requested:

Jail Operations/Sheriff's Office - transfer amount from jail operations communication equipment to Sheriff's office equipment for replacement radio cost.

Road & Bridge Operations - transfer into signs & barricades line item from Personnel cost savings

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve budget amendments for the Jail, Sheriff's office, and R&B Operations as proposed in Budget Amendment No. 94-61. All present voting "Aye".

| <u>Line Item - Expenditures</u> | <u>Increases</u> | <u>Decreases</u> |
|---------------------------------|------------------|------------------|
| JAIL OPERATIONS | | |
| 01-419-5715 Communications Eqpt | | \$ 500 |
| SHERIFFS OFFICE | | |
| 01-418-5715 Communications Eqpt | \$ 500 | |
| ROAD & BRIDGE OPERATIONS | | |
| 03-438-5262 Signs & Barricades | \$ 8,000 | |
| 03-438-5021 Staff Sal | | \$ 8,000 |

13061 ACCEPT INTERNAL AUDIT REPORTS FOR CONSTABLE PCTS. #2, #3, & #5

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to accept the Internal Audit Reports for Constable Pct. # 2, #3, and #5 as presented. All present voting "Aye".

13062 APPROVE PURCHASE OF UNBUDGETED SOFTWARE UPGRADE AND THERMAL PAPER FAX MACHINE FOR ROAD DEPARTMENT

Darrell Brown, Road Director, requested authorization to purchase three software upgrades and fax machine/switchover = \$ 662.00. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve purchase of unbudgeted software upgrade and a thermal paper fax machine for the Road Department. All present voting "Aye".

13063 AWARD CONTRACT TO THE SOFTWARE GROUP FOR TAX COLLECTION

13064 REPEAL OF DISASTER DECLARATION - THREAT OF WILDFIRES

Fire Marshal/EMC A.D. Carroll recommended that the Court lift the Burn Ban in Hays County at this time to allow controlled burning - ban can be re-instituted if the need arises. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to repeal Disaster Declaration - Threat of Wildfires. All present voting "Aye".

13065 APPROVE CONTRACT WITH THE CITY OF SAN MARCOS FOR THE HAYS COUNTY/SAN MARCOS EMS INC.

San Marcos Fire Chief Dan O'Leary appeared before the Court and spoke of changes in the contract - areas outside of San Marcos/Hays County will need to enter into a written agreement for liability reasons - a substantial change is the makeup of the Board - there will now be members of the Commissioners' Court and the City Council on the Board. Tom Partin, HC/SM EMS Director, spoke of his concerns regarding staffing requirements - it may be difficult at times to provide Paramedics as required in the contract. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve contract with the City of San Marcos for the Hays County/San Marcos EMS Inc. All present voting "Aye".

INTERLOCAL AGREEMENT CONCERNING
EMERGENCY MEDICAL SERVICES

STATE OF TEXAS
COUNTY OF HAYS

This Agreement is made between THE CITY OF SAN MARCOS, TEXAS (City), a Texas municipal corporation, the COUNTY OF HAYS, TEXAS (County), and the SAN MARCOS/HAYS COUNTY EMERGENCY MEDICAL SERVICES, INCORPORATED (EMS), a Texas non-profit corporation, pursuant to the authority and terms of the Texas Interlocal Cooperation Act, as amended.

1. PURPOSE

The purpose of this Agreement is to provide high quality emergency medical services at reasonable cost for the residents of the City and the County.

2. EMS TAX EXEMPT STATUS; BOARD COMPOSITION

2.01 EMS will use its best efforts at all times to maintain its status as a tax exempt non profit corporation pursuant to the laws of the State of Texas and regulations of the Internal Revenue Service governing such organizations.

2.02 EMS will be governed by a five member Board of Directors (the "EMS Board") with the following composition:

- (a) two members of the City Council of the City to be appointed by the City Council to serve two year terms;
- (b) two members of the Hays County Commissioners Court appointed by the Commissioners Court to serve two year terms; and
- (c) one physician appointed by the remaining members of the EMS Board, to serve a one year term.

2.03 Members of the EMS Board as of the effective date of this Agreement will continue to serve until September 30, 1994, when the new members will all take office.

2.04 The following persons will serve as ex-official non-voting members of the EMS Board:

- (a) one member appointed by the President of Central Texas Medical Center;
- (b) the Executive Director of EMS;
- (c) the Medical Director of EMS;
- (d) the County Physician; and
- (e) the Fire Chief of the City.

4. OPERATING STANDARDS AND REQUIREMENTS

4.01 EMS will provide MICU level of care twenty-four (24) hours per day, seven (7) days per week, and will obtain from the Texas Department of Health an EMS Provider's License and meet requirements for Basic Life Support, Advanced Life Support, and Mobile Intensive Care Unit Support Vehicles for all of its ambulances operated under this Agreement.

4.02 EMS will staff a minimum of two (2) ambulances twenty-four (24) hours a day, seven (7) days a week at the two locations described in Section 3 above.

4.03 EMS will provide a minimum of three (3) EMT-P (Paramedics) and one (1) EMT on duty twenty-four (24) hours a day, seven (7) days a week.

4.04 EMS will station a third ambulance within the city limits of the City at the location described in 3.01 above. EMS will provide staffing for the third ambulance through call-out of its off-duty personnel.

4.05 The level of service maintained by EMS will provide continuous response capability prescribed by applicable laws, rules, regulations, and protocols.

4.06 Documentation of "no transport" calls will be retained by EMS and will be subject to an audit by the city or the County upon request.

4.07 EMS will respond to all requests for BLS/ALS/MICU ambulance service regardless of race, color, religion, creed, age, national origin, sex, medical conditions, or ability to pay.

4.08 EMS will provide a collection procedure. EMS will be responsible for billing and collecting all charges for ambulance and related services, and will make a diligent effort to collect all sums billed.

4.09 EMS will be responsible for the payment of any and all taxes, license fees, permit fees, and any and all other costs arising from its operations.

4.10 EMS will also:

- (a) provide, at no cost to the City,, emergency dispatcher training to all City dispatchers at the Department of Transportation minimum level;
- (b) provide first responder medical equipment to be placed on four (4) first responder City Fire Department vehicles, and additional first responder medical equipment to be placed on County vehicles at the discretion of the EMS Board, all at EMS's expense; and
- (c) provide direct communications with City dispatch facilities via two-way radios

4.11 EMS, through the EMS Board, will select and contract with a physician in Hays county to provide the services of Medical Director. The new members of the EMS Board will make a selection of an initial Medical Director by November 1, 1994. The Medical Director will have authority and responsibility for medical care and medical quality assurance, and will provide professional direction relative to protocols, training requirements, and other matters relating to the quality of service of EMS.

4.12 EMS will agree to accept Medicare assignment and will provide to the City itemized charges and fees and how those fees/charges apply to EMS's Medicare Profile.

4.13 The City Council of the City and the Commissioners Court of the County will have approval authority over all fees, patient charges, and rate structures for services provided by EMS.

4.14 EMS will maintain a business office within the City to deal with customer complaints and billing questions, and to provide a customer payment location.

4.15 EMS will provide proof of emergency driver training of all of its paramedics/EMTs to the City Manager and County Judge.

4.16 EMS will participate in the Emergency Management Plans of the City and County and in disaster drills conducted by the City and the County.

4.17 In addition to providing services throughout the city limits of the City, EMS will provide services to those

The response time is the time between the time an emergency call is dispatched by the City to EMS and the time EMS's ambulance arrives at the scene to which it has been dispatched. The City Manager and County Judge may verify response times. A monthly response time report will be provided too the City Manager and County Judge by EMS.

5. DISPATCHING

The City will provide EMS dispatcher services at all times. The City dispatchers will lot all emergency calls as required by the Texas Department of Health.

6. CITY AND COUNTY PAYMENTS TO EMS

The City and the County each will provide quarterly payments to EMS in an amount equal to fifty percent (50%) of the difference between the reasonable operating expenses and capital needs of EMS, as determined by the City and the County, and the net patient revenues and revenues from other sources received by EMS. EMS agrees that all of its records, business, financial and otherwise not deemed confidential by law, will be available at all times for inspection by the City and the County.

7. INDEMNIFICATION

7.01 To the full extent permitted by law, EMS will hold harmless, indemnify, and defend the City and the County, and their officers, agents and employees, from and against all claims, demands, liabilities, damages, costs, suits, losses, liens, expenses, causes of action, suits, judgments, and fees (including court costs, attorney's and expert witness fees, and costs of investigation), of any nature, kind, or description arising out of, or alleged to have arisen out of the provision of services hereunder.

7.02 This obligation does not apply to liabilities resulting solely from the gross negligence or willful misconduct of an indemnitee.

7.03 The City and the County will promptly advise EMS in writing of any action, administrative or legal proceeding or investigation as to which this indemnification may apply , and EMS will assume the defense thereof with counsel satisfactory to the City and the County; provided, however, that the City and the County will have the right, at their option, to be represented therein by advisory counsel of their own selection and at their own expense.

7.04 This indemnity is not limited to damages, compensation, or benefits payable under insurance policies, workers' compensation disability benefit acts, or other employee benefit acts which are carried by EMS.

8. INSURANCE

EMS will maintain liability insurance for its general, vehicle and medical operations in a form and with a carrier acceptable to the City and the County. This insurance will name the City and the County as co-insureds and will be in a coverage amount of not less than \$500,000.00 for injuries to any one person, \$1,000,000.00 for injuries arising out of any one occurrence, and not less than \$100,000.00 for damage to property. EMS will furnish to the City and the County written evidence of these coverages.

9. EMS BY-LAWS: COMPLIANCE WITH LAWS

EMS will adopt and maintain by-laws conforming to this Agreement, and will comply with all City and County ordinances and orders and all laws of the State of Texas both as they relate to EMS's operations under this Agreement.

10. AUDIT

The City, the County, and EMS agree that an annual audit of the financial records of EMS will be performed by a certified public accountant. The City will be responsible for performance of the audit in odd-numbered years, and the county will be responsible in even-numbered years. The audit may be performed by employees of the City or County, or by and independent accountant. The party responsible for the audit will have the audit completed by June 30th of its respective year and will submit to the other parties a written report on the results of the audit.

11. TERMINATION

11.01 This agreement will remain in effect until terminated by one or more of the parties. A party may terminate this Agreement by providing at least 180 days advance written notice of its intention to do so to the

AUGUST 22, 1994

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13066 UHLAND ESTATES SECTION 3 - FIRST READING APPROVAL

Mike McMinn presented "Uhland Estates Section 3" subdivision on first reading - a 3 lot subdivision located on Highway 21 and in the City Limits & ETJ of the City of Uhland. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve "Uhland Estates Section 3" subdivision on first reading. All present voting "Aye".

13067 RIVER OAKS OF WIMBERLEY UNIT 3 LOTS 3A & 3B - FIRST READING APPROVAL

David Williamson, Byrn & Assoc., presented "River Oaks of Wimberley Unit 3 Lots 3A & 3B" subdivision on first reading - road is dedicated. Patsy Greiner, Admin. Coord., stated that this is in an unrecorded subdivision, therefore, no public hearing was required. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "River Oaks of Wimberley Unit 3 Lots 3A & 3B" subdivision on first reading. All present voting "Aye".

13068 RAMSEY RANCH SUBDIVISION - 2ND & 3RD READING APPROVAL

A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Ramsey Ranch" subdivision on second and third readings. All present voting "Aye".

13069 KIRBY SPRINGS RANCH PHASE 2 REPLAT LOTS 24A & 24B - SECOND AND THIRD READING APPROVAL

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Kirby Springs Ranch Phase 2 Replat Lots 24A & 24B" subdivision on second and third reading. All present voting "Aye".

13070 CEDAR SPRINGS RANCH SUBDIVISION - SECOND & THIRD READING APPROVAL

A 12 lots subdivision located on Bell Springs Road. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Cedar Springs Ranch" subdivision on second and third readings. All present voting "Aye".

13071 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR ENVIRONMENTAL HEALTH BUILDING

Environmental Health Director Allen Walther presented proposed floor plan for a 5,000 sq. ft. Environmental Health Building - contains sufficient space for GIS mapping department and additional growth space. Purchasing Agent Cindy Casparis stated that this building will be constructed in the same manner as the County Extension building - Judge Etheredge has concern about the layout - would like to consider modular office space. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve specifications and authorize the County Auditor to advertise for bids for the Environmental Health building. All present voting "Aye".

13072 INSTRUCT PURCHASING AGENT TO SEEK COMPETITIVE PRICE QUOTES FOR THE PURCHASE OF ICE

Commissioner Barton spoke of need to go out again for price quotes for ice used by the road department - a new company has indicated they are interested in submitting a proposal. A motion

13074 ROAD NAME DESIGNATION: ASSIGN A ROAD NAME OF "LONNIE LANE" TO COUNTY ROAD 128

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to assign a road name designation of "Lonnie Lane" to County Road #128. All present voting "Aye".

13075 APPROVE EARLY VOTING SITES/DATES FOR THE 1994 GENERAL ELECTION

Joyce Cowan, Election Administrator, presented proposed Early Voting sites and dates for the General Election to be held November 8, 1994 - these sites have been booked. A motion was made by Commissioner Rodriguez and seconded by Commissioner Barton to approve Early Voting Sites and Dates for the November 8, 1994 General Election. All present voting "Aye".

Early Voting for the General Election to be held on November 8th, 1994 will start on October 19th and end on November 4th. Early Voting will be conducted each **Weekday** from the hours of 8:00 a.m. to 5:00 p.m., with additional **Early Voting** hours conducted on Saturday October 22nd and October 29th from the hours of 10:00 a.m. to 4:00 p.m. at the County Elections Administrator's Office at 401-C Broadway in San Marcos.

| Additional Branch Early Voting at: | Place | |
|------------------------------------|-------------------------------------|-------------------------|
| | Kyle City Hall | Oct. 24, 29 & 31 |
| | Dripping Springs City Hall | Oct. 25, 29 & Nov. 1 |
| | Wimberley ISD Administration Office | Oct. 26, 29 & Nov. 2 |
| | Catholic Student Center (SWT) | Oct. 27 & Nov. 3 |
| | Buda City Hall | Oct. 28, 29 & Nov. 4 |
| | Hays County Courthouse | Oct. 31st thru Nov. 4th |

The Branch Voting sites hours will be from 11:00 a.m. to 7:00 p.m. on weekdays and 10:00 a.m. to 4:00 p.m. on Saturday October 29th with the exception of the Catholic Student Center and the hours there will be 8:00 a.m. to 5:00 p.m. on those two weekdays.

BUDGET WORKSHOP SESSION

Members of the Court went back over the budget beginning with Building Maintenance Dept. in order to bring Commissioner Payne up to date on what he had missed at the previous workshop. Civic Center - discussion was had on funding \$10,000 for developing a plan for future use - need to utilize the economic development boards for planning.

Sheriff's Dept. - discussion was had regarding use of vehicles and funding for new vehicles.

District Attorney - new Asst. D.A. and clerical position included

J.P. 1-1 - 40 hour work week figured into budget

J.P. 1-2 - requested a Bailiff - Court felt like Constables can be utilized

Bailiffs - discussed creating a pool of bailiffs through the Sheriff's Dept. to be used by all the Courts - all bailiff positions need to be re-evaluated - the District Judges want to raise their Bailiff to Grade 8 (currently a Grade 6).

J.P. 2 - cut printing to \$500 - add Continuing Education of \$200 - Office Equip figure of \$8,100 is an error in calculation - \$3,000 in office supplies is for furniture, etc. - Purchasing to figure out a more exact figure for furniture.

J.P. 3 - no change

J.P. 4 - no change - rent was increased

J.P. 5 - no change

D.P.S. - no change

Constable #1 - Office Administrator position changed to Deputy Constable position - no new clerical position added - Deputy Constables to serve as Bailiff for J.P.

Constable #2 - no change

Constable #3 - no change

Constable #4 - no change - equipment requested put in countywide line item

Constable #5 - \$6,500 budgeted for a used vehicle - discussed Deputy Constable position.

District Court Operations - Increased Transcript Services from \$20,000 to \$50,000 to take care of additional costs due to Doyle Lane murder case on appeal

AUGUST 23, 1994

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**STATE OF TEXAS
COUNTY OF HAYS**

ON THIS THE 23RD DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

BUDGET WORKSHOP SESSION

North Hays County EMS - Budget estimates for Fiscal 1994/1995 were submitted. Ted Covington, Bob Tracey, ? Gerdes, and Al & Pat Haffelder appeared. Ted Covington spoke of NHCEMS serving 45% of the population of the county (not taking into account the San Marcos population) and 60% of the geographic area of Hays County - spoke of number of runs in 1990 (400) versus number in 1993 (800) - spoke of tax being limited to 2¢ per \$100 valuation - this tax could be increased to 3¢ by holding an election in their district. Bob Tracey spoke of revenue and expenses and the limited amount of reserves which does not allow for future growth. Judge Etheredge spoke of the possibility of a countywide EMS districted supported by everyone in the County. Ted Covington spoke of the high cost of ambulances and the training requirements now being mandated - they are requesting funding in the amount of \$108,000 to cover their shortfall - they are in need of additional paramedics and equipment - ambulances cost \$70,000 + per unit. Judge Etheredge spoke of the budget presently exceeding the effective tax rate - increasing the tax rate over 8% would allow a rollback - most county departments are not receiving any increases - most of the increases are in law enforcement and the courts system - all taxing entities are increasing their budgets and taxes will be increasing.

Hays County Women's Center - Marla Johnson, Executive Director, and Roxanne McKimmey appeared requesting and additional \$10,000 in funding. Mrs. Johnson spoke of increases in family violence (40%) and child/sexual abuse cases (59%) which increases requests for services - their services are provided free of charge - they are currently adding onto the Women's Shelter from a capacity of six families to ten families - spoke of grant obtained - they have been unable to raise the \$10,000.00 shortfall - spoke of programs offered: shelter, services, and counseling - they work closely with the Court system - spoke of Caldwell County's efforts to raise funds for their own shelter (\$12,000 was raised), however, they were unable to sustain their efforts and they turned that money over the Hays County Women's Center. Roxanne McKimmey spoke of need for the HCWC to be notified immediately by the Sheriff's Dept. of each and every victim of abuse - this is not always being done. Court agreed to consider budgeting the \$30,000.

Juvenile Detention - District Attorney Marcos Hernandez advised the Court of his concerns about the Sheriff's Dept. enforcing the Buda curfew recently adopted - his concerns deal with the county's liability - suggested an interlocal agreement that stipulates that legal costs will be absorbed by the city - when juveniles are detained they will be brought to the Juvenile Services Center for detention and it will put the county in the position of liability.

Fire Marshal/EMC - Spoke of request for HazMat equipment and FEMA funds - \$7,750 was reduced to \$5,050 for equipment.

R&B Operations - five new positions were budgeted by the County Judge: 1 Road Mtc. Worker III (G6), 2 Road Mtc. Workers I (G3), 1 Roadway Management Technician(G8), & 1 Data Entry Clerk (G4) - Commissioner Payne & Commissioner Rodriguez stated their opposition to adding any new positions to the Road Dept. - there are currently 52 employees in that dept. Court agreed to set a bottom line figure of \$2,475,000.00 for Road & Bridge Operations and let the Road Director decide what line items to adjust.

Precinct #1 - no change

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 25TH DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

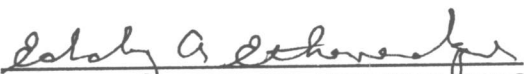
| | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

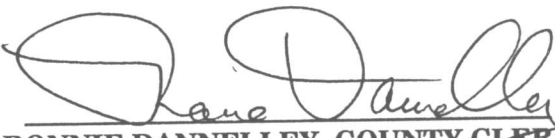
BUDGET WORKSHOP SESSION

Discussion was had regarding the rollback rate and the Effective Tax Rate. Lengthy discussions were had regarding renovation on various county buildings, the Sheriff's Dept./Jail budgets, Bailiffs, Dudley Johnson Park, and personnel.

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.



 EDDY A. ETHEREDGE, COUNTY JUDGE
 HAYS COUNTY, TEXAS



 RONNIE DANNELLEY, COUNTY CLERK
 HAYS COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 26th DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY       | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP - FY95**

GEOGRAPHIC INFORMATION SYSTEM (GIS) - Robert C. Maggio, Associate Professor and Director of Mapping Sciences Laboratory @ Texas A&M University, appeared and spoke of GIS-based Municipal Information Management System as an integrated approach to the management of

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\*\*\*\*\*

\*Tax increase compared to effective tax rate.

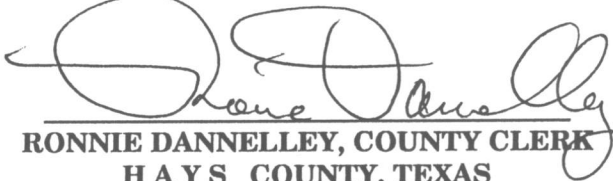
\*\*Lower of the rollback tax rate or 103 percent of the effective tax rate

The figures in this table are for the combination of all county funds. The tax levy amounts are based on the 1994 taxable value for the general fund.

Discussion was had regarding home values and tax rates of other local entities - a lengthy discussion was had regarding ways to cut the budget \$500,000: cut Sheriff/Jail budget for overtime pay \$90,000 (\$45,000 each) - cut \$10,000 out of Civic Center budget, \$25,000 out of Juvenile probation budget - keep District Clerk's office hours at 35 per week - start Deputy Constable pct. 5 and Deputy Sheriff positions on January 1, 1995 instead of October 1, 1994.

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 HAYS COUNTY, TEXAS

  
**RONNIE DANNELLEY, COUNTY CLERK**  
 HAYS COUNTY, TEXAS

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**STATE OF TEXAS
 COUNTY OF HAYS**

ON THIS THE 29TH DAY OF AUGUST A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13076 APPROVE COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$160,990.24 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|-----------------|------------|-----------------|-------------|-----------------|------------|
| finer | \$22.26 | Auditors ofc | \$580.12 | Treasurers Ofc | \$259.52 |
| Extension Ofc | \$911.33 | Grants Admin | \$263.79 | Juvenile Prob | \$5,395.99 |
| Election admin | \$346.45 | Transfer Sta | \$351.34 | Bldg. Maint | \$9,997.55 |
| Personal Health | \$1,060.73 | Civic Center | \$2,592.24 | Countywide Oper | \$4,302.40 |
| Tax A/C | \$954.97 | District Clerk | \$1,342.13 | County Clerk | \$633.78 |
| Sheriffs Ofc | \$6,253.58 | Jail Operations | \$17,533.42 | County Judge | \$252.96 |
| Human Resources | \$88.01 | Co Crt @ Law 1 | \$198.73 | District Atty. | \$788.4 |
| J.P. 1-1 | \$143.83 | J.P. 1-2 | \$133.04 | J.P. 3 | \$192.89 |
| J.P. 4 | \$56.37 | J.P. 5 | \$83.99 | D.P.S. | \$547.13 |
| Constable 1 | \$62.92 | Constable 3 | 96.37 | Constable 4 | \$86.34 |
| Constable 5 | \$165.65 | Dist. Cr Oper | \$7,434.41 | Veterans Admin | \$50.37 |
| | \$1,588.73 | | \$27.57 | | \$1,084.50 |

13078 PARADISE HILLS SECTION I REPLAT OF LOTS 10-R & 12-R * FIRST READING AND CALL FOR PUBLIC HEARING

Lots 10, 11, & 12 of Paradise Hills Section I is being resubdivided into two Lots (10R & 12R). A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Paaradise Hills Section 1 Replat of Lots 10R & 12R" on first reading and call for a public hearing to be held September 12, 1994 at 9:00 A.M. All voting "Aye".

13079 HURLBUT RANCH WEST REPLAT TRACTS 15A-1 & 15A-2 * FIRST READING AND CALL FOR PUBLIC HEARING

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Hurlbut Ranch West Replat Tracts 15A-1 & 15A-2" subdivision on first reading and call for a public hearing to be held September 12, 1994 at 9:00 A.M. All voting "Aye".

13080 KIRBY SPRINGS RANCH PHASE 2 REPLAT LOTS 27A & 27B * PUBLIC HEARING SECOND AND THIRD READING APPROVAL

Judge Etheredge called the public hearing open - no public input - public hearing was closed - staff recommends approval. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Kirby Springs Ranch Phase 2 Replat Lots 27A & 27B" on second and third readings. All voting "Aye".

13081 MADRONE CANYON RANCH * DIRECT STAFF TO CONTACT DEVELOPER REGARDING ADDING THREE LOTS TO THE SUBDIVISION

Allen Walther, Environ Health Dir., stated that the plat should show the three lots that were previously sold. Darrell Brown, Road Director, stated that he had not received the drainage plan - roads are private. A motion was made by Commissioner Barton, seconded by Commissioner Payne to direct county staff to contact the Developer of Madrone Canyon Ranch subdivision regarding adding three lots (previously sold) to the plat. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge and Commissioner Payne voting "Aye". Commissioner Rippy voting "No".

13082 3-G RANCH REPLAT SECTIONS 1 & 2 AMENDED * PUBLIC HEARING AND SECOND READING APPROVAL

Judge Etheredge called the public hearing open - no public input - public hearing was closed. Staff recommended approval. Mike McMinn stated that they had not yet received approval from the City of Niederwald. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "3-G Ranch Replat Sections 1 & 2 Amended" on second reading. All voting "Aye".

13083 AYERS ADDITION * SECOND & THIRD READING APPROVAL

Commissioner Barton submitted the following statement to be included as a part of the official record regarding the "Ayers Addition":



13084 RIVER OAKS OF WIMBERLEY UNIT 3 LOTS 3A & 3B * SECOND & THIRD READING APPROVAL

River Oaks of Wimberley is an unrecorded subdivision - no public hearing required. County Staff recommends approval. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "River Oaks of Wimberley Unit 3 Lots 3A & 3B" subdivision on second and third readings. All voting "Aye".

DISCUSSION OF OPTIONS AVAILABLE RE: COUNTY RETIREMENT SYSTEM

Joe Froh, Texas County & District Retirement System, presented optional benefits available - three plans available for Annually Determined Contribution Rate (ADCR) - we are presently under a Fixed Rate Plan (County contributes \$2.50 for every \$1 from employees) - employee turnover has been fairly consistent - other options available are 8 year vesting (currently 10 yrs) and Rule of 75 (currently Rule of 80) - the cost for going with 8 year vesting = \$ 9,000 and Rule of 75 = \$ 5,000. A workshop needs to be scheduled for further discussion.

13085 APPROVE LETTER OF SPONSORSHIP FOR APPLICATION TO WATER DEVELOPMENT BOARD BY GBRA FOR REGIONAL WASTEWATER STUDY FOR THE WIMBERLEY AREA

Commissioner Payne spoke of Wimberley area sewer problems - requested support for a Grant to be submitted by GBRA (Guadalupe Blanco River Authority) to the Water Development Board - this will be a joint effort of GBRA, City of Woodcreek, Wimberley ISD, and the Wimberley Study Group. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve Letter of Sponsorship for Application to Water Development Board by GBRA for Regional Wastewater Study for the Wimberley Area. All voting "Aye".

13086 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE CRIMINAL JUSTICE DIVISION - OFFICE OF THE GOVERNOR - FOR THE CONTINUATION OF THE D.A.R.E. PROGRAM (SHERIFF'S DEPT.) AND TO EXECUTE A CONTRACT FOR \$17,882

County will provide \$11,922 matching funds - this is a grant for the continuation of the DARE program at the Sheriff's Dept. - total budgeted amount for the County program is \$29,804 broken down as follows: DARE Officer = \$23,067 plus fringe benefits of \$6,737 - this DARE program is funded by the Criminal Justice Division of the Office of the Governor. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to authorize the County Judge to accept grant award from the Criminal Justice Division - Office of the Governor - for the contribution of the D.A.R.E. program (Sheriff's Dept.) and to execute a contract for \$17,882. All voting "Aye".

13087 ACCEPT PROPOSAL AND AWARD CONTRACT FOR GROUP INSURANCE FOR BUDGET YEAR 94-95

George Aitken, Human Resources Director and Insurance Committee Chairman, spoke of meetings held and bids opened - bidders were: Austin Administrators Group Inc.(Texas Assoc of Counties), Blue Cross & Blie Shield of Tx., Great-West Life, Group Administrators, The TPA, Risk Consulting Group, and PCA Health Plans of Texas - the committee's recommendations was Blue Cross & Blue Shield of Texas - no cost increases, lower deductible (from \$400 to \$200), eyeglass plan, increase in maximum dental coverage (from \$750 to \$1000). Debra Spellings & Jim Rotan appeared before the Court. Debra Spellings spoke of the program offered by BC&BS. A basic summary of benefits are listed below:

| | |
|--|---|
| Major medical : | |
| In Network coverage..... | 90% |
| Out of Network coverage..... | 80% |
| Calendar Year Deductible..... | \$200 Indiv/\$400 Family |
| Physician Services (including same day lab & Xray..... | 100% after \$10 co-pay |
| Preventative Care (including routine physicals, well baby exams, immunization, vision & hearing exams..... | 100% after \$10 co-pay |
| Prescription Drug Program..... | \$10.00 co-pay brand name
\$ 5.00 co-pay generic |
| Vision Care: per Calendar Year | |
| Examination..... | \$ 35.00 |
| Conventional Lenses..... | \$40-80 (depends on type of lenses) |

| | |
|-------------------------------------|---------------------------------|
| Contact Lenses..... | \$62-80 (depends on conditions) |
| Frames..... | \$22 |
| Dental Care: | |
| Preventive Care..... | 100% |
| Basic Care..... | 80% |
| Major Care..... | 50% |
| Maximum benefits per calendare yr | \$1,000 |
| Deductible per calendar yr per part | \$ 50 |

Judge Etheredge made a motion that was seconded by Commissioner Payne to accept the proposal for group insurance for budget year 94-95 of Blue Cross-Blue Shield with a change in the deductible to \$300 per individual/\$500 per family. Commissioner Barton and Judge Etheredge voting "Aye". Commissioner Rodriguez, Commissioner Payne, and Commissioner Rippy voting "No". - Motion FAILED. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to accept proposal and award contract to Blue Cross & Blue Shield of Texas for group insurance for budget year 1994-1995 based on the recommendation of the County Insurance Committee. All voting "Aye".

13088 AUTHORIZE HIRING OF A ROAD MAINTENANCE WORKER I @ GRADE 3 STEP 4

Pablo Reyna was previously employed as a Grade 7 with the Road Department - he resigned and moved out of State - his service was exemplary and he was rehired effective 8/22/94 - based on his prior experience, the Road Director is requesting that Mr. Reyna be classified at Grade 3 Step 4 instead of Step minimum. George Aitken, Human Resources Director, advised that paragraph 3.13 of the county personnel manual does allow for hiring above the customary entry level based upon prior service with the county. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to authorize hiring of a Road Maintenance Worker I at Grade 3 Step 4. All voting "Aye".

13089 APPROVE TEMPORARY ASSISTANT DISTRICT ATTORNEY POSITION

District Attorney Marcos Hernandez spoke of one of his Assistant D.A.'s that will soon be off on maternity leave - someone else is needed on staff to handle the workload - he has \$1500 available in drug forfeiture funds. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve a Temporary Assistant District Attorney position for the remainder of FY94 at Grade 15. All voting "Aye".

13090 ROAD NAME DESIGNATION: ASSIGN ROAD NAME OF "ROGERS ROAD" TO A PRIVATE ROADWAY LOCATED OFF FM 3237

Patsy Greiner spoke of request to name a private road located off FM3237 across from Rocky Springs on Smith Creek - there is only one resident on this road (Mrs. Rogers) and she would like for it to be identified for 9-1-1 purposes. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve road name designation: assign road name of "Rogers Road" to a private roadway located off FM3237 across from Rocky Springs on Smith Creek. All voting "Aye".

13091 AUTHORIZE AIR CONDITIONER WORK IN THE TAX ASSESSOR-COLLECTOR'S OFFICE

Judge Etheredge spoke of need for someone to activate the air conditioning system that is currently located on the roof of the annex - air conditioning is needed for first floor office space (Red Room) for placement of computer equipment - only one quotation was received and it was from Sturdivant Refrigeration in the amount of \$6,640. A motion was made by Judge Etheredge, seconded by Commissioner Rippy to authorize Sturdivant Refrigeration to perform required air conditioner work for the Tax Assessor-Collector's office. All voting "Aye".

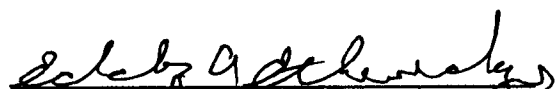
EXECUTIVE SESSION - LAND ACQUISITION

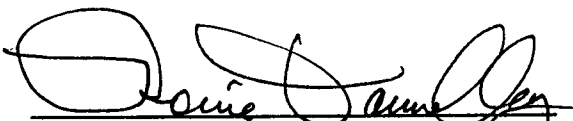
The Court convened into closed Executive Session with Nature Conservancy Representatives to discuss land acquisition - upon completion of session, they reconvened into open meeting.

BUDGET WORKSHOP - FY95

County Auditor Bill Herzog spoke of tax rate of 41.5¢ which is 9.75% over the Effective Tax Rate - 4¢ off the tax rate is for debt service (2¢ for new debt) - 2.8 million \$ is projected revenue for sales tax - the sales tax and debt service affects the Effective Tax Rate but will not put us over the rollback rate. Commissioner Barton spoke of need for \$3,000-\$3,600 for recycling. Commissioner Payne recommended \$5,000 for cemeteries as requested by Winton Porterfield. Bill Herzog stated that there is \$17,000.00 in countywide equipment line item for unspecified equipment - Court went over the specified countywide equipment list. Commissioner Payne suggested cuts in the Sheriff's equipment since he is not getting all the personnel he requested in the budget. Constable Pct. 2 request for unlimited travel allowance was discussed. Salaries for county officials, particularly Sheriff, Auditor, County Judge and other elected officials were discussed - Commissioner Barton suggested approximate 4 percent raise for both Sheriff and Auditor to \$42,500. He said County Judge also deserved raise above 2.4 percent cost-of-living, and should eventually be raised up near or equal to Sheriff and Auditor as top paid elected officials in county, excluding judges. Commissioner Payne objected to raise for Sheriff but supported raise for Auditor. Auditor Bill Herzog stated that law does not allow him to be paid more than the highest paid elected official, excluding judges. Commissioner Barton spoke of high level of responsibility in Sheriff's post, especially considering size of county jail and county's position on Interstate 35 corridor. Commissioner Payne offered alternative motion raising County Judge salary to \$41,574 effective October 1, 1994, and setting Sheriff and Auditor at same pay rate as Judge. There was general consensus on increasing the Judge's salary, though Commissioners Barton and Rippy preferred figure in the \$42,500 range for Sheriff and Auditor. Judge Etheredge noted that he had said he would accept a pay increase if his term was successful but had wanted to wait until the end of his term when voters would get to pass judgment before accepting any substantial increase. This way, he said, whoever is elected new county judge will get the raise. Commissioner Rodriguez and Judge Etheredge voted aye on Commissioner Payne's motion to set Judge, Auditor and Sheriff at \$41,574. Sheriff Hastings appeared before the Court to discuss Law Enforcement Equipment needs - agreed that some of the items could be reduced since he is not getting all the personnel he requested (3 lightbars, 3 cages, 1 large animal trap, 1 small animal trap, 16 bulletproof vests). Judge Etheredge stated that he is committed to making the Sheriff's five year plan work. Discussion was had regarding administrative staff and new vehicles. Judge Etheredge advised the Sheriff that some overtime pay had been reduced (\$45,000/Sheriff's Dept. \$45,000/Jail) and funds should be available through attrition. ADA Transition Plan was discussed - \$5,000 was budgeted from reserves to provide training and assessment. A lengthy discussion was had regarding Personnel. District Judge Charles Ramsay appeared and requested salary increases for the District Court Bailiff and the District Court Assistant Court Coordinator. Judge Etheredge explained the problems with increasing position Grades without a reasonable change in the job description. Discussion was had regarding Bailiffs and Court Reporters duties in County Court at Law and District Court. Constable #1 Lupe Cruz appeared and a discussion was had regarding Deputy Constable positions. A lengthy discussion was had regarding land development.

MINUTES APPROVED IN OPEN COURT ON THE 3rd DAY OF October, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 6TH DAY OF SEPTEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- | | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13092 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 266,688.69 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|---------------------|--------------|--------------------|--------------|----------------------|--------------|
| Public Safety Svcs | \$ 481.50 | Financial Adm Svcs | \$ 150.00 | Auditor's Ofc | \$ 2,619.76 |
| Treasurer's Ofc | \$ 1,375.26 | Extension Ofc | \$ 55.49 | Grants Admin | \$ 706.82 |
| Juvenile Prob | \$ 850.33 | Comm & Soc Svcs | \$ 98,357.50 | Indigent Care | \$ 3,676.81 |
| Bldg. Maintenance | \$ 867.70 | Environ Health | \$ 2,246.70 | Civic Center | \$ 310.00 |
| Countywide Oper | \$ 29,519.61 | Tax A/C | \$ 495.21 | District Clerk | \$ 821.52 |
| County Clerk | \$ 1,058.93 | Sheriff's Office | \$ 6,182.40 | Jail Operations | \$ 20,398.24 |
| County Judge | \$ 5,935.03 | Human Resources | \$ 37.00 | District Attorney | \$ 373.22 |
| J.P. 1-1 | \$ 32.31 | J.P. 1-2 | \$ 340.36 | J.P. 2 | \$ 127.22 |
| J.P. 4 | \$ 318.50 | J.P. 5 | \$ 140.09 | D.P.S. | \$ 4,298.40 |
| Constable 1 | \$ 271.02 | Constable 2 | \$ 902.62 | Constable 4 | \$ 59.99 |
| District Court Oper | \$ 6,475.07 | Co & J.P. Crt Oper | \$ 4,072.70 | Computer Svcs | \$ 2,056.13 |
| Fire Marshal/EMC | \$ 17.19 | TABC | \$ 51.46 | Dist Crt Reporters | \$ 159.00 |
| TJPC CCAP Grant | \$ 26.90 | Renov/Spec Proj | \$ 1,467.61 | Corridor Incub Grant | \$ 1,349.00 |
| R & B Operating | \$ 57,354.45 | Precinct 2 | \$ 236.22 | Precinct 3 | \$ 14.35 |
| Records Mng/Co Clk | \$ 2,501.00 | Health Svcs Grants | \$ 1,073.73 | Law Library | \$ 77.75 |
| Adult Prob Oper | \$ 3,484.47 | Adult Prob Fac | \$ 3,350.37 | | |

General Fund Credit = 0.34¢ R & B General Fund Credit = \$ 167.91

13093 APPROVE BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS

The following budget amendments were proposed:

- Extension Office - Transfer \$300 from Data Processing Maintenance to Continuing Education
 - Grants Administration - Transfer funds from Books, Contract Services and Continuing Education into Travel and Telephone.
 - Transfer Station - Transfer \$180 from Recycle Line item into Septic Maintenance line item.
 - District Clerk's Office - Transfer \$915 from Permanent Record Supply into Office Supply for special deposit slips and checks.
 - County Clerk's Office - Increase Continuing Education from Telephone, Maintenance, and Permanent Records Supply.
 - Human Resources - Transfer into Postage and Books from Personnel Cost Savings in Salary line.
 - Road & Bridge General - Transfer \$800 from General Fund - Countywide Operations where originally budgeted into Precinct 2 for park maintenance improvements where actually expensed.
 - Law Library Fund - Transfer \$275 from Road & Bridge General Fund - Pct. 3 to Law Library Fund for Law Library Maintenance
 - Adult Probation - Transfer \$8,000 from Professional Fees into Contracted Services
 - Personal Health Services - Amend budget for purchasing items needed for School Health Program
 - Community & Social Services - Transfer for additional portion of authorized payment (\$10,000 authorized; \$3,000 previously paid) for NAACP building project from Hays County Economic Development Council's budgeted funds - payment to be made out of County Judge's Special Projects.
- A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendments for various departments as proposed by the County Auditor. All voting "Aye".

| LINE ITEM - DESCRIPTION | INCREASES | DECREASES |
|-------------------------------|-----------|-----------|
| EXTENSION OFFICE | | |
| 01-403-5331 Cont Ed | \$ 300 | |
| 01-403-5421 Data Proc Maint | | \$ 300 |
| GRANTS ADMINISTRATION | | |
| 01-404-5311 Travel | \$ 475 | |
| 01-404-5488 Fax Line | \$ 30 | |
| 01-404-5489 Telephone | \$ 200 | |
| 01-404-5213 Books | | \$ 130 |
| 01-404-5331 Cont Ed | | \$ 150 |
| 01-404-5448 Contract Svcs | | \$ 425 |
| TRANSFER STATION | | |
| 01-409-5419 Septic maint | \$ 180 | |
| 01-409-5303 Recycle | | \$ 180 |
| DISTRICT CLERK | | |
| 01-416-5211 Ofc Sply | \$ 915 | |
| 01-416-5215 Perm Rec | | \$ 915 |
| COUNTY CLERK | | |
| 01-417-5331 Cont Ed | \$ 600 | |
| 01-417-5489 Telephone | | \$ 150 |
| 01-417-5411 Ofc Eqpt Maint | | \$ 150 |
| 01-417-5215 Perm Records Sply | | \$ 300 |
| HUMAN RESOURCES | | |
| 01-421-5212 Postage | \$ 100 | |
| 01-421-5213 Books | \$ 65 | |
| 01-421-5011 Dept. Head | | \$ 165 |
| COUNTY-WIDE OPERATIONS | | |
| 01-414-5741 Misc Cap Improv | | \$ 800 |
| PRECINCT 2 | | |
| 03-440-5454 Park Maint | \$ 800 | |
| 03-440-5489 Telephone | \$ 104 | |
| 03-440-5449 Temp Personnel | | \$ 104 |

| | | |
|--|----------|----------|
| PRECINCT 3 | | |
| 03-441-5213 Books | | \$ 275 |
| 03-441-5912 Perm Transfer to Law Librqry | \$ 275 | |
| LAW LIBRARY | | |
| 12-447-5021 Salary | \$ 239 | |
| 12-447-5110 FICA | \$ 19 | |
| 12-447-5121 Retirement | \$ 17 | |
| 12-392-0003 Transfer from R&B Gen | | \$ 275 |
| ADULT PROBATION OPER/SUPV | | |
| 34-486-5448 Contract Svcs | \$ 8,000 | |
| 34-486-5329 Prof Fees | | \$ 8,000 |
| HEALTH DEPT. | | |
| 01-412-5231 Medical Supplies | \$ 2,078 | |
| 01-412-5711 Office Equip | | \$ 600 |
| 01-412-5719 Misc. Equip | | \$ 1,478 |
| COMMUNITY & SOCIAL SERVICES | | |
| 01-407-5850 Hays Co Econ Dev Council | | \$ 3,000 |
| COUNTY JUDGE'S OFFICE | | |
| 01-420-5353 Special Projects | \$ 3,000 | |

13094 ACCEPT INTERNAL AUDITOR'S REPORT FOR JUSTICE OF PEACE 4 OFFICE

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Auditor's Report for the Justice of the Peace Pct. 4 office. All voting "Aye".

13095 ACCEPT INTERNAL AUDITOR'S REPORT FOR THE COUNTY TAX OFFICE

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Auditor's Report for the County Tax Assessor/Collector's office. All voting "Aye".

13096 APPROVE CONTRACT WITH U.S. MARSHAL'S SERVICE FOR CONTRACT DETENTION AT COUNTY JAIL

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve contract with U.S. Marshal's Service for contract detention at the County Jail. All voting "Aye".

MODIFICATION NO. FIVE (5)

EFFECTIVE DATE OF MODIFICATION: December 1, 1993

The Purpose of this Modification is to increase the jail day rate from \$40.00 to \$43.00, effective December 1, 1993 ,to incorporate the Escape Clause and Medical Provisions under Article II, to change Article X, Guard Services, to Article XI and to incorporate the Availability of Funds Clause, as set forth below:

Under Article II of the Intergovernmental Agreement, insert the following:

4. When a federal prisoner is being transferred via the USMS airlift, he/she will be provided with three/seven days of prescription medication which will be dispensed from the detention facility. When possible, generic medications shall be prescribed.
5. Medical records must travel with the federal prisoner. If the records are maintained at a medical contractor's facility, it is the detention facility's responsibility to obtain them before the federal prisoner is moved.
6. Federal prisoners will not be charged and are not required to pay their own medical expenses. These expenses will be paid by the Federal Government.
7. The Local Government agrees to notify the U.S. Marshal as soon as possible when a federal prisoner is involved in an escape, an attempted escape, or conspiracy to escape from the facility.

Article X of the Intergovernmental Agreement is changed to Article XI.

Incorporate the Availability of Funds Clause into the existing IGA as follows:

ARTICLE XII - AVAILABILITY OF FUNDS

The Federal Government's obligation under this agreement is contingent upon the availability of appropriated funds from which payment can be made and no legal liability on the part of the Government may arise until such funds are available.

13097 APPROVE USE OF COURTHOUSE LAWN FOR THE SAN MARCOS HIGH SCHOOL SPIRIT RALLY

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve use of the courthouse lawn for the San Marcos High School Spirit Rally. All voting "Aye".

13098 ROAD NAME DESIGNATION: ASSIGN NAME OF "VAUGHAN LANE" TO A PRIVATE ROAD OFF COUNTRY LANE EAST OF RR12

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to assign road name of "VAUGHAN LANE" to a private road off Country Lane east of RR12. All voting "Aye".

13099 APPOINT JUDY TEMPLETON TO THE HAYS COUNTY HISTORICAL COMMISSION

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to appoint Judy Templeton of Driftwood to the Hays County Historical Commission. All voting "Aye".

13100 AUTHORIZE PUBLICATION OF INDIGENT HEALTH INCOME STANDARDS

Eva Cruz, Indigent Health Care Administrator, presented the following:

Hays County will administer the Indigent Health Care Program by following the policies and procedures established by the Texas Department of Human Services to comply with responsibility under the Indigent Health Care and Treatment Act. (Article 4438f, Vernon's Texas Civil Statutes)

Applications can be obtained by coming by 401A Broadway, San Marcos, Texas or by calling 512-353-4353. If assistance is needed in filling out application assistance will be provided.

Applicants must meet the following criteria:

- * must be Hays County resident or intend to reside in Hays County;
- * resources cannot exceed 1000;
- * income must fall within the following income guideline;

Applicants must provide proof of income, resources and residence.

Eligibility determination must be made within 14 days of completed application.

Applicants have the right to appeal adverse decision

| COUNTY INDIGENT HEALTH CARE PROGRAM
MONTHLY MAXIMUM INCOME STANDARDS | | | |
|---|--|---|----------------------------|
| Family size | Single Adult &
Adult w/Children | Couples & Couples
w/children | Minor Children Only |
| 1 | \$78 | --- | \$64 |
| 2 | \$163 | \$125 | \$92 |
| 3 | \$188 | \$206 | \$130 |
| 4 | \$226 | \$231 | \$154 |
| 5 | \$251 | \$268 | \$195 |
| 6 | \$283 | \$294 | \$214 |
| 7 | \$313 | \$330 | \$267 |
| 8 | \$356 | \$356 | \$293 |
| 9 | \$382 | \$399 | \$337 |
| 10 | \$425 | \$425 | \$406 |
| 11 | \$451 | \$463 | \$406 |
| 12 | \$494 | \$494 | \$422 |
| 13 | \$520 | \$537 | \$475 |
| 14 | \$563 | \$563 | \$501 |
| 15 | \$589 | \$604 | \$544 |

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize publication of Indigent Health Income Standards. All voting "Aye".

13101 ACCEPT TREASURER'S REPORT FOR JULY 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Treasurer's Report for July 1994. All voting "Aye".

SEPTEMBER 6, 1994

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COUNTY OF HAYS
SUMMARY OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD JULY 1994

| | General
(Money Market) | Road and Bridge
General
(Money Market) | Hot Check
Fee Fund | Law Library
(Money Market)
(Savings) | Courthouse
Renovation &
Road Bond
1994 (Now) | Courthouse
Renovation &
Road Bond
1994 I&S (NOW) | Jail I & S
(Money Market)
(Savings) | Jail Addition
I & S
(Money Market)
(Savings) | Hays County
I & S
(Money Market)
(Savings) |
|------------------------|---------------------------|--|-----------------------|--|---|---|---|---|---|
| CHECKING | | | | | | | | | |
| Balance on 7/1/94 | 134,015.93 | 5,115.15 | 1,425.16 | 13,879.34 | 3,005.63 | 1,536.29 | 11,513.51 | 11,531.91 | 3,434.50 |
| Money Market Interest | 219.03 | 42.08 | | 29.06 | 7.90 | 3.29 | 12.29 | 10.51 | 9.82 |
| Deposits (receipts) | 1,484,708.96 | 232,471.55 | 2,464.76 | 1,100.00 | 18,000.00 | | 2,418.99 | 1,187.28 | 55,696.01 |
| Disbursements (claims) | 1,574,777.76 | 226,433.96 | 2,868.41 | 4,494.63 | 17,844.50 | | 9,905.00 | 10,000.00 | 57,053.40 |
| TOTAL | 44,166.16 | 11,194.82 | 1,021.51 | 10,513.77 | 3,169.03 | 1,539.58 | 4,039.79 | 2,729.70 | 2,086.93 |
| INVESTMENTS | | | | | | | | | |
| Balance on 7/1/94 | 5,290,810.25 | 1,335,742.65 | -0- | -0- | 5,731,754.01 | 30,484.23 | 453,358.68 | 271,513.99 | 180,135.38 |
| Interest | 19,438.28 | 4,594.36 | | | 20,558.02 | 109.48 | 1,655.75 | 1,002.91 | 621.16 |
| New | 385,000.00 | | | | 18,000.00 | | 9,900.00 | | |
| Transferred | 690,000.00 | 130,000.00 | | | | | | | 53,700.00 |
| TOTAL | 5,005,248.53 | 1,210,337.01 | -0- | -0- | 5,734,312.03 | 30,593.71 | 464,914.43 | 282,516.90 | 127,056.54 |

| | Public Works
I & S
(Money Market)
(Savings) | Springlake
I & S
(Money Market)
(Savings) | Pioneer Trails
I & S
(Money Market)
(Savings) | Burnett Road
I & S | Adult Probation
Operating
(Money Market) | Adult
Probation
Facilities | Jail
Construction
(Money Market)
(Savings) | Limited
Tax Refunding
(Now) | Anticipation
Notes
I & S
(NOW) |
|-------------------------|--|--|--|-----------------------|--|----------------------------------|---|-----------------------------------|---|
| CHECKING | | | | | | | | | |
| Balance on 7/1/94 | 12,604.88 | 4,213.35 | 1,540.02 | 12,790.15 | 4,534.99 | 12,754.46 | 895,940.59 | 13,394.22 | 4,337.94 |
| Money Market Interest | 11.39 | 12.82 | 3.48 | | 42.43 | | 1,918.38 | 12.61 | 9.29 |
| Deposits (receipts) | 1,306.72 | 2,790.71 | 131.05 | 133.55 | 192,710.15 | | | 2,863.19 | |
| Disbursements (claims) | 11,000.00 | | | | 177,459.02 | 3,607.40 | 1,913.00 | 11,800.00 | |
| TOTAL | 2,922.99 | 7,016.88 | 1,674.55 | 12,923.70 | 19,828.55 | 9,147.06 | 895,945.97 | 4,470.02 | 4,347.23 |
| INVESTMENTS | | | | | | | | | |
| Balance on 7/1/94 | 282,874.87 | 80,132.06 | 10,931.62 | -0- | 484,535.48 | -0- | -0- | 219,026.08 | -0- |
| Interest | 1,046.50 | 287.79 | 39.26 | | 1,611.86 | | | 819.43 | |
| New | 11,000.00 | | | | | | | 11,800.00 | |
| Transferred to checking | | | | | 81,000.00 | | | | -0- |
| TOTAL | 294,921.37 | 80,419.85 | 10,970.88 | -0- | 405,147.34 | -0- | -0- | 231,645.51 | -0- |

Dorothy F. Sims
Dorothy F. Sims, Hays County Treasurer

Temporary Transfers:

SUMMARY OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD JULY 1994

PAGE 2

| | Medical and
Dental Fund
(Money Market) | Medical and
Dental Reserves
(Money Market) | Courthouse
Security | Records
Management
(Now) | Records
Preservation | Animal
Control | Sheriff's Drug
Forfeiture
(Money Market)
(Savings) | D.A. Drug
Forfeiture | District Attorney
Reimbursement
(Now) |
|-------------------------|--|--|------------------------|--------------------------------|-------------------------|-------------------|---|-------------------------|---|
| CHECKING | | | | | | | | | |
| Balance on 7/1/94 | 1,575.26 | 2,301.57 | 15,652.58 | 8,434.33 | 5,163.00 | 7,699.31 | 1,537.06 | 4,880.63 | 5,898.25 |
| Money Market Interest | 19.94 | 4.48 | | 22.56 | | | 3.30 | | 12.96 |
| Deposits (receipts) | 153,198.83 | | 2,559.00 | 10,485.00 | 1,000.00 | 225.00 | | 292.00 | 18,863.46 |
| Disbursements (claims) | 153,199.52 | | | 7,164.25 | | 2,035.07 | | 722.69 | 13,539.67 |
| TOTAL | 1,594.51 | 2,306.05 | 18,211.58 | 11,777.64 | 6,163.00 | 5,889.24 | 1,540.36 | 4,449.94 | 11,235.00 |
| INVESTMENTS | | | | | | | | | |
| Balance on 7/1/94 | 373,197.77 | 20,775.83 | -0- | 41,411.65 | -0- | -0- | -0- | -0- | 89,722.50 |
| Interest | 1,551.61 | 74.63 | | 148.73 | | | | | 318.74 |
| New | 95,000.00 | | | | | | | | |
| Transferred to checking | 45,600.00 | | | | | | | | 5,000.00 |
| TOTAL | 424,149.38 | 20,850.46 | -0- | 41,560.38 | -0- | -0- | -0- | -0- | 85,041.24 |

| | Historical
Commission
(Money Market) | Health
Services Grants
(Now) | Inwood Water
System | Texas Capital
Fund /
Nighthawk | Texas Capital
Fund/
New Canaan | Texas Capital
Fund/
Jardine | Anticipation
Notes
(NOW) |
|-------------------------|--|------------------------------------|------------------------|--------------------------------------|--------------------------------------|-----------------------------------|--------------------------------|
| CHECKING | | | | | | | |
| Balance on 7/1/94 | 7,517.02 | 3,240.38 | 2,632.37 | 1.00 | 1.00 | .18 | 1,640.15 |
| Money Market Interest | 14.78 | | 34.10 | | | | 5.50 |
| Deposits (receipts) | 309.00 | 13,934.38 | 160,490.56 | | | 1,321.69 | 20,000.00 |
| Disbursements (claims) | | 5,475.58 | 161,923.11 | | | .18 | 19,083.40 |
| TOTAL | 7,840.80 | 11,699.18 | 1,233.92 | 1.00 | 1.00 | 1,321.69 | 2,562.25 |
| INVESTMENTS | | | | | | | |
| Balance on 7/1/94 | -0- | -0- | 40,988.07 | -0- | -0- | -0- | 243,479.12 |
| Interest | | | 374.68 | | | | 840.82 |
| New | | | 108,300.00 | | | | |
| Transferred to checking | | | 23,080.00 | | | | 20,000.00 |
| TOTAL | -0- | -0- | 126,662.75 | -0- | -0- | -0- | 224,319.94 |

13102 ACCEPT GRANT AWARD FOR ADULT HEALTH SERVICES

County Medical Director Dr. Larry Birdwell spoke of new grant award for adult health services for fiscal year 94-95. The Texas Dept. of Health has awarded the Hays County Health Dept. a grant for fiscal year 1994-95 for the purpose of Adult Preventive Health Services in the amount of \$ 57,856. This will include a full time Registered Nurse and a fulltime Clerk - request approval to incorporate this new funding into the last month of the county's 93-94 fiscal year (September) because the State's fiscal year begins Sept. 1, 1994. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to accept Grant award for Adult Health Services from the Texas Department of Health. All voting "Aye".

13103 APPROVE NEW POSITION OF RN GRADE 18 FOR THE HEALTH DEPARTMENT

County Medical Director Dr. Larry Birdwell requested new RN position to go into effect Sept. 1, 1994 based on the Texas Dept. of Health's Grant fiscal year funding. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to approve new RN position at Grade 18 for the Health Department. All voting "Aye".

13104 AUTHORIZE THE COUNTY JUDGE AND THE COUNTY HEALTH DEPT. TO ENTER INTO AN AGREEMENT WITH THE SAN MARCOS CISD

County Medical Director Dr. Larry Birdwell spoke of negotiating a contract with the San Marcos CISD to provide a Nurse Practitioner 4 hours per week at Bonham School for early intervention and to target needy families. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge and the County Health Dept. to enter into an Agreement with the San Marcos CISD to provide medical services. All voting "Aye".

★-----★

| | |
|----------------|---|
| STATE OF TEXAS | SCHOOL BASED CLINIC CONTRACT BETWEEN |
| COUNTY OF HAYS | SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT |
| | AND HAYS COUNTY HEALTH DEPARTMENT |

This agreement is made and entered into by and between San Marcos Consolidated Independent School District (School District), located at 501 S. LBJ in San Marcos, Texas, and the Hays County Health Department, located at 401A Broadway in San Marcos, Texas.
The parties to this contract agree as indicated below:

- A. The School District agrees to:
 - 1. permit the establishment by the Hays County Health Department of a Pediatric Extension Clinic in space owned by the District on the premises of Bonham Early Childhood Center;
 - 2. provide space for clinic use in space currently identified as the Chapter I office and the workroom;
 - 3. permit the Department to offer services included in Attachment A, on the Bonham premises at least 4 hours weekly;
 - 4. refrain from asking for information from the department's records of the patient's identify, diagnosis, and treatment of any disease, defect, or condition and acknowledge that such are confidential and may not be released to the school personnel except by consent of the patients or the patient's parent according to law;
 - 5. provide, at its own expense heating, cooling, water, and custodial services for the operation of the clinic; and
 - 6. refrain from seeking reimbursement from the Department for either the use of the space or the expense of heating cooling, water, and custodial services arising out of the Department's use of the space.

- B. The Department agrees to:
 - 1. establish and operate a Pediatric Extension Clinic on the premises of Bonham Early Childhood Center;
 - 2. offer the clinic services listed in Attachment A of this contract which is incorporated into and made a part of this contract and any changes in the plan set out in Attachment A must be in writing and approved and signed by the School District and the Department;
 - 3. provide all clinic personnel including one or more secretaries/community service aides; nurses; nurse practitioners;
 - 4. provide all medical instruments, clinical supplies, record keeping supplies, and other needs it may have for the clinic's operation;
 - 5. coordinate, supervise, and control the Department's personnel;
 - 6. be responsible for all clerical, accounting and administrative services necessary to bill and receive payment for services received by clinic patients who are eligible for Title 19;
 - 7. operate the clinic in accordance with the Department's policies and procedures;
 - 8. acknowledge that the School District assumes neither responsibility for the cost of operating the clinic nor the liability for injuries arising out of the Department's provision of clinic services except for the School District's own negligence.
 - 9. assume no liability for all defects of the school premises, if any; and
 - 10. assume no liability for any services provided by School District employees or School District volunteers

- 9. Both the School District and the Department agree:
 - 1. the Department will continue to provide the range of services usually offered at the department's substation located at 401A Broadway, San Marcos, Texas;
 - 2. that services may only be provided to students if the parent, managing conservator, guardian, or other authorized person are present and give informed consent to the services;
 - 3. that students currently enrolled at Bonham and their siblings will be the only children eligible to receive services at this site;
 - 4. that this contract will be effective as of the date on which it was executed on behalf of both the School District and the Department;
 - 5. that an amendment may be added to the contract only with the consent of both parties;
 - 6. that each amendment must be in writing and is not effective until it is signed on behalf of the School District and the Department; and
 - 7. that this contract may be terminated by either the School District or the Department upon thirty (30) days written notice to the other party.

★-----★

13105 MADRONE CANYON RANCH - SECOND READING APPROVAL

Bob Porterfield presented "Madrone Canyon Ranch" subdivision on second reading - the 3 previously sold lots are shown on the plat but are not made a part of the subdivision. Allen Walther, Environmental Health Director, stated that he felt like the three lots already sold should be made a part of the subdivision. The Court agreed that the lots should be included in the subdivision but could be excluded from the Homeowners Association. A motion was made by Judge Etheredge and seconded by Commissioner Rodriguez to approve "Madrone Canyon Ranch" subdivision on second reading with clarification that the Court's intent is to have the three previously sold lots included as a part of the subdivision. All voting "Aye".

13106 BARRY'S ACRES AT PARADISE HILLS - FIRST & SECOND READING APPROVAL

Patsy Greiner, Admin. Coord., advised that this subdivision of 2 lots has frontage on "Climbing Way" and not "Hilltop Road" (road was renamed) - road name needs to be changed on the plat. A motion was made by Commissioner Payne, seconded by Commissioner Rippey to approve "Barry's Acres at Paradise Hills" subdivision on first and second readings. All voting "Aye".

13107 SET THE HAYS COUNTY PROPERTY TAX RATE FOR THE 1994-95 FISCAL YEAR AT 41.52 CENTS AND SCHEDULE A PUBLIC HEARING ON THE PROPOSAL FOR SEPTEMBER 16, 1994

County Auditor Bill Herzog presented the following:

| ITEMIZED TAX RATE
FOR
FY 95 PROPOSED BUDGET | | | |
|--|-------------------------|------------------------|---------------------------|
| <u>VALUATION</u> | <u>FUNDS</u> | <u>TAX RATE</u> | <u>ESTIMATED TAX COLL</u> |
| 2,201,342.947
(1¢ = 202,524
@ 92% COLL RATE) | General M & O | 26.44 | 5,354,313 |
| | General Debt | 9.07 | 1,836,893 |
| 2,176,180,327
1¢ = 200,209
@ 92% COLL RATE) | Road & Bridge M & O | 6.01 | 1,203,267 |
| | Total Ad. Val. Tax Rate | <u>41.52¢</u> | <u>8,394,473</u> |
| | | Assessed taxes = | 9,124,427 |
| | Total Tax Rate | 41.52 | |
| | Effective Tax Rate | <u>37.83</u> | |
| | Amt Above Effective | 3.69¢ = 9.75% increase | |

NOTICE OF PUBLIC HEARING ON TAX INCREASE

The HAYS COUNTY will hold a public hearing on a proposal to increase total tax revenues from properties on the tax roll in 1993 by 9.75 percent. Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property.

The public hearing will be held on Friday, September 16, 1994 at 10:00 A.M. at COMMISSIONERS' COURTROOM HAYS COUNTY COURTHOUSE.

- FOR the proposal:
- AGAINST the proposal:
- PRESENT and not voting:
- ABSENT:

The statement above shows the percentage increase the proposed rate represents over the effective tax rate that the unit published on Wednesday, August 31, 1994. The following table compares taxes on an average home in this taxing unit last year to taxes proposed on the average home this year. Again, your individual taxes may be higher or lower, depending on the taxable value of your property.

| | LAST YEAR | THIS YEAR |
|--|-----------|-----------|
| Average home value | \$ 69,950 | \$ 77,580 |
| General exemptions available (amount available on the average home, not including senior citizens or disabled person's exemptions) | \$ 5,000 | \$ 5,000 |
| Average taxable value | \$ 64,950 | \$ 72,580 |
| Tax rate (per \$100) | 0.422500 | 0.415200 |
| Tax | \$ 274.41 | \$ 301.35 |

UNDER THIS PROPOSAL TAXES ON THE AVERAGE HOME WOULD INCREASE BY \$26.94 OR 9.82 PERCENT COMPARED WITH LAST YEAR'S TAXES. COMPARING TAX RATES WITHOUT ADJUSTING FOR CHANGES IN PROPERTY VALUE, THE TAX RATE WOULD DECREASE BY \$0.007300 PER \$100 OF TAXABLE VALUE OR 1.73 PERCENT COMPARED TO LAST YEAR'S TAX RATE. THESE TAX RATE FIGURES ARE NOT ADJUSTED FOR CHANGES IN THE TAXABLE VALUE OF PROPERTY.

CRIMINAL JUSTICE MANDATE

The HAYS County Auditor certifies that HAYS County has spent \$300,254 in the previous 12 months beginning August 1, 1993, for the maintenance and operations cost of keeping inmates sentenced to the Texas Department of Criminal Justice. HAYS County Sheriff has provided information on these costs, minus the state revenues received for reimbursement of such costs.

A motion was made by Judge Etheredge and seconded by Commissioner Rodriguez to set the Hays County Property Tax Rate for the 1994-95 Fiscal Year at 41.52 cents (above the effective tax rate of 37.83) and schedule a public hearing on the proposal for September 16, 1994 at 10:00 o'clock A.M. in the Commissioners' Courtroom of the Hays County Courthouse. All voting "Aye".

13108 ROAD NAME DESIGNATION: ASSIGN ROAD NAME OF "DARA LANE" TO A PRIVATE ROAD LOCATED OFF FM32

Patsy Greiner, Admin. Coord., advised that several families live down this private roadway located off FM32 and they have met with Ms. Wright to determine a name for their road and came up with the name of "Dara Lane" (DARA means "sturdy as an oak" in Ireland). A motion was made by Commissioner Payne and seconded by Judge Etheredge to assign the road name of "Dara Lane" to a private road located off FM32. All voting "Aye".

13109 AUTHORIZE THE COUNTY JUDGE TO SEND A LETTER REQUESTING A TRANSFER OF THE TCADA GRANT AWARD FOR THE FAMILIES IN FOCUS PROGRAM TO THE HAYS-CALDWELL COUNCIL ON ALCOHOL & DRUG ABUSE

Grants Administrator Richard Salmon advised that "Families in Focus" has not obtained its non-profit status, therefore, we need to request that the grant award be transferred to the Hays-Caldwell Council on Alcohol & Drug Abuse - the grant award is in the amount of \$110,000 and provides drug prevention counseling to low income families. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to authorize the County Judge to send a letter requesting a transfer of the TCADA Grant Award for the Families in Focus program to the Hays-Caldwell council on Alcohol and Drug Abuse. All voting "Aye".

EXECUTIVE SESSION

The Court convened into closed Executive Session to discuss Personnel Matters and Land Acquisition. Upon completion of closed session the Court reconvened into open meeting. No action taken.

Judge Etheredge spoke of Health Dept. building repairs - have created a separate line item - the roof has been completed - tar leaked through the roof and damaged the carpet - recommends letting roofers tear out the carpet and we put tile down on the floors - walls need to be washed down with Clorox and repainted - Bldg. Maint. will replace the ceiling tiles - we need to have air quality tests run again.

BUDGET WORKSHOP

NORTHEAST HAYS COUNTY EMS - Fire Commissioner Ted Covington appeared before the Court and spoke of urgent need for paid personnel (2 Paramedics with up-to-date equipment). Judge Etheredge spoke of proposed tax increases - not sure where the funds would come from to pay for this request - countywide EMS needs to be addressed as a whole. Mr. Covington spoke of mandated training - we will be able to keep the same level of services with 2 paramedics and needed equipment - cost of \$60,000 (2 Paramedics) & \$20,000 (equipment) - requesting \$108,000. Discussion was had on the necessity for up-to-date equipment and the rates being charged for services. Mr. Covington spoke of Wimberley being a retirement community and having a high amount of calls - Dripping Springs is a high growth area and calls are increasing. Mr. Hafffelder spoke of paid personnel and volunteer hours. Commissioner Barton asked about considering this funding as a one time expense. Judge Etheredge spoke of need to address funding EMS countywide and earmark funds specifically for EMS out of the county budget.

INDIGENT HEALTH CARE - Eva Cruz, Indigent Health Care Administrator, appeared requesting an additional staff person in her office - provided members of the Court with handouts showing the services provided and caseload. (Note: County Clerk did not receive this information)

SEPTEMBER 6, 1994

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13110 ADOPT COUNTY RETIREMENT PLAN (ADCR PLAN 2)


George Aitken, Human Resources Director, explained Plans being offered - percentages have been changed. Current Service Credit Percentage (Ratio) is the amount the County is paying to retirees (current is \$2.50 for every \$1 of employees contribution). If you want to adopt the 8 year vesting or Rule of 75 you will have to adopt another Plan - it is not available under the current plan.

PLAN 2: with the 8 Year Vesting & Rule of 75 would cost an additional \$62,815 and would have an Employer Contribution Rate for 1995 of 7.75%.

A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to adopt ADCR PLAN 2 with 8-Yr.Vesting and Rule of 75 for the Hays County Retirement Plan. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF September, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS
 COUNTY OF HAYS

ON THIS THE 12TH DAY OF SEPTEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
CRAIG D. PAYNE
RONNIE DANNELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13111 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 227,933.48 as presented by the County Auditor. All present voting "Aye".

| | | | | | |
|------------------|--------------|------------------|--------------|-----------------|--------------|
| Fines | \$ 33.00 | Auditor's Ofc | \$ 134.17 | Grants Adm | \$ 7.00 |
| Election Adm | \$ 93.54 | Indigent Care | \$ 5,904.38 | Transfer Sta | \$ 5,564.52 |
| Bldg. Maint | \$ 994.80 | Environ Health | \$ 223.48 | Personal Hlth | \$ 1,177.01 |
| Civic Center | \$ 1,036.18 | Countywide Oper | \$ 57,906.97 | Tax A/C | \$ 169.72 |
| District Clerk | \$ 35.00 | County Clerk | \$ 75.51 | Sheriff's Ofc | \$ 3,643.57 |
| Jail Oper | \$ 11,082.19 | County Judge | \$ 919.20 | Human Res | \$ 52.00 |
| Dist. Atty. | \$ 328.14 | J.P. 1-2 | \$ 38.70 | J.P. Pct. 3 | \$ 37.09 |
| D.P.S. | \$ 709.00 | Constable 1 | \$ 340.50 | Constable 5 | \$ 130.90 |
| Dist. Crt Oper | \$ 2,745.30 | Co/JP Crt Oper | \$ 40.64 | Veterans Adm | \$ 185.12 |
| Computer Svc | \$ 298.85 | Co Crt Law 2 | \$ 17.49 | Prot Hmkr | \$ 352.83 |
| Fire Marshal | \$ 17.48 | Historical Comm | \$ 1,364.00 | Kyle Survey | \$ 1,762.00 |
| Corridor Incub | \$ 457.50 | R & B Operations | \$ 75,341.21 | Precinct 1 | \$ 277.98 |
| Precinct 2 | \$ 28.60 | Precinct 3 | \$ 1,200.00 | Precinct 4 | \$ 332.98 |
| Rec Mng/Co Clk | \$ 547.92 | Health Svcs | \$ 4,804.72 | Burnett Rd Dist | \$ 80.59 |
| Springlake Rd | \$ 542.58 | Road Constr | \$ 6,374.90 | Foster Care | \$ 14,209.20 |
| Pioneer Rd Dist | \$ 29.86 | Adult Prob Oper | \$ 7,984.59 | Adult Prob Fac | \$ 401.88 |
| D.A. Reimb Trust | \$ 11,058.10 | Anticip Notes | \$ 6,900.00 | | |

13112 APPROVE BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS

The following budget amendments were proposed:

Indigent Health Care - \$168 from Pauper Burial - transfer for needed continuing education, postage, and balance of freight cost for filing cabinet.

Building Maintenance - \$6,650 transfer for authorized A/C work on 1st floor annex from utilities savings; budget parking lot utility @ new Courts building.

Tax Assessor-Collector - \$200 transfer into Misc. for an increase in Motor Vehicle change funds from Data Processing Supplies line.

Sheriff's Office - \$1,000 transfer from Ofc. Equipment & Repair to Office Supplies to finish out remainder of fiscal year.

District Attorney - \$230 transfer into Ofc. Equip. line to allow purchase of chair and legal file cabinet from Ofc. Supplies and Telephone line items.
Justice of Peace 4 - \$112 transfer for needed office supplies and printing from telephone.
Road & Bridge Pct. 2 - \$270 line item amendment to fund answering machine & car phone.
Law Library - \$275 budget amendment to pay for additional cost of maintenance of law library from law library fund rather than R&B Pct. 2 funds (need to recind previous budget amendment for this item) - amend from Books & Periodicals to Salary & Fringes benefits in Law Library Fund.
Computer Services - transfer funds into equipment line item to purchase 2 laser printers for J.P.'s and 4 PC's for computer services dept. - transfer \$10,000 from DP Mtc/Repair and \$6,000 from DP Maint. Contract to Data processing equipment line item.
District Court Reporter - \$45 transfer needed for printing & books from telephone line item.

A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve Budget Amendment No. 94-64 as proposed by the County Auditor. All present voting "Aye".

| LINE ITEM - EXPENDITURES | INCREASES | DECREASES |
|---------------------------------------|--------------|--------------|
| INDIGENT HEALTH CARE (408) | | |
| 01-408-5212 Postage | \$ 50.00 | |
| 01-408-5331 Cont Ed | \$ 80.00 | |
| 01-409-5711 Ofc Eqpt | \$ 38.00 | |
| 01-408-5492 Pauper Burial | | \$ 168.00 |
| BUILDING MAINTENANCE (410) | | |
| 01-410-5457 A/C Maint | \$ 6,650.00 | |
| 01-410-5481 Annex Utilities | | \$ 3,325.00 |
| 01-410-5487 Records Bldg Util | | \$ 3,675.00 |
| 01-410-5491 Courts Bldg Util | \$ 350.00 | |
| TAX ASSESSOR-COLLECTOR (415) | | |
| 01-415-5391 Misc | \$ 200.00 | |
| 01-415-52221 Data Proc Sply | | \$ 200.00 |
| SHERIFF (418) | | |
| 01-418-5221 Office Supplies | \$ 1,000.00 | |
| 01-418-5271 Fuel & Lubes | | \$ 1,800.00 |
| 01-418-5411 Ofc Equip Maint | | \$ 2,000.00 |
| 01-418-5272 Vehicle Splys | \$ 2,800.00 | |
| DISTRICT ATTORNEY (423) | | |
| 01-423-5211 Ofc Sply | | \$ 50.00 |
| 01-423-5489 Telephone | | \$ 180.00 |
| 01-423-5711 Ofc Eqpt | \$ 230.00 | |
| JUSTICE OF PEACE 4 (428) | | |
| 01-428-5211 Off Sply | \$ 100.00 | |
| 01-428-5461 Printing | \$ 12.00 | |
| 01-428-5489 Telephone | | \$ 112.00 |
| COMPUTER SERVICES (456) | | |
| 01-456-5421 Data Proc Maint & Repair | | \$ 10,000.00 |
| 01-456-5428 Data Proc Maint. Contract | | \$ 6,000.00 |
| 01-456-5712 Data Proc Equip | \$ 16,000.00 | |
| DISTRICT COURT REPORTERS (482) | | |
| 01-482-5461 Printing | \$ 30.00 | |
| 01-482-5213 Books | \$ 15.00 | |
| 01-482-5488 Data Lines | | \$ 45.00 |
| ROAD & BRIDGE PCT. 2 (440) | | |
| 03-440-5211 Ofc. Supplies | | \$ 70.00 |
| 03-440-5391 Misc. | | \$ 200.00 |
| 03-440-5711 Ofc. Eqpt | \$ 70.00 | |
| 03-440-5719 Misc. Eqpt | \$ 200.00 | |
| LAW LIBRARY (447) | | |
| 12-447-5021 Salary | \$ 239.00 | |
| 12-447-5110 FICA | \$ 19.00 | |
| 12-447-5121 Retirement | \$ 17.00 | |
| 12-447-5213 Books & Periodicals | | \$ 275.00 |

13113 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR PRESCRIPTION AND OTC DRUGS FOR THE HAYS COUNTY JAIL & PRESCRIPTION DRUGS FOR INDIGENT HEALTH CARE, SPECIAL ASSISTANCE PROGRAMS & CLIENTS OF THE HEALTH DEPT.

A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve the specifications and authorize the County Auditor to advertise for bids for prescription and over-the-counter drugs for the County Jail and for prescription drugs for Indigent Health Care, Special Assistance Programs and clients of the County Health Dept. All present voting "Aye".

SEPTEMBER 12, 1994

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13114 APPROVE UTILITY PERMIT #94206 TO P.E.C. (NIGHTHAWK DRIVE)

A motion was made by Commissioner Payne and seconded by Commissioner Rodriguez to approve Utility Installation Permit No. 94206 to Pedernales Electric Coop. to install overhead power line on Nighthawk Drive. All present voting "Aye".

13115 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN BURNETT RANCH AND COUNTRY ESTATES SUBDIVISIONS (PCT. 3)

A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to call for a public hearing to be held on September 26, 1994 at 9:00 A.M. to consider establishing traffic regulations in Burnett Ranches and Country Estates subdivisions. All present voting "Aye".

13116 AUTHORIZE ELECTION OFFICE TO USE UP TO 90 HOURS OF COMPENSATORY TIME FOR THE NOVEMBER ELECTION

A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to authorize Election Office to use up to 90 hours of compensatory time for the November Election. All present voting "Aye".

13117 HAYS COUNTRY OAKS BLOCK B REPLAT LOTS 20-A & 20-B * FIRST READING AND CALL FOR PUBLIC HEARING

Frank & Kelly Maldonado, owners of Lot 20 Block B Hays Country Oaks (aka 5.240 ac out of the P. J. Allen League) submitted a resubdivision of their property into two lots - located on Country Oaks Drive. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Hays Country Oaks Replat of Lot 20 (Lots 20-A & 20-B) Block B" on first reading and call for a public hearing to be held September 26, 1994 at 9:00 A.M. All present voting "Aye".

13118 PARADISE HILLS SECTION 1 REPLAT LOTS 10-R & 12-R * PUBLIC HEARING, SECOND AND THIRD READINGS

Judge Etheredge called the public hearing open to consider 2nd & 3rd reading approval of Paradise Hills Section 1 - no public input was received - staff recommended approval - public hearing was closed. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Paradise Hills Section 1 Replat - Lots 10-R & 12-R" on second and third readings. All present voting "Aye".

13119 BARRY'S ACRES AT PARADISE HILLS * SECOND & THIRD READINGS

Owners, Barry & Janet Smith are subdividing 6.67 acres out of the Thomas Carruthers Survey into two lots (Lot 1 = 3.49 ac & Lot 2 = 3.18 ac) - part of an unrecorded portion of Paradise Hills subdivision located on CR 330. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Barry's Acres at Paradise Hills" subdivision on second and third readings. All present voting "Aye".

13120 HURLBUT RANCH WEST REPLAT TRACTS 15-A1 & 15-A2 * PUBLIC HEARING, SECOND & THIRD READING APPROVAL

Judge Etheredge called the public hearing open to consider final approval of the Hurlbut Ranch West Replat of Tract 15 - no public input was received - staff recommended approval - public hearing was closed. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Hurlbut Ranch West Replat Tracts 15-A1 & 15-A2" subdivision on second and third readings. All present voting "Aye".

13121 AUTHORIZE THE COUNTY TO PROVIDE IN-KIND MATCHING FUNDS TO THE CITY OF BUDA FOR GRANT APPLICATIONS UNDER THE TDHCA URGENT NEED FUND AND COMMUNITY DEVELOPMENT FUND

This is a joint Hays County and City of Buda project to connect approximately sixty-five county residents on East Goforth Road who currently have non-performing septic tanks and cesspools to the Buda sewer system. The applications are under the "City of Buda" because the residents are in the ETJ of Buda and have asked to be annexed into the city of grant funds are approved. Grant applications are being prepared for both the Urgent Need Fund and Community Development Fund of the Texas Dept. of Housing and Community Affairs - the grant maximum is \$300,000. for Urgent

Need and \$250,000 for Community Development Fund. County bond funds to be used for widening and drainage improvements on Goforth Road will be the in-kind match for these grant applications. The non-performing septic tanks and cesspools are in the path of the main water wells for the Goforth Water Supply Corp. If approved the County will receive \$15,000-\$25,000 in administrative funds. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County to provide in-kind matching funds to the City of Buda for grant application under the TDHCA Urgent Need Fund and Community Development Fund. All present voting "Aye".

RESOLUTION OF THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE COMMITMENT OF RESOURCES TO THE CITY OF BUDA FOR THEIR SUBMISSION OF A TEXAS COMMUNITY AFFAIRS FOR THE URGENT NEED FUND:

WHEREAS, the Commissioners' Court of Hays County desires to develop a viable urban community, including decent housing and suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of the City of Buda to apply for funding under the 1994 Texas Community Development Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS;

That the County commits to the City of Buda \$37,500.00 in materials, equipment and labor for surface replacement for the City's FIRST TIME SEWER Project application under the Community Development Fund.

Passed and approved this 12th day of September, 1994.

Eddy A. Etheredge
Eddy A. Etheredge
Hays County Judge

Ronnie Dannelley
Ronnie Dannelley
Hays County Clerk



RESOLUTION OF THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE COMMITMENT OF RESOURCES TO THE CITY OF BUDA FOR THEIR SUBMISSION OF A TEXAS COMMUNITY AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND:

WHEREAS, the Commissioners' Court of Hays County desires to develop a viable urban community, including decent housing and suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of the City of Buda to apply for funding under the 1994 Texas Community Development Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS;

That the County commits to the City of Buda \$37,500.00 in materials, equipment and labor for surface replacement for the City's FIRST TIME SEWER Project application under the Community Development Fund.

Passed and approved this 12th day of September, 1994.

Eddy A. Etheredge
Eddy A. Etheredge
Hays County Judge

Ronnie Dannelley
Ronnie Dannelley
Hays County Clerk



13122 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO TEXAS DEPT. OF HOUSING & COMMUNITY AFFAIRS - COMMUNITY DEVELOPMENT FUND FOR WATER IMPROVEMENTS IN WIMBERLEY FOR \$250,000.00

Grant funds will be used to rebuild a "Dan Roberts" two inch water system located between Wimberley and Woodcreek and to connect to the Wimberley Water Supply Corporation. Local subdivision of approximately thirty-eight residents, primarily retirees, will provide matching funds which have to be routed through the County. Mr. Roberts has been cited by TNRCC for failure to comply with their well and waterline requirements. Mr. Robert is over seventy-five years old and will shut the system down in the near future rather than make the required capital improvements. A motion was made by Commissioner Payne and seconded by Commissioner Barton to authorize the county to submit a grant application to the Texas Dept. of Housing and Community Affairs - Community Development Fund for water improvements in Wimberley for \$250,000.00. All present voting "Aye".

RESOLUTION OF THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM.

WHEREAS, the Commissioners' Court of Hays County desires to develop a viable urban community, including decent housing and suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of Hays County to apply for funding under the 1994 Texas Community Development Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS;

1. That a Texas Community Development Program application for community development project funding is hereby authorized to be filed on behalf of the County with the Texas Department of Housing and Community Affairs.
2. That the County's application be placed in competition for funding under the Community Development Fund.
3. That the application be for \$250,000.00 of grant funds to carry out water system improvements.
4. That the Commissioners' Court directs and designates the County Judge as the County's Chief Executive Officer and Authorize Representative to act in all matters in connection with this application and the County's participation in the Texas Community Development Program.
5. That it further be stated that Hays County in committing \$12,500.00 from its general fund as the cash contribution toward the activities of this project.

Passed and approved this 12th day of September 1994.

Eddy A. Etheredge
Eddy A. Etheredge
Hays County Judge

Ronnie Dannelley
Ronnie Dannelley
Hays County Clerk



EXECUTIVE SESSION - PERSONNEL MATTERS

Court convened into closed executive session to discuss personnel matters - upon completion the Court reconvened into open meeting with no action taken regarding this matter. (9:20 A.M. - 9:45 A.M.)

13123 ACTION TO CREATE A COMMITTEE FOR REVIEW PROPOSAL SUBMITTED BY LEGAL AID SOCIETY OF CENTRAL TEXAS TO PROVIDE LEGAL SERVICES

Regina Rogoff, Executive Director of Legal Aid Society of Central Texas, appeared before the Court with a proposal for a Hays County Impact Project - spoke of LASCT provides free civil legal services to low-income residents of sixteen central Texas counties - spoke of number of applications received and number of clients being served - Hays County Legal Aid should be serving twice as many people as they are now serving - spoke of need to utilize volunteers through the local bar association (pro-bono work). The Hays County Impact Project is a one-year project designed to provide community-wide education and legal advice to the low-income residents of Hays County. A full-time equivalent Legal Aid paralegal will be dedicated to the Project - that staff person will develop and implement an outreach plan designed to raise community awareness of the problems of family violence, unfair housing and consumer practices, Social Security, SSI and other benefit program denials, and Legal Aid's role as part of the solution - will also work to establish a quarterly legal clinic which will be designed to continue as a community effort when the one-year period of the project is over. Discussion was had on funds currently being budgeted for Legal Aid and the current staff person. Mrs. Rogoff stated that current funding would not support a staff attorney assigned to Hays County, however, LASCT will supply a high quality of service and increase the number of clients served - evening clinics will be held to answer questions - LASCT is concerned about professional liability if they absorb the existing program. Attorney Ed Phillips (Hays County Bar Association) spoke of having been notified of the legal aid problems - stated that he would like to see if the local attorneys could assist in this matter. Travis County Attorney Grace Bland stated that she had been advised that the money provided to close out the pending legal aid cases was spent to pay outstanding bills and the cases were in fact not closed out. Judge Etheredge suggested creating a committee to come up with a pilot program with funds budgeted (\$25,600). Mrs. Rogoff urged the Court to ask for an accounting of the current program. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to create a committee of Commissioner Rodriguez and Judge Etheredge to review proposal of the Legal Aid Society of Central Texas for a Hays County Impact Project and to invite the Local Bar Association to participate in negotiations. All voting "Aye".

LAW LIBRARY DISCUSSION

Judge Etheredge spoke of need to restructure the way the law library is maintained. Attorney Ed Phillips, President of the Local Bar Association, spoke of books that are missing based on a reported given by County Employee Sabrina Roberts. Mr. Phillips stated that there are grants through the State Law Library to assist in these matters. County Auditor Bill Herzog spoke of need to have someone responsible for ordering books and approving the invoices for payment. Attorney Kyle Maysel spoke of there being no structured policy to follow and duplicate books have been ordered. Court requested that the Local Bar Association submit a proposal for operation and command structure of the Law Library in two weeks for court consideration.

13124 AUTHORIZE AIR-CONDITIONING WORK AT THE RECORDS BUILDING

A proposal was submitted by Dan James Inc. (LagoVista, Tx) for two air conditioning units for the Hays County Records building in the amount of \$ 15,212.00. A discussion was had regarding negotiating this price down so that it falls below the bid limit of \$15,000. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize air conditioning work at the Hays County Records Building with price negotiations to get cost below \$15,000.00, and furthermore, if price is not negotiable the County Auditor is authorized to advertise for bids. All present voting "Aye".

13125 APPROVE PLANS FOR THE NEW COURTS BUILDING AND AUTHORIZE CONSTRUCTION DOCUMENTS

Architect Rob Balderach, Balderach & Co., spoke of plans developed and room allowed for future growth. District Attorney Marcos Hernandez suggested that the county not build four (4) courtrooms at this time and instead build only three with space for the fourth to remain undesignated to allow for future growth. Mr. Hernandez stated that we presently have the District Courtroom - which is too large for most purposes - and the County Court at Law Courtroom which is too small - the present plan calls for 2 courtrooms with capacity of approx. 100 people each - rarely do we need such large space - suggested that Courtroom #1 could be used when we anticipate a large number of people and Courtroom #2 would handle lesser people - Courtroom #3 would be ideal for all pre-trial hearings that involve only a few attorneys and a handful of spectators (a large part of all judicial proceedings are at this level) - a courtroom coordinator would be required to reserve use of the courtrooms - if a 4th courtroom were absolutely necessary, the present District Courtroom on the 3rd floor of the courthouse could be utilized. A discussion was had on where to put people who appear for criminal docket in county court on Thursdays - it was suggested that they could be located in one of the courtrooms not being used that day. Members of the Local Bar Assn. that were present were asked for their input regarding the Law Library plans - Attorney Ed Phillips was

given a drawing to look over . Mr. Balderach explained that the plans were drawn up after conversations with the Judges to come up with expectations - the consensus was that four courtrooms were needed - you do not have to finish out the 4th. Judge CCL#1 Howard Warner spoke of times when you have District and County Court Jury selection at the same time. Court agreed that the courtrooms should be numbered and not assigned (3 courtrooms and 1 hearing room) - one holding cell was deleted (the one located by computer services) . A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to approve the plans for the New Courts Building with amendment made this date and authorize construction documents. All present voting "Aye".

BUDGET WORKSHOP

Note: Commissioner Payne was not present.

Constable Pct. #2 - discussed funding a new 1994 vehicle with police package for \$15,600 (to be financed) - will give his present vehicle to the county for use as a backup - discussed painting the new car green - court will take action at a later date.

Computer Services - discussed approaching need for criminal justice computer hardware and software - DP Admin. Debra Polk felt like we would not need to budget for this until next fiscal year.

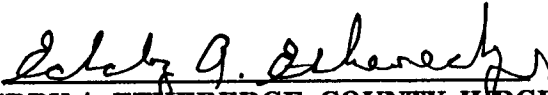
Road Dept. - Court agreed to establish a fee of \$25 for driveway culvert permits.

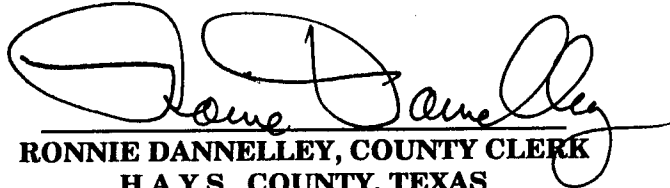
Mapping/Planning - Court agreed to budget funds to print 2,000 copies of the Hays County map book - charge \$23.09 + tax (\$25.00 total) per book.

North Hays County EMS - Court agreed to one-time funding in the amount of \$90,000 to fund two Paramedics and equipment - to be funded out of reserve funds.

Kyle EMS - Court agreed to fund \$5,000 out of countywide equipment for a defibrillator.

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF September, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S C O U N T Y, T E X A S


RONNIE DANNELLEY, COUNTY CLERK
H A Y S C O U N T Y, T E X A S

STATE OF TEXAS
 COUNTY OF HAYS

ON THIS THE 16th DAY OF SEPTEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

PUBLIC HEARING ON PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE TAX ROLL IN 1993 BY 9.75 PER CENT (TAXRATE OF 41.52 CENTS)

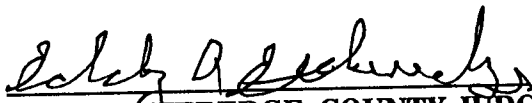
Judge Etheredge called the public hearing open . County Auditor Bill Herzog presented the Itemized Tax Rate for FY95 Proposed Budget:

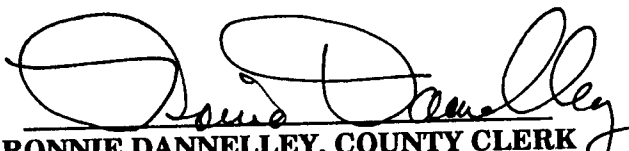
| <u>VALUATION</u> | <u>FUNDS</u> | <u>TAX RATE</u> | <u>ESTIMATED TAX COLL</u> |
|--|-----------------------------------|-----------------|---------------------------|
| 2,201,342,947
(1¢ = 202,524 @
92% Coll rate) | General M&O | 26.44 | 5,354,313 |
| 2,176,180,327
(1¢ = 200,209 @
92% Coll Rate) | General Debt
Road & Bridge M&O | 9.07
6.01 | 1,836.893
1,203,267 |
| | Total Ad Val Tax Rate | 41.52¢ | 8,394,473 |
| Total Tax Rate | 41.52¢ | | |
| Effective Tax Rate | 37.83¢ | | |
| | ==== | | |
| Amt Above Effective | 3.69¢ = 9.75% increase | | |

| TAX RATE SPECIAL ROAD DISTRICT | | | |
|---------------------------------------|--------------------|-----------------|---------------------------|
| VALUATION | FUNDS | TAX RATE | ESTIMATED TAX COLL |
| 11,066,725 | Springlake Road | 65.65 | 65,457 |
| 916,150 | Pioneer Trail Road | 52.22 | 4,309 |
| 7,019,923 | Burnett Ranch Road | 20.34 | 12,803 |

County Auditor also presented a budget analysis and a recent tax collection history for the years 1976 through 1992. Eugene Megas, Hays County citizen, asked if the 9.75% increase in taxes will continue - spoke of the taxpayers inability to keep up with continued tax increases and no increase in individual income. Judge Etheredge spoke of the county having to catch up on services provided to the citizens - we are in a transition from a rural to a suburban/urban county and we are trying to find alternate sources of revenues (i.e. grants, increase in users fees, etc). Mr. Megas asked about long range planning. Commissioner Barton spoke of bonds issued for roads, courthouse renovation, etc. - not all taxpayers will experience a tax increase (only if their appraisals increased). Judge Etheredge called the public hearing closed. On September 26, 1994 at 1:00 P.M. in the Commissioners' Courtroom, San Marcos, Texas, the Court will set the Tax Rate and vote on the FY95 Hays County Budget.

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF September, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S C O U N T Y, T E X A S


RONNIE DANNELLEY, COUNTY CLERK
H A Y S C O U N T Y, T E X A S

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**STATE OF TEXAS**  
**COUNTY OF HAYS**

**ON THIS THE 19th DAY OF SEPTEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

- |                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>ORAN H. RIPPY</b>       | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Commissioner Rippy was not present at the beginning of the meeting.

**EDWARDS AQUIFER CONSERVATION DISTRICT - RAIN GAUGES**

Chris Sutton, Edwards Aquifer Conservation Dist. Project Manager, spoke of rain & stream gauges to be placed in Hays County at seven locations on county right-of-way. These gauges will relay information to the weather station in New Braunfels (4 rain gauges & 3 stream gauges).

**13126 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve payment of county invoices in the amount of \$ 119,627.86 as presented by the County Auditor. All present voting "Aye".

\*\*\*\*\*

|                   |             |                   |               |                 |              |
|-------------------|-------------|-------------------|---------------|-----------------|--------------|
| Auditors Ofc      | \$ 524.46   | Treasurers Ofc    | \$ 142.47     | Extension Ofc   | \$ 607.11    |
| Grants Admin      | \$ 175.33   | Juvenile Prob.    | \$ 2,826.60   | Election Admin  | \$ 64.83     |
| Indigent Care     | \$ 2,920.70 | Transfer Station  | \$ 87.33      | Bldg. Maint.    | \$ 2,840.78  |
| Environ Health    | \$ 667.57   | Personal Health   | \$ 195.72     | Civic Center    | \$ 781.75    |
| Countywide Oper   | \$ 2,190.75 | Tax A/C           | \$ 625.55     | District Clerk  | \$ 154.43    |
| County Clerk      | \$ 478.13   | Sheriffs Ofc      | \$ 8,631.02   | Jail Operations | \$ 30,362.61 |
| County Judge      | \$ 489.63   | Human Resources   | \$ 89.30      | Co Crt at Law 1 | \$ 24.15     |
| District Attorney | \$ 1,008.27 | J.P. 1-1          | \$ 39.98      | J.P. 1-2        | \$ 409.22    |
| J.P. 2            | \$ 42.66    | J.P. 3            | \$ 7.33       | J.P. 5          | \$ 9.63      |
| D.P.S.            | \$ 123.22   | Constable 1       | \$ 59.47      | Constable 2     | \$ 450.00    |
| Dist Crt Oper     | \$ 527.93   | Co & JP Crt Oper  | \$ 2,413.62   | Veterans Admin  | \$ 158.01    |
| Computer Svcs     | \$ 590.69   | Co Crt at Law 2   | \$ 39.25      | Juv Svcs Grant  | \$ 1,480.00  |
| Fire Marshal/EMC  | \$ 31.43    | TABC              | \$ 70.32      | Dist Crt Reprtr | \$ 160.01    |
| TJPC CCAP Grant   | \$ 106.93   | Renov/Spec Proj   | \$ 1,882.21   | R&B Operations  | \$ 43,901.31 |
| Precinct 1        | \$ 304.75   | Precinct 2        | \$ 894.34     | Precinct 3      | \$ 1,904.74  |
| Rec Mng/Co Clk    | \$ 7,619.18 | Health Svcs Grant | \$ 304.97     | Adult Prob Oper | \$ 968.85    |
| Adult Prob Fac    | \$ 210.65   | Gen Fund Credit   | * \$ 920.33 * | R&B Gen Credit  | * \$ 51.00 * |

**13127 AUTHORIZE THE SAN MARCOS DOWNTOWN MERCHANTS ASSOCIATION TO USE THE COURTHOUSE LAWN**

A proposal was submitted by The Downtown Merchants Association of San Marcos for the use of the county courthouse lawn and parking area as follows:

General Purpose - The Downtown Merchants Association of San Marcos, referred to hereafter as the "Association", shall sponsor a series of events, which shall range from Swap Meets to Arts and Crafts Shows in a effort to encourage retail traffic to the downtown area.

Time Frame - The Association requests the County to grant a specific weekend each month for one year to be reserved for the Association. This will allow a public knowledge of the event to be carried over for the next Event and increase the effectiveness of advertising which will be run for the Event.

Responsibility - The Association will assume all responsibility for liability should an accident occur on County Courthouse Property during said Event. The Association shall carry insurance for the protection and indemnification of the County.

Maintenance and Damage - In the event of damage or required maintenance to County property the Association shall assume all responsibility and promptly repair all damages.

Funds - All funds raised by the Association shall be used by the Association for the benefit of Sponsoring said events and other similar events. The Association is a non-profit organization.

A motion was made by Commissioner Payne, seconded by Judge Etheredge to authorize The Downtown Merchants Association of San Marcos to use the courthouse lawn and parking area as coordinated with the County Judge. All present voting "Aye".

**13128 AUTHORIZE USE OF THE COURTHOUSE AND COURTHOUSE LAWN FOR PROJECT KIDCARE**

A request was received from Cpl. Rusty Smith, San Marcos Crime Prevention Unit Coordinator, for use of the Courthouse and Courthouse lawn on Saturday, October 22, 1994 for Project KidCare registration day. This is a program that photographs and fingerprints children for the purpose of having that information should the child become lost or abducted - the project date was set in conjunction with the Red Ribbon Week Fund Run. A motion was made by Commissioner Payne, seconded by Judge Etheredge to authorize use of the courthouse and courthouse lawn for Project KidCare. All present voting "Aye".

**13129 APPROVE UTILITY PERMIT # 94102 (REDWOOD ROAD) TO CENTURY TELEPHONE CO.**

Century Telephone of San Marcos, Inc. request permission for road bore on County Road 232/266 (Redwood Rd) for installation of telephone lines. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve Utility Permit #94102 (Redwood Rd) to Century Telephone of San Marcos, Inc. All present voting "Aye".

**13130 CALL FOR PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION: 4-WAY STOP AT CHAPARRAL PARK DRIVE AND BLISS SPILLAR ROAD**

A motion was made by Commissioner Payne, seconded by Judge Etheredge to call for a Public Hearing to establish traffic regulation: 4-Way STOP at Chaparral Park Drive and Bliss Spillar Road to be held October 3, 1994 at 9:00 A.M. All present voting "Aye".

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**13131 CALL FOR PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION: SPEED LIMIT OF 30MPH ON ALL STREETS IN THE SUBDIVISIONS OF LEISUREWOOD, CIMARRON PARK, WOODS OF CIMARRON AND COVES OF CIMARRON**

A motion was made by Commissioner Payne, seconded by Judge Etheredge to call for public hearing to establish traffic regulation: Speed Limit of 30MPH on all streets in the subdivisions of Leisurewood, Cimarron Park, Woods of Cimarron and Coves of Cimarron, except where otherwise specified, to be held October 3, 1994 at 9:00 A.M. All present voting "Aye".

**13132 AUTHORIZE RENEWAL OF ANNUAL OFFICE SUPPLY CONTRACT FOR ONE YEAR**

County Purchasing Agent Cindy Casparis requested continuation of the current office supply contract with Convenience Office Supply - Judy Aswel/Convenience Office Supply has agreed to continuing the contract at the current discount with no changes. A motion was made by Commissioner Payne, seconded by Judge Etheredge to authorize renewal of annual office supply contract with Convenience Office Supply for one year. All present voting "Aye".

**13133 ACCEPT INTERNAL AUDITOR'S REPORT OF JUSTICE OF THE PEACE PCT. 1 PL. 2 OFC.**

A motion was made by Commissioner Payne, seconded by Judge Etheredge to accept the Internal Auditor's Report of the Justice of the Peace Pct. 1 Place 1 office. All present voting "Aye".

Commissioner Rippy came to the meeting at this time.

**13134 ACCEPT BID ON PROPERTY SEIZED FOR DELINQUENT TAXES**

Tax A/C Luanne Caraway spoke of bids received on two tracts of land seized for delinquent taxes:

- (1) Tract 46 Blanco River Estates with a bid of \$ 4,020.00
- (2) Lots 16 & 34 The Brook at Woodcreek with a bid of \$ 1,000.00

Commissioner Payne spoke of the value of the properties (Blanco River Estate Tract 46 = \$ 22,300 and The Brooks at Woodcreek Lot 16 = \$2,280 Lot 34 = \$ 2,280) - suggested re-bidding the Blanco River Estates property. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to accept bid on Lots 16 & 34 of The Brook at Woodcreek in the amount of \$1,000.00 and to re-advertise for bids for Tract 46 Blanco River Estates. All voting "Aye".

**VARIANCE REQUEST FOR THREE TRACTS ON MCGREGOR LANE**

Environmental Health Director Allen Walther spoke of previously granted variance on a 30 acre tract from this same original tract - suggested that variance be denied and developer be required to plat these tracts. Mike Rose spoke of the 865 acre ranch that is being sold off in tracts - all the proposed tracts front on a county road and all have prospective buyers that are ready to build on them - stated that they will plat any future tracts. Patsy Greiner, Admin. Coord., spoke of the platting process - felt like a variance is not justified in this case. Commissioner Barton spoke of most variances that are granted are for family partitions (one tract being divided into two). Mike Rose stated that they would agree to add all the tracts previously and now being sold to the subdivision plat to be filed at a later date. Mr. Walther suggested that the buyers agree to sign an agreement to join into the future subdivision. Commissioner Payne advised Mr. Rose to submit letters from property owner and buyers prior to any variance action before this court.

**13135 UHLAND ESTATES SECTION 3 - SECOND & THIRD READING APPROVAL**

Mike McMinn presented "Uhland Estates Section 3" subdivision for second and third readings - the City of Uhland has signed off on the plat - three lots have been reduced to one (6 acre lot). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Uhland Estates Section 3" subdivision on second and third readings. All voting "Aye".

**13136 APPROVE BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS**

The following budget amendments were requested:

- Auditor's Office - \$737 transfer into office supply, travel, and continuing education
- Election Administration - \$1,400 transfer between election lines to order supplies for Nov. Election
- Juvenile Probation - \$305 transfer into line items for balance of FY94 expenses from psychological exams
- Building Maintenance - \$1,500 transfer from utility savings into A/C repairs for Records Bldg, Courthouse & Max Smith Building.
- Environmental Health - \$10,600 transfer from office equipment to data processing equipment
- County-wide Operations - \$8,400 transfer from insurance payment for backhoe to self-insurance expense, transfer rate savings to needed expenses of quarterly fees on fines payment and autopsy & committal expense
- Jail Operations - \$13,600 transfer into office and medical supplies and misc. equipment from contract building maintenance.

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Constable #1 - \$900 transfer cost of hand-held radio & accessories into equipment line from fuel to allow purchase  
Co. & JP Court Operations - \$350 transfer to budget cost of Bailiff security school from Jury expense line  
Road & Bridge General - \$638 for overtime from Pct. 3 and \$4,000 for needed expenses from personnel cost savings and materials.

Law Library - \$600 transfer for library mainteance fee to salary as authorized.

Adult Probation Operating - \$6,000 transfer between line items for needed expenses

Adult Probation Facilities - \$ 1,500 transfer needed for rent and utilities from equipment and telephone line items  
 Commissioner Payne requested that budget amendment for Jail Operations be deleted at this time - would like more specific details. County Auditor Bill Herzog requested that the Co & JP Court Operations budget amendment be deleted - this expense should come out of courthouse security fund.

A motion was made by Judge Etheredge and seconded by Commissioner Payne to approve budget amendments as proposed for the County Auditor, Election Administration, Building Maintenance, Environmental Health, County-wide Operations, Constable #1, Road & Bridge Operations, Juvenile Probation, Law Library, Adult Probation Operating, and Adult Probation Facilities (BA #94-65 with deletion of Jail Operations & Co & JP Court Operations). All voting "Aye".

| Line Item - Expenditures             | Increases   | Decreases   |
|--------------------------------------|-------------|-------------|
| <b>AUDITOR</b>                       |             |             |
| 01-401-5211 Office Supply            | \$ 200.00   |             |
| 01-401-5213 Books                    |             | \$ 150.00   |
| 01-401-5221 Data Proc Supply         |             | \$ 50.00    |
| 01-401-5311 Travel                   | \$ 237.00   |             |
| 01-401-5331 Cont Ed                  | \$ 300.00   |             |
| 01-401-5449 Temp Personnel           |             | \$ 237.00   |
| 01-401-5461 Printing                 |             | \$ 300.00   |
| <b>ELECTION ADMINISTRATION</b>       |             |             |
| 01-406-5219 Election Supplies        | \$ 1,400.00 |             |
| 01-406-5071 Election Salaries        |             | \$ 1,400.00 |
| <b>BUILDING MAINTENANCE</b>          |             |             |
| 01-410-5457 A/C Repairs              | \$ 1,500.00 |             |
| 01-410-5487 Records Util.            |             | \$ 1,500.00 |
| <b>ENVIRONMENTAL HEALTH</b>          |             |             |
| 01-411-5712 Data Proc Equip          | \$10,600.00 |             |
| 01-411-5711 Office Equip             |             | \$10,600.00 |
| <b>COUNTY-WIDE OPERATIONS</b>        |             |             |
| 01-414-5322 Fees on Fines            | \$ 4,500.00 |             |
| 01-414-5343 Self-Insurance           | \$ 5,000.00 |             |
| 01-414-5432 Autopsy & Inquest        | \$ 4,000.00 |             |
| 01-414-5492 Committal                | \$ 5,500.00 |             |
| 01-414-5340 Insurance                |             | \$ 8,400.00 |
| <b>REVENUES</b>                      |             |             |
| 01-391-3912 Comp for Assett DMG/Loss |             | \$10,600.00 |
| <b>CONSTABLE #1</b>                  |             |             |
| 01-431-5717 Law Enf Equip            | \$ 900.00   |             |
| 01-431-5271 Fuel                     |             | \$ 900.00   |
| <b>ROAD OPERATIONS</b>               |             |             |
| 03-438-5272 Veh Sply                 | \$ 2,000.00 |             |
| 03-438-5031 Overtime                 | \$ 638.00   |             |
| 03-438-5461 Printing                 | \$ 750.00   |             |
| 03-438-5489 Telephone                | \$ 1,250.00 |             |
| 03-438-5160 Insurance                |             | \$ 2,000.00 |
| 03-438-5351 Materials                |             | \$ 2,000.00 |
| <b>PRECINCT 3</b>                    |             |             |
| 03-441-5211 Office Sply              |             | \$ 100.00   |
| 03-441-5213 Books                    |             | \$ 150.00   |
| 03-441-5353 Special Projects         |             | \$ 388.00   |
| <b>LAW LIBRARY</b>                   |             |             |
| 12-447-5021 Salary                   | \$ 523.00   |             |
| 12-447-5110 FICA'                    | \$ 40.00    |             |
| 12-447-5121 Retirement               | \$ 37.00    |             |
| 12-447-5441 Library Maint.           |             | \$ 600.00   |
| <b>ADULT PROBATION OPERATING</b>     |             |             |
| 34-486-5448 Contract Serv            | \$ 6,000.00 |             |
| 34-486-5329 Prof. Fees               |             | \$ 3,000.00 |
| 34-486-5219 Sply & Operating         |             | \$ 3,000.00 |
| <b>ADULT PROBATION FACILITIES</b>    |             |             |
| 35-487-5471 Rent & Util              | \$ 1,500.00 |             |
| 35-487-5719 Misc. Equip.             |             | \$ 1,000.00 |
| 35-487-5489 Telephone                |             | \$ 500.00   |
| <b>JUVENILE PROBATION</b>            |             |             |
| 01-405-5212 Postage                  | \$ 80.00    |             |
| 01-405-5213 Books                    | \$ 25.00    |             |
| 01-405-5431 Medical/Dental Svcs      | \$ 150.00   |             |
| 01-405-5461 Printing                 | \$ 50.00    |             |
| 01-405-5434 Psychological Exams      |             | \$ 305.00   |

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**DISCUSSION REGARDING SPLIT PAYMENT OF TAXES**

Judge Etheredge spoke of provision in the law that allows for split payment of taxes - the county has been allowing split payments for a number of years, however, there is no record of the Court approving split payments - to approve split payments now would violate the county's contract with the Hays CISD - the law does not allow you to accept split payments for some entities and not others when collecting a combined tax - suggested that each Commissioner visit with the taxing entities in their precinct regarding this matter and report back to the court. County Tax Assessor-Collector Luanne Caraway stated that homeowners primarily take advantage of this split payment - businesses usually pay at one time for income tax purposes.

**13137 REAPPOINT SOME ELECTION JUDGES AND ALTERNATES AND CHANGE ONE POLLING PLACE FOR THE NOVEMBER 8TH GENERAL ELECTION**

Joyce Cowan, Elections Administrator, presented proposed Judges & Alternates to replace July appointments and a change in the Polling Place for Pct. #334 due to construction at the old public library in San Marcos:

- Pct. #331 David Gratz (Judge)  
2223 Mustang Lane, San Marcos, Tx 78666
- Pct. #335 Odom Dyess (Alternate Judge)  
Rt. 5 Box 662, Wimberley, Tx 78676
- Pct. #337 Leon Hewlett (Judge)  
P. O. Box 1924, Wimberley, Tx 78676
- Pct. #447 Winton Holcomb (Judge)  
1616 Alpine Trail, San Marcos, Tx 78666
- Pct. #334 First Presbyterian Church (Polling Place)  
410 W. Hutchison St., San Marcos, Tx 78666

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve new appointments of Judges/Alternates for Pct. #331, #335, #337, and #447; and new polling place for Pct. #334 as proposed by the County Elections Administrator. All voting "Aye".

**13138 AWARD CONTRACT FOR PURCHASE OF THE NEW ENVIRONMENTAL HEALTH BUILDING**

Purchasing Agent Cindy Casparis presented a bid tabulation on the new Environmental Health Building - recommended awarding contract to Hopson Builders Inc. at low bid of \$49,966.00 - Butler buildings are made locally - time frame is longer but acceptable.

|                                         |                                      |
|-----------------------------------------|--------------------------------------|
| <b>HOPSON BUILDERS INC.</b>             | Total Price = \$ 49,966.00 *low bid* |
| Butler Building w/time frame: 3 1/2 mos |                                      |
| <b>D &amp; R SALES</b>                  | Total Price = \$ 53,315.00           |
| Thor Steel bldg w/time frame: 6 weeks   |                                      |
| <b>STOKES CONSTRUCTION CO.</b>          | Total Price = \$ 65,256.00           |
| Mesco Building w/time frame: 90 days    |                                      |
| <b>THE STRUTHOFF COMPANY</b>            | Total Price = \$ 79,769.00           |
| Varco-pruden Bldg w/time frame: 75 days |                                      |

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award contract for purchase of the new Environmental Health Building from low bidder Hopson Builders Inc. in the amount of \$ 49,966.00. All voting "Aye".

**DISCUSSION REGARDING THE JUVENILE SERVICES CENTER**

Cindy Casparis, Purchasing Agent, spoke of bid specs available in the Purchasing Office - submitted copies of Advertisement for Bids, Instructions to Bidders, Proposal Forms, Agreement Forms, and General Conditions. Engineer Rick Miller presented a drawing of the site showing floodplain and new location for the building - discussion was had on site location and future expansion. Court agreed to postpone any action until we can determine if new location allows for future expansion and we need to get plans certified.

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13139 APPROVE CHANGES TO THE HAYS COUNTY PERSONNEL POLICY MANUAL

George Aitken, Human Resources, presented proposed changes in the personnel manual:

**Para 5.13 Lateral Transfers** First sentence, delete "in the same pay group". Change third sentence to say: "Lateral transfer to another department must be approved by Commissioners' Court."

**Para 8.03 Vacation/Hours Chart** Change 40 hours to 48 hours for 1 (one) year or less. change 80 hours to 84 hours for more than 1 (one) year but less than 5 years.

**Para 8.03 Accumulation of Vacation Leave** After last sentence add: The maximum amount of vacation time an employee shall have available to use at any given time is the amount of unused time the employee had at the end of the previous month. An employee hired on or before the 15th of the month and terminates on or after the 16th of the month shall earn a full months accrual. Employees hired on or after the 16th of the month and terminated on the 15th or before of the month shall earn 1/2 of a months accrual.

**Para 8.10** First sentence: change "24 hours" to "one day". Next to last sentence change "three" to "one".

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve proposed changes to the Hays County Personnel Policy . All voting "Aye".


13140 APPOINT TWO MEMBERS TO THE SAN MARCOS-HAYS COUNTY EMS BOARD


The new EMS contract takes effect October 1st and two Commissioners must be appointed to serve on the five-member board - the City of San Marcos has appointed Fred Guerra and Bob Mooney. A motion was made by Commissioner Barton and seconded by Judge Etheredge to appoint Commissioner Rodriguez and Commissioner Rippy to the San Marcos-Hays County EMS Board of Directors. All voting "Aye".

DISCUSSION REGARDING COMPUTER REPAIRS

Data Processing Administrator Deborah Polk spoke of recent stormy weather that damaged ports on the mainframe computer - it would take over two weeks to get the boards repaired and would cost \$13,692.00 - suggested now making the repairs on the mainframe - they will send off boards from the old system located at the LEC and use them when then come back - in the meantime we will coordinate terminals so that every office has at least one working terminal.

MINUTES APPROVED IN OPEN COURT ON THE 17<sup>th</sup> DAY OF September, 1994.

  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 H A Y S COUNTY, TEXAS

  
 RONNIE DANDELLEY, COUNTY CLERK  
 H A Y S COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 26TH DAY OF SEPTEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY       | COMMISSIONER, PCT. 4 |
| RONNIE DANIELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13141 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$113,480.45 as presented by the County Auditor. All voting "Aye".

|                  |              |                    |             |                     |              |
|------------------|--------------|--------------------|-------------|---------------------|--------------|
| Auditors Ofc     | \$ 168.50    | Treasurers Ofc     | \$ 859.92   | Extension Ofc       | \$ 408.75    |
| Grants Admin     | \$ 341.38    | Juvenile Prob      | \$ 819.39   | Election Admin      | \$ 282.54    |
| Indigent Care    | \$ 4,167.23  | Transfer Station   | \$ 192.56   | Bldg. Maintenance   | \$ 6,975.67  |
| Environ Health   | \$ 7,872.38  | Personal Health    | \$ 150.87   | Civic Center        | \$ 5,201.29  |
| Countywide Oper  | \$ 1,400.99  | Tax A/C            | \$ 60.00    | District Clerk      | \$ 1,014.71  |
| County Clerk     | \$ 37.89     | Sheriff's Ofc      | \$ 2,762.29 | Jail Operations     | \$ 30,062.03 |
| Co Crt @ Law 1   | \$ 139.85    | District Attorney  | \$ 200.75   | J.P. 1-1            | \$ 95.63     |
| J.P. 1-2         | \$ 50.00     | J.P. 3             | \$ 58.03    | J.P. 4              | \$ 46.16     |
| J.P. 5           | \$ 267.75    | D.P.S.             | \$ 243.44   | Constable 1         | \$ 28.12     |
| Constable 3      | \$ 32.18     | Constable 5        | \$ 150.57   | District Court Oper | \$ 4,016.60  |
| Co & JP Crt Oper | \$ 1,622.75  | Veterans Admin     | \$ 50.00    | Computer Svcs       | \$ 8,026.85  |
| Co Court @ Law 2 | \$ 38.25     | CJD Juv Svc Grant  | \$ 2,586.33 | Fire Marshal/EMC    | \$ 62.58     |
| TABC             | \$ 70.04     | TJPC CCAP Grant    | \$ 33.18    | Renov/Spec Proj     | \$ 10,837.30 |
| R & B Operating  | \$ 907.21    | Precinct 1         | \$ 126.00   | Precinct 3          | \$ 83.57     |
| Precinct 4       | \$ 91.23     | Health Svcs Grants | \$ 1,464.20 | Juv Detention Fac   | \$ 1,598.95  |
| Road Constrction | \$ 14,405.56 | Crths Security     | \$ 108.45   | Adult Prob Oper     | \$ 2,560.19  |
| Adult Prob Fac   | \$ 790.34    |                    |             |                     |              |

13142 APPROVE BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS

- Extension Office - \$150.00 transfer for needed office supplies
- Grants Admin - \$1,214.00 transfer for office supplies, telephone, and to allow purchase of legal size file cabinet in office equipment from other line items. \*Court deleted \$414.00 for Ofc Supplies\*
- County Clerk - \$1,765.00 transfer for toner and needed expenses
- County Judge - \$533.00 transfer needed for office supplies, copier installation and overage from postage and printing.
- District Attorney - \$1,341.00 transfer for office supplies and witness expense
- Sheriff's Office - \$ 3,905.00 transfer for vehicle supplies, postage, travel, and fuel (\$825 of this amount to come out of Jail operations budget)
- District Court Reporters - \$250.00 transfer for office supplies (Doyle Lane case transcripts)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendments as proposed by the County Auditor (Budget Amendment No. 94-66). All voting "Aye".

| LINE ITEM - EXPENDITURES   | INCREASES           | DECREASES |
|----------------------------|---------------------|-----------|
| EXTENSION                  |                     |           |
| 01-403-52211 Ofc Sply      | \$ 150.00           |           |
| 01-403-5411 Ofc Eqpt Maint |                     | \$ 150.00 |
| GRANT ADMINISTRATION       |                     |           |
| 01-404-5489 Telephone      | \$ 300.00           |           |
| 01-404-5462 Public Notes   |                     | \$ 300.00 |
| 01-404-5211 Ofc Sply       | \$ 414.00 *deleted* |           |
| 01-404-5212 Postage        |                     | \$ 50.00  |
| 01-404-5321 Dues & Bonds   |                     | \$ 25.00  |
| 01-404-5331 Cont Ed        |                     | \$ 14.00  |
| 01-404-5411 Ofc Eqpt Maint |                     | \$ 185.00 |
| 01-404-5448 Contract Svcs  |                     | \$ 480.00 |
| 01-404-5461 Printing       |                     | \$ 30.00  |
| 01-404-5711 Ofc Eqpt       |                     | \$ 130.00 |



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| LINE ITEM - EXPENDITURES<br>DECREASES | INCREASES   |
|---------------------------------------|-------------|
| <b>COUNTY CLERK</b>                   |             |
| 01-417-5211 Ofc Sply                  | \$ 1,500.00 |
| 01-417-5411 Ofc. Eqpt Maint           | \$ 265.00   |
| 01-417-5215 Perm Records              | \$ 1,765.00 |
| <b>COUNTY JUDGE</b>                   |             |
| 01-420-5211 Ofc Sply                  | \$ 100.00   |
| 01-420-5411 Ofc Eqpt Maint            | \$ 25.00    |
| 01-420-5473 Copier Lease              | \$ 408.00   |
| 01-420-5212 Postage                   | \$ 500.00   |
| 01-420-5461 Printing                  | \$ 33.00    |
| <b>DISTRICT ATTORNEY'S OFFICE</b>     |             |
| 01-423-5211 Ofc Sply                  | \$ 141.00   |
| 01-423-5443 Witness Expense           | \$ 1,200.00 |
| 01-423-5212 Postage                   | \$ 150.00   |
| 01-423-5271 Fuel & Lubes              | \$ 200.00   |
| 01-423-5311 Travel                    | \$ 50.00    |
| 01-423-5312 DARE Program              | \$ 300.00   |
| 01-423-5321 Dues & Bonds              | \$ 170.00   |
| 01-423-5391 Misc                      | \$ 45.00    |
| 01-423-5411 Ofc Eqpt Maint            | \$ 126.00   |
| 01-423-5413 Vehicle Maint             | \$ 300.00   |
| <b>SHERIFF'S OFFICE</b>               |             |
| 01-418-5212 Postage                   | \$ 785.00   |
| 01-418-5272 Vehicle Sply              | \$ 1,420.00 |
| 01-418-5311 Travel                    | \$ 700.00   |
| 01-418-5213 Books                     | \$ 200.00   |
| 01-418-5271 Fuel                      | \$ 1,000.00 |
| 01-418-5362 C.I.D.                    | \$ 1,500.00 |
| 01-418-5366 Reserve Div               | \$ 200.00   |
| 01-418-5394 Estray                    | \$ 125.00   |
| 01-418-5061 Longevity                 | \$ 1,055.00 |
| <b>JAIL OPERATIONS</b>                |             |
| 01-419-5212 Postage                   | \$ 125.00   |
| 01-419-5363 Prisoner Transfer         | \$ 700.00   |
| <b>DISTRICT COURT REPORTERS</b>       |             |
| 01-482-5211 Office Supply             | \$ 250.00   |
| 01-482-5488 Data Line                 | \$ 150.00   |
| 01-482-5489 Telephone                 | \$ 100.00   |

**13143 AMEND BUDGETS FOR VARIOUS DEPTS FOR SALARY/MERIT ADJUSTMENTS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend the budget of various departments to reflect salary/merit adjustments as presented by the County Auditor (See Budget Amendment No. 94-67). All voting "Aye".

**13144 AWARD CONTRACT FOR PURCHASE OF A BOOM MOUNTED HYDRAULIC IMPACT HAMMER (HOE RAM) FOR THE ROAD DEPT.**

A motion was made by Commissioner Rippy, seconded by Judge Etheredge to award contract for purchase of a boom mounted hydraulic impact hammer (hoe ram) for the road department to River City Rentals in the total amount of \$11,160.00 (\$6391.00 plus attachments). All voting "Aye".

**PREVAILING WAGE SCALE**

Cindy Casparis, Purchasing Agent, presented a copy of the Prevailing Wage Determinations - Building Construction Trades for the Capital area region (Counties: Bastrop, Blanco, Burnett, Caldwell, Fayette, Hays, Lee, Llano, Travis, Williamson) - does not include the wage scale for air conditioning - suggested that the county do their own wage survey locally. Court decided to go with the current wage scale at this time.

**13145 AUTHORIZE THE EDWARDS UNDERGROUND WATER DISTRICT TO INSTALL PRECIPITATION AND STREAM GAUGES IN SEVEN LOCATIONS IN HAYS COUNTY R-O-W**

A letter was submitted from Steve Walthour, EUWD Hydrologist III, stating that they propose to install a precipitation and stream gauge network across the Edwards Aquifer recharge zone and its associated upstream catchment basins - seven gauges are scheduled to be installed in Hays County - the district requests that three of the gauges to placed on the edge of Hays County right-of-ways:

PRG 61 (rain gauge)CR 222 - Hilliard Road, PRG 57 (rain gauge)Flood control structure - Sink Creek, & PSG 1713 (stream gauge) Blanco River. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the Edwards Underground Water District to install precipitation and stream gauges in seven locations in Hays County right-of-way. All voting "Aye".

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**VARIANCE DISCUSSION - REQUEST FOR VARIANCE ON TWO TRACTS OWNED BY KATHERINE H. BERKLEY CANNON, LOCATED ON U.S.HWY 290 EAST OF DRIPPING SPRINGS**

A request was received from Robert Watts, K.C. Engineering Inc., representing property owner Katherine H. Berkley Cannon - property consist of two tracts (5.1 ac & 6 ac) located approximately 1.1 miles east of RR12 on Hwy. 290 West - both tracts have adequate frontage on a existing state highway and will be deed restricted upon sale to prohibit uses other than agriculture or residential - the property is not within a flood hazard area and is not within 1/2 mile of the Edwards Aquifer recharge zone - it is located within the Dripping Springs ETJ and is under consideration for exemption from the city's subdivision ordinance. No action taken this date.

**13146 HAYS COUNTRY OAKS BLOCK B REPLAT LOTS 20A & 20B - PUBLIC HEARING AND SECOND READING APPROVAL**

Judge Etheredge called the public hearing open to consider replat of Lot 20 in the Hays Country Oaks Subdivision. Owner of Lot 20 Frank Maldonado spoke in support of dividing his lot into two lots. County Staff recommended approval. Judge Etheredge called the public hearing closed. The City of Hays approval is needed before final reading. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Hays Country Oaks Block B Replat Lots 20A & 20B" subdivision on second reading. All voting "Aye".

**VARIANCE REQUEST WITHDRAWN RE: 3 TRACTS OF LAND ON MCGREGOR LN**

Patsy Greiner, Mapping/Planning, advised that the previous request from Rex Baker III for variance from platting has been withdrawn - they will plat the property as a subdivision.

**13147 ACTION TO DISALLOW SPLIT PAYMENT OF TAXES TO THE TAX ASSESSOR COLLECTOR AND ALLOW A PAYMENT PLAN FOR COUNTY TAXES**

Judge Etheredge spoke of law allowing split payment of taxes, however, it is not allowed to collect split payments for some entities and not others - Court needs to ratify what has been allowed since 1987 (split payments) or take action to change. Tax Assessor-Collector Luanne Caraway stated that the Hays CISD and San Marcos CISD are opposed to the split payment option - suggested that the county possibly offer a payment plan for county taxpayers that would allow them 3-6 months to pay out some of their taxes with the standard penalty & interest after February 1st. Joddie Witte of Hays CISD spoke of their debt payment that is due February of each year and the fact that they do not receive as much State funding during Jan-Mar - the school district is saving \$250,000.00 with tax collection through the county, however, allowing split payments might cause them to have to borrow money to operate. Mrs. Caraway stated that taxpayers "over 65" are allowed by law to make quarterly payments. A motion was made by Commissioner Barton and seconded by Judge Etheredge to disallow split payment of taxes to the County Tax Assessor-Collector and to furthermore, request the Tax Assessor-Collector to set up a payment plan for county taxes which would allow payments over a three to six month period with standard penalty & interest charges for payments made after February 1st of each year. All voting "Aye".

**13148 ADOPT SHERIFF & CONSTABLE FEES FOR 1995**

County Clerk Ronnie Dannelley advised that the Sheriff and Constables were notified to submit any proposed changes in the current fees being charged for their services as required by law. The following proposed changes were submitted:

| SERVICE PROVIDED                    | CURRENT FEE | Sheriffs Proposal | Cnstbl#5 Proposal |
|-------------------------------------|-------------|-------------------|-------------------|
| CITATIONS                           | \$ 40.00    | \$45.00           | \$40.00           |
| FORCIBLE DETAINER                   | \$ 40.00    | \$45.00           | \$40.00           |
| INJUNCTION                          | \$ 40.00    | \$50.00           | \$40.00           |
| NOTICE OF PUBLICATION               | \$ 40.00    | \$50.00           | \$40.00           |
| NOTICE OF TRUSTEES SALE             | \$ 40.00    | \$50.00           | \$40.00           |
| SUBPOENA                            | \$ 40.00    | \$50.00           | \$40.00           |
| SUMMONS                             | \$ 40.00    | \$50.00           | \$40.00           |
| ORDER OF SALE                       | \$ 45.00    | \$55.00           | \$75.00           |
| PRECEPT                             | \$ 45.00    | \$55.00           | \$40.00           |
| SHOW CAUSE ORDER                    | \$ 45.00    | \$55.00           | \$45.00           |
| TEMP RESTRAINING ORDER              | \$ 45.00    | \$55.00           | \$45.00           |
| WRITS - ALL except Execution        | \$ 45.00    | \$55.00           | \$45.00           |
| WRIT OF EXECUTION                   | \$ 45.00    | \$55.00           | \$75.00           |
| EXECUTING BILL OF SALE              | \$ 25.00    | \$35.00           | \$25.00           |
| EXECUTING DEED                      | \$ 25.00    | \$35.00           | \$25.00           |
| POSTING Public Notice (ea location) | \$ 15.00    | \$15.00           | \$15.00           |
| COMMISSION                          | no change   | no change         | no change         |

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Constable #5 Billy Reeves appeared before the Court - explained that a "precept" is merely an order to serve a civil citation (issued by the Texas Attorney General's office) and is attached to the citation and we receive a fee for both documents - Orders of Sale require basically the same effort as a Writ of Execution and are possibly the most difficult writs we handle - only a Constable or Sheriff can execute an Order of Sale/Writ of Execution and \$75.00 is a reasonable fee. Constable Reeves spoke of civil process being a very competitive market with Private Process Servers and he felt like the current fee of \$40.00 is reasonable - Travis County's fee is \$40.00 and they have no plans to increase that fee. Commissioner Barton spoke of the Sheriff's proposal being compatible with fees charged in Comal, Williamson, and Bastrop counties and the comparison with actual cost incurred as indicated by the DMG Cost of Services/Revenue Analysis of 1993 - suggested an increase in fees charged for Order of Sale and Writs of Execution to \$75.00 and a compromise on the other proposed fees. Commissioner Barton made a motion, seconded by Commissioner Rodriguez, to adopt Sheriff & Constable Fees for 1995 as show below to be effective January 1, 1995. All voting "Aye".

|                                       |          |
|---------------------------------------|----------|
| CITATIONS                             | \$ 45.00 |
| FORCIBLE DETAINER                     | \$ 45.00 |
| INJUNCTION                            | \$ 45.00 |
| NOTICE OF PUBLICATION                 | \$ 45.00 |
| NOTICE OF TRUSTEES SALE               | \$ 45.00 |
| SUBPOENA                              | \$ 45.00 |
| SUMMONS                               | \$ 45.00 |
| PRECEPT                               | \$ 45.00 |
| SHOW CAUSE ORDER                      | \$ 50.00 |
| TEMPORARY RESTRAINING ORDER           | \$ 50.00 |
| WRITS (ALL - except EXECUTION)        | \$ 50.00 |
| WRIT OF EXECUTION                     | \$ 75.00 |
| ORDER OF SALE                         | \$ 75.00 |
| EXECUTING BILL OF SALE                | \$ 30.00 |
| EXECUTING DEED                        | \$ 30.00 |
| POSTING PUBLIC NOTICE (each location) | \$ 15.00 |

|                                                                                                                 |     |             |     |
|-----------------------------------------------------------------------------------------------------------------|-----|-------------|-----|
| <b>COMMISSION</b> for collecting money on an <u>Execution or Order of Sale</u> when the same is made by a sale: |     |             |     |
| \$ -0-                                                                                                          | to  | \$ 5,000.00 | 10% |
| \$ 5,000.00                                                                                                     | and | UP          | 5%  |
| When the money is collected <u>without a sale</u> , the fee shall be <u>1/2</u> of the above rates.             |     |             |     |

**13149 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS IN BURNETT RANCHES SUBDIVISION**

Judge Etheredge called the public hearing open to consider traffic regulations in the Burnett Ranches subdivision. Road Director Darrel Brown stated that no traffic regulations have been established in this subdivision - 18 regulatory signs are needed (Stop signs, Yield signs, and Speed Limits signs) - recommended that speed limit be set at 30MPH. Mr. Day, resident of Burnett Ranches, spoke of Valley View and Circle Drive needing something to prevent vehicles from running off the roadway. The public hearing was closed. A motion was made by Commissioner Payne, seconded by Commissioner Barton to establish traffic regulations in the Burnett Ranches Subdivision as recommended by the County Road Director and set the speed limit on all the roadways in the subdivision at 30 MPH. All voting "Aye". (see drawing in file)

**13150 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATION: YIELD SIGN IN COUNTRY ESTATES SUBDIVISION**

Judge Etheredge called the public hearing open to consider changing a Yield sign in the Country Estates subdivision. Commissioner Payne spoke in support of relocating the Yield Sign located at Mustang Lane and Country Estates Drive. Public hearing was closed. Commissioner Payne made a motion , seconded by Commissioner Rippy, to relocate "Yield" sign in the Country Estates subdivision so that traffic on Country Estates Drive yields to traffic on Mustang Lane. All voting "Aye".

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**13151 ORDER THE NOVEMBER 8, 1994 ELECTION TO ELECT COUNTY AND PRECINCT OFFICERS**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to Order the November 8, 1994 Election to elect County and Precinct Officers. All voting "Aye".

**ORDER OF GENERAL ELECTION**

An election is hereby ordered to be held on November 8, 1994, in Hays County, Texas for the purpose of electing the following county and precinct officers as required by Article XVI, Section 65 of the Texas Constitution.

|                                                      |  |             |
|------------------------------------------------------|--|-------------|
| <b>Criminal District Attorney</b>                    |  |             |
| Marcos Hernandez Jr.                                 |  | Democratic  |
| <b>County Judge</b>                                  |  |             |
| Eddy Etheredge                                       |  | Democratic  |
| Claude B. Lilly                                      |  | Republican  |
| Pat Benner                                           |  | Independent |
| <b>Judge, County Court at Law, Place 1</b>           |  |             |
| Howard Waner                                         |  | Democratic  |
| <b>Judge, County Court at Law, Place 2</b>           |  |             |
| Linda A. Rodriguez                                   |  | Democratic  |
| <b>District Clerk</b>                                |  |             |
| W. H. Moore                                          |  | Democratic  |
| <b>County Clerk</b>                                  |  |             |
| Ronnie Dannelley                                     |  | Democratic  |
| Greg Shaver                                          |  | Republican  |
| <b>County Tax Assessor/Collector, Unexpired term</b> |  |             |
| Luanne Caraway                                       |  | Democratic  |
| Jack Mynier                                          |  | Republican  |
| <b>County Treasurer</b>                              |  |             |
| Michele Tuttle                                       |  | Democratic  |
| Martin Bass                                          |  | Republican  |
| <b>County Surveyor</b>                               |  |             |
| Kelly Kilber                                         |  | Democratic  |
| <b>County Commissioner, Precinct No. 2</b>           |  |             |
| Jeff Barton                                          |  | Democratic  |
| Pam Jones                                            |  | Republican  |
| <b>County Commissioner, Precinct No. 4</b>           |  |             |
| Oran Hill (Pug) Rippy                                |  | Democratic  |
| Russ Molenaar                                        |  | Republican  |
| <b>Justice of the Peace, Precinct No. 1 Place 2</b>  |  |             |
| Becky Y. Sierra                                      |  | Democratic  |
| Douglas Cornwell                                     |  | Republican  |
| <b>Justice of the Peace, Precinct No. 2</b>          |  |             |
| Albert Busse                                         |  | Democratic  |
| Michael J. Diers, II                                 |  | Independent |
| <b>Justice of the Peace, Precinct No. 3</b>          |  |             |
| Edward R. Phillips                                   |  | Democratic  |
| J. A. "Jim" Stowe                                    |  | Republican  |
| <b>Justice of the Peace, Precinct No. 4</b>          |  |             |
| Evelyn Poston                                        |  | Democratic  |
| Rex Baker                                            |  | Republican  |
| <b>Justice of the Peace, Precinct No. 5</b>          |  |             |
| O. Lamont Ramage                                     |  | Democratic  |

Early voting by personal appearance will be conducted each weekday at 401-C Broadway, San Marcos, Tx. 78666 between the hours of 8:00 a.m. and 5:00 p.m. beginning on October 19, 1994 and ending on November 4, 1994. Applications for ballot by mail shall be mailed to: Joyce A. Cowan, 401-C Broadway, San Marcos, Tx 78666. Applications for ballots by mail must be received no later than the close of business on November 1, 1994.

Issued this the 26 day of September, 1994.

s/ Eddy A. Etheredge  
Signature of County Judge

**13152 SET NUMBER OF CLERKS THAT ELECTION JUDGES WILL HIRE FOR NOVEMBER 8, 1994 ELECTION**

Election Administrator Joyce Cowan advised that the maximum number of clerks is six and the minimum is two - she recommends hiring four clerks for each precinct. A motion was made by Commissioner Payne, seconded by Commissioner Barton to set the number of clerks that Election Judges will hire for the November 8, 1994 Election at four. All voting "Aye".

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**13153 APPROVE COUNTING STATION MANAGER FOR THE NOVEMBER 8, 1994 ELECTION**

Joyce Cowan, Elections Administrator, advised that Bob McJohnson is unable to serve as the Counting Station Manager for the November 8, 1994 election - recommends appointment of Debbie Polk, County Data Processing Administrator, for that position. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to appoint Debbie Polk as Counting Station Manager for the November 8, 1994 Election. All voting "Aye".

**13154 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS DEPARTMENT OF HEALTH FOR TB, COMMUNITY & RURAL HEALTH, IMMUNIZATION, PPIP AND MATERNAL AND CHILD/FAMILY PRACTICE AND TO EXECUTE A CONTRACT FOR \$636,019.**

This is corrective action requested by the Grants Department and the Auditor's Office. The contract was presented by the Health Department to the Judge for his signature prior to the Hays County Commissioner's Court accepting the grant and authorizing the County Judge to execute this contract. Since this grant exceeds five-hundred thousand, it will be audited by the county's outside auditor and this will be noted as a deficiency unless this is addressed now. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to accept Grant award from the Texas Department of Health for TB, Community & Rural Health, Immunization, PPIP and Maternal and Child/Family Practice and to execute a contract for \$636,019.00. All voting "Aye".

**13155 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR A CRIME PREVENTION OFFICER AND TO EXECUTE A CONTRACT FOR \$5,961**

This is the last year of a 5 year grant from the Office of the Governor - Criminal Justice Division to fund a Crime Prevention Officer. This year the County is required to provide 80% (\$23,843) of the total project cost (\$29,804) to continue the program. Next year if the County continues the program we will have to provide all of the funds. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to authorize the County Judge to accept grant award from the Office of the Governor - Criminal Justice Division for a Crime Prevention Office and to execute a contract for \$5,961.00. All voting "Aye".

**13156 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR A CHILD ABUSE INVESTIGATOR AND TO EXECUTE A CONTRACT FOR \$6,255**

This is the last year of a 5 year grant from the Office of the Governor - Criminal Justice Division to fund a Child Abuse Investigator. This year the County is required to provide 80% (\$25,018) of the total project costs (\$31,273) to continue the program. Next year if the County continues the program we will have to provide all of the funds. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to accept Grant award from the Office of the Governor - Criminal Justice Division for a Child Abuse Investigator and to execute a contract for \$6,255.00. All voting "Aye".

**13157 APPROVE REQUEST FOR PROPOSALS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR PROPOSALS FOR AN ARCHITECT AND PROJECT MANAGER FOR THE COURTHOUSE RENOVATION**

Cindy Casparis, Purchasing Agent, presented Request for Proposals for Professional Services for Project Manger and Architect for the Courthouse Renovation project. Court requested that the proposal deadline be moved up to October 24, 1994 rather than November 25, 1994. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve request for proposals and authorize the County Auditor to advertise for proposals for an Architect and Project Manager for the Courthouse Renovation with the proposal deadline date changed to October 24, 1994. All voting "Aye".

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**13158 AUTHORIZE THE SUBMISSION OF THREE CLG GRANTS TO THE TEXAS HISTORICAL COMMISSION FOR UP TO \$10,000**

Grants Administrator Richard Salmon advised that three (3) CLG grant applications will be (1) - to continue the survey of historic buildings in Pct. 2, (2) - to complete the "History of the Hispanic Community in Hays County", and (3) to start a condition survey of cemeteries in Hays County. Once these surveys are complete, Hays County will be only the second county in Texas to be completely surveyed. The first county was Ellis County and that was done for the Super-conducting Super Collider project. In this competition a few grants will be selected by the Texas Historical Commission for 100% funding and we have an excellent chance to be selected. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to authorize the submission of three CLG grants to the Texas Historical Commission for up to \$10,000. All voting "Aye".

**13159 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF A JUVENILE SERVICES CENTER**

Commissioner Craig Payne advised that the plans for the juvenile services center does meet requirements of the certifying agencies and the building can be expanded at the new site (see letters in file from PSA and Texas Juv Prob Comm). Cindy Casparis, Purchasing Agent, asked about section regarding furnishings in the index of the specifications (section is missing, however, it is listed in the index). Commissioner Payne advised that this item has been deleted and needs to be deleted from the index. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve specifications with amendment (delete reference to furnishings in the index) and authorize the County Auditor to advertise for bids for construction of a Juvenile Services Center. All voting "Aye".

**PUBLIC HEARING ON THE FISCAL YEAR 1995 HAYS COUNTY BUDGET**

Judge Eddy Etheredge called the public hearing open regarding the FY95 Hays County Budget. County Auditor Bill Herzog stated that the proposed budget is \$32 million with a tax rate of 41.52 cents - this budget includes grants which require no taxpayer funds. Ray Dunkin stated that the Court needs to hold public hearings at a time of day that would give people an opportunity to attend - asked whether veterans were given any special consideration for jobs with county - concerned about the county hiring convicted felons. Judge Etheredge stated that the person in question had the necessary qualifications for the job and works for his income - the county now has a Human Resources Director to screen job applicants - we have no provisions allowing veterans special consideration for jobs. Claude B. Lilly stated that he believes we can save the taxpayers 19.75 cents of the proposed tax rate of 41.52 cents (reduce it to 21.3/4 cents) by eliminating car allowances and salary increases to all public officials (\$45,000), eliminate the Dept. of Human Resources and Administrative Coordinator (\$112,000), and eliminate the 18 new fulltime positions (\$325,000) - Total savings of \$482,000.....2.5 cents off the tax rate. Mr. Lilly stated that instead of approving over 90% of almost all the Dept. Head recommendations for increasing their budgets for a total of 2.5 million (12.5 cents) he believes it would be in order to require them to justify the budget they just spent before any increases were granted - at best the recommendations could be cut in half which would still reduce the tax rate by 6 cents - if all the requests were denied it would save 12.5 cents on the tax rate - stated that he was happy to observe that consultant expense has been reduced to \$20,000 - stated that he found \$475,000 in Countywide operating which could be eliminated and this would relieve the taxpayer of over 2.37 cents of tax burden - we could save \$204,000 by eliminating gratuitous contributions to the Economic Development Council of San Marcos and Hays County as well as senior citizens programs and local libraries (1 cent) - suggested selling the transfer station in Pct. 3 (save \$121,000), sell the Civic Center (save \$156,000), and consider selling the county jail while still providing the necessary incarceration services to our local courts - the recent increase in our debt service has added 4 cents to the tax rate - some of it was approved by the taxpayers and some of it was not. Mr. Lilly stated that his examination of the budget receipts on a Year to date basis as annualized indicates that there may be One Million Dollars of revenue which we will receive but has not been recommended to be budgeted - that would amount to 5 cents less on the tax rate - even if half of that unanticipated revenue were credited we could reduce the tax rate by 2.5 cents - he stated that he believes better attention to the budget process and a better effort to control and monitor expenditures could result in our tax rate being significantly lowered. Kay Hofer, resident of Siesta Verde Subd. and a Teacher, spoke of not having a salary increase for teachers for the past three years, however, our property taxes have increased 73.7% - we need to do our best to hold the budget down - spoke of anticipation notes that were issued and the severe hardships being placed on the taxpayers - spoke in opposition of Sheriff's vehicles being used when the Officer is not in service. County Treasurer Dottie Sims asked if the permanent position for her office was budgeted. Judge Etheredge advised that funding was provided for a temporary position - the Court can take action at a later date to consider making this position a permanent position rather than a temporary position. Kelvin Mills asked about the H.E.B. building purchase - voiced his concerns about the increased tax burden in Hays County - he

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is a self-employed businessman and if taxes continued to increase he will be forced to move to another county - he currently employs several Hays County citizens and they would in turn lose their jobs. Richard Zeni asked about raising the tax exemption for citizens "over 65". Judge Etheredge stated that he was not sure of our options for increasing exemptions - the Court will look into that. Mr. Hoffman asked about the cost of the H.E.B. building. Judge Etheredge stated that the building was purchased for \$1.175 million plus \$225,000 for renovations - an additional \$200,000 has since been budgeted for additional renovations that will be needed. Judge Etheredge explained that anticipation notes are a short-term funding mechanism similar to certificates of obligation - you pledge property values as collateral but you do not have to increase taxes. Annette Durham stated that she felt like too much money was paid for the old First Federal building (Records Building) - asked if the county will be purchasing more buildings. Judge Etheredge stated that we did try to plan for the future - the H.E.B. building will house more than records - it will provide adequate room for the Courts system. Ms. Durham spoke of fee appraisers - they are not responsible for raising property values, it is the Central Appraisal District. Asst. County Auditor Paula Pond spoke of having been a county employee for 20 years and the working conditions endured by county employees. Judge Etheredge stated that as this county grows we must pay for services. People are requesting more and better services from the county - the road system is in total disrepair - a recent assessment indicates that \$80 million worth of road work is needed and the \$12 million bond issue will rebuild approximately 50 miles of road. Judge Etheredge stated that no one knew this county would grow the way we have and the way we continue to grow - times are changing rapidly and it will take a lot to catch up - we need to build a future for our children and we have been working hard to provide services - our employees deserve good working conditions, livable salaries and benefits and if we cut our budget we would fall farther and farther behind - we are trying to do our best. Commissioner Barton stated that there is an actual reduction in the tax rate - some taxpayers will experience a decrease in their taxes - we are attracting business and industry because of our tax rate - sometimes you have to spend money to make money. Commissioner Barton stated that we could reduce the budget but it would cost more in the future - our roads need to be in better shape and more law enforcement patrols are needed - felt like this is a reasonable budget. Paul Schlachter, resident of Hillside Terrace, spoke of bad conditions in his neighborhood - no animal control, no sheriff patrol, unpaved roads, and very little mowing of county right-of-way. Commissioner Payne stated that he supports most of the budget, including raising the County Judge's salary, but he is opposed to the hiring of new employees for the road department and he can not support the allocation of \$2.29 million to the Hays County Sheriff's department. Judge Etheredge called the public hearing closed.

**13160 ADOPT THE FISCAL YEAR 1995 BUDGET**

The following submitted by the County Auditor:

| <b>INCLUDED IN PROPOSED FY 95 BUDGET</b>                                                                |               |                |                                            |
|---------------------------------------------------------------------------------------------------------|---------------|----------------|--------------------------------------------|
| <b><u>GENERAL FUND:</u></b>                                                                             |               |                |                                            |
| 1) Cost of Living                                                                                       |               | <b>240,000</b> | 2.4% approx                                |
| 2) Merit & Step raises                                                                                  |               | <b>70,000</b>  |                                            |
| 3) Automobile - Juv Prob (new)                                                                          | 12,000        |                |                                            |
| Constable #1                                                                                            | 5,000         |                |                                            |
| Constable #5                                                                                            | 8,500         |                |                                            |
| Bldg Maint.                                                                                             | <u>10,000</u> |                |                                            |
|                                                                                                         |               | <b>35,500</b>  |                                            |
| Sheriffs Ofc                                                                                            |               |                |                                            |
| (10 budgeted in 418 Sheriffs Ofc)                                                                       |               | <b>150,000</b> |                                            |
| (10 to be financed)                                                                                     |               |                |                                            |
| 4) Add'l funding for Community & Social Services - add'l                                                |               | <b>86,700</b>  | approx                                     |
| 5) Misc. Capital improvements -                                                                         | 200,000       |                | HEB in addition to anticipation note money |
|                                                                                                         | 20,000        |                | Annex 1st floor remodeling                 |
|                                                                                                         | 60,000        |                | Cleanup Hospital Property                  |
|                                                                                                         | 60,000        |                | Environmental Health Bldg                  |
|                                                                                                         | <u>15,000</u> |                | 5 Mile Dam Park                            |
|                                                                                                         |               | <b>355,000</b> |                                            |
| 6) Juv. Detention Operations -                                                                          |               |                |                                            |
| Expenses (Net of Income) in Contingencies                                                               |               | <b>75,000</b>  |                                            |
| 7) Funds for matching grants - In Contingencies                                                         |               | <b>30,000</b>  |                                            |
| 7a) Extension Office - Secretary part-time to full time                                                 |               |                |                                            |
| 8) Rent for JP#4 and other County offices - in County-Wide Operations rent line                         |               |                |                                            |
| 9) Add: Additional position in District Clerk (part-time to full-time)                                  |               |                |                                            |
| 10) Sheriff's Office - Add 3 patrol deputies - included in 418 Sheriff's Staff line item (effec 1/1/95) |               |                |                                            |
| - Add 1 dispatcher - included in 418 Sheriff's Staff line item                                          |               |                |                                            |
| - Add 1 training sergeant - included in 418 net proposed training division                              |               |                |                                            |
| - Add 1 training assistant - included in 418 net proposed training division                             |               |                |                                            |
| 11) Add 1 bldg. maint. person                                                                           |               |                |                                            |
| 12) Add 1 secretary in D.A.'s office                                                                    |               |                |                                            |
| Add Assistant D.A.                                                                                      |               |                |                                            |
| 13) Upgrade Constable #1 office administrator to Deputy Constable                                       |               |                |                                            |

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- 14) Add 1 deputy Constable for Constable #5 (effec 1/1/95)
- 15) Computer Hardware and Software \$312,135 in Data Processing Dept. for Countywide as 456 Computer Services
 

|                |                   |
|----------------|-------------------|
| Equipment Line | \$ 128,475        |
| Software       | <u>\$ 183,660</u> |
|                | <b>\$312,135</b>  |

**ROAD & BRIDGE GENERAL FUND: OPERATIONS**  
**PERSONNEL:**

- 1) Add (2) Road Maintenance I
  - (1) Road Maintenance II
  - (1) GIS Technician
  - (1) Data Entry Clerk

**RECOMMENDED CHANGES TO FY95 PROPOSED BUDGET BY AUDITOR'S OFFICE:**

**GENERAL FUND:**

**CHANGES AS BUDGETED - EXPENDITURES:**

|    |                                                                                                                                                                                                                                                                                                                                                   |               |                        |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------|
| 1) | <u>COUNTY-WIDE OPERATIONS (414)</u> - Reduce C.A.D. allocated portion from 179,568 to 171,297                                                                                                                                                                                                                                                     | Net Reduction | (8,271)                |
| 2) | <u>PROTECTIVE HOMEMAKER GRANT (468)</u> - increase office supplies from -0- to 200; continuing education from -0- to 300                                                                                                                                                                                                                          | Net Increase  | 500                    |
| 3) | <u>FIRE MARSHAL/EMC (472)</u> - Budget travel allowance inadvertently not included                                                                                                                                                                                                                                                                |               | 3,500                  |
| 4) | Add Uniform allowance for law enforcement grants inadvertently not included:<br><u>CJD/Child Abuse Investigator (492)</u><br><u>CJD/Crime Prevention Officer (493)</u><br><u>CJD/DARE Project 1 officer (704)</u>                                                                                                                                 |               | 360<br>360<br>360      |
| 5) | <u>THC/DRIPPING SPRINGS BORCHURE GRANT (719)</u><br>Reduce line item entered in error from 7,200 to -0-                                                                                                                                                                                                                                           | Net Reduction | (7,200)                |
| 6) | Budget new approved grant: <u>TXDOT-VAN (VA) (464)</u><br>Expenditure <span style="float: right;">46,200</span><br>Less: Budget Grant Revenue <span style="float: right;"><u>35,112</u></span><br>Hays County Match <span style="float: right;">11,088</span><br>Reduce budgeted funds for matching grants in contingencies from 30,000 to 18,912 | Net           | (11,088)               |
|    |                                                                                                                                                                                                                                                                                                                                                   | Net Increase  | 0                      |
|    | <b>GENERAL FUND TOTAL EXPENDITURE REDUCTIONS</b>                                                                                                                                                                                                                                                                                                  |               | <b><u>(10,391)</u></b> |

**CHANGES IN BUDGETED REVENUES:**

|    |                                                                                 |              |                       |
|----|---------------------------------------------------------------------------------|--------------|-----------------------|
| 1) | <u>CJD/Child Abuse Investigator Grant Revenues</u> - reduce from 9,969 to 6,255 | Net Decrease | (3,714)               |
| 2) | <u>CJD/Crime Prevention Office Grant Revenue</u> - Reduce from 9,678 to 5,961   | Net Decrease | (3,717)               |
| 3) | <u>CJD/DARE Project 1 Office Grant Revenue</u> - Reduce from 19,182 to 17,882   | Net Decrease | (1,300)               |
| 4) | <u>Protective Homemaker Grant Revenue</u> - Increase from 14,114 to 14,614      | Net Increase | 500                   |
|    | <b>GENERAL FUND TOTAL REVENUE REDUCTIONS</b>                                    |              | <b><u>(8,231)</u></b> |

5) Approve Grade/Step changes as recommended by Human Resources Director

**CHANGES IN OTHER FUNDS:**

|    |                                                                                                                        |               |      |
|----|------------------------------------------------------------------------------------------------------------------------|---------------|------|
| 1) | <u>Burnett Ranch Rd District I&amp;S - Fund 15</u><br>Reduce C.A.D. allocated portion in expenditures from 303 to 289  | Net Reduction | (14) |
| 2) | <u>Springlake Rd District I&amp;S - Fund 16</u><br>Reduce C.A.D. allocated portion in expenditures from 1,794 to 1,711 | Net Reduction | (83) |
| 3) | <u>Pioneer Trails Rd District I&amp;S - Fund 30</u><br>Reduce C.A.D. allocated portion in expenditures from 109 to 104 | Net Reduction | (5)  |

**MEMO ONLY:**

**GENERAL FUND APPROVED EQUIPMENT LIST:**

Computer Services (01-456):  
 Transfer Personal Health amount from 01-General to 10-Health Services Grants Fund to be provided with program income; increase amount approved for Tax Office Bookkeeping system hardware and software from 82,500 to 95,000  
 Net Change to General Fund 0

**ALL CAPITAL IMPROVEMENTS TO BE PLACED IN DEPARTMENT (414) RATHER THAN (410)**



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Commissioner Rodriguez spoke in support of the proposed budget - stated that he feels obligated to adopt this budget after all the hard work that was put into it. Commissioner Payne stated that he is opposed to the amount of funding for the Sheriff's Dept. - feels like that department is overfunded, mismanaged, and unaccountable. A motion was made by Judge Etheredge and seconded by Commissioner Barton to adopt the Fiscal Year 1995 Hays County Budget as proposed this date. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

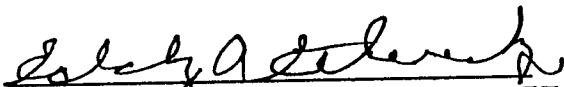
13161 ADOPT THE TAX RATE FOR THE FY95 BUDGET AND LEVY THE TAXES


| FY95 ITEMIZED TAX RATE       |              |
|------------------------------|--------------|
| FUNDS                        | TAX RATE     |
| General M & O                | 26.44        |
| General Debt                 | 9.07         |
| Road & Bridge M & O          | 6.01         |
| <b>Total Ad Val Tax Rate</b> | <b>41.52</b> |

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to adopt the Tax Rate of 41.52 cents per \$100 valuation for the FY95 budget and levy the taxes. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner ~~Rippy~~ <sup>Payne</sup> voting "No".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 17<sup>th</sup> DAY OF September, 1994.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 3RD DAY OF OCTOBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>ORAN H. RIPPY</b>       | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13162 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve payment of county invoices in the amount of \$196,004.92 as presented by the County Auditor. Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Rodriguez and Commissioner Payne abstained.

|                      |              |                     |             |                     |              |
|----------------------|--------------|---------------------|-------------|---------------------|--------------|
| Financial Adm        | \$ 150.00    | Fines               | \$ 315.99   | Auditors Ofc        | \$ 2,154.65  |
| Treasurers Ofc       | \$ 2,003.64  | Extension Ofc       | \$ 887.72   | Grants Admin        | \$ 281.49    |
| Juvenile Prob        | \$ 869.96    | Election Admin      | \$ 5,683.05 | Comm & Soc Svcs     | \$ 26,050.00 |
| Indigent Care        | \$ 30.84     | Transfer Station    | \$ 306.70   | Bldg. Maintenance   | \$ 110.59    |
| Environmental Health | \$ 204.83    | Personal Health     | \$ 221.20   | Civic Center        | \$ 3,725.69  |
| Countywide Oper      | \$ 65,063.55 | Tax A/C             | \$ 174.48   | District Clerk      | \$ 164.50    |
| County Clerk         | \$ 1,280.97  | Sheriffs Ofc        | \$ 4,396.60 | Jail Operations     | \$ 3733.68   |
| County Judge         | \$ 162.88    | Humans Resources    | \$ 85.76    | Co Crt @ Law 1      | \$ 44.74     |
| District Attorney    | \$ 375.56    | J.P. 1-1            | \$ 121.14   | J.P. 1-2            | \$ 327.20    |
| J.P. 2               | \$ 116.00    | J.P. 5              | \$ 125.00   | Dept. Public Safety | \$ 244.92    |
| Constable 1          | \$ 1,711.03  | Constable 2         | \$ 801.62   | Constable 5         | \$ 82.96     |
| District Court Oper  | \$ 13,714.66 | Co & JP Crt Oper    | \$ 1,105.91 | Veterans Admin      | \$ 27.45     |
| Computer Svcs        | \$ 1,575.24  | Co Crt @ Law 2      | \$ 19.49    | Fire Marshal/EMC    | \$ 75.43     |
| TABC                 | \$ 21.50     | Dist Crtr Reprtr    | \$ 65.86    | TJPC CCAP Grant     | \$ 276.14    |
| Renov/Spec Proj      | \$ 2,801.38  | R&B Operations      | \$ 594.50   | Precinct 1          | \$ 229.00    |
| Precinct 3           | \$ 1,000.00  | Rec Mnagment/Co Clk | \$ 604.01   | Health Svcs Grant   | \$ 1,046.00  |
| Hot Check Fee        | \$ 48.00     | Courthouse Security | \$ 250.00   | Adult Prob Oper     | \$ 3,972.74  |
| Adult Prob Fac       | \$ 3,003.24  | D.A. Reimburs Trust | \$ 565.43   |                     |              |

**13163 APPROVE COMMISSIONERS' COURT MINUTES OF AUGUST 1994**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve the commissioner's Court Minutes of August 1994 as presented by the County Clerk. Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Rodriguez and Commissioner Payne abstained.

**13164 AUTHORIZE THE DISTRICT ATTORNEY AND COUNTY JUDGE TO EXECUTE FINAL SETTLEMENT NEGOTIATIONS WITH REBECCA EVERS FOR VEHICLE DAMAGES**

Commissioner Barton recommended approving settlement terms concerning vehicle damages with Rebecca Evers and authorize the District Attorney and County Judge to finalize a settlement in the amount not to exceed \$337.46. Ms. Evers appeared before the Court several weeks ago in executive session and the Court agreed to partially reimburse her for damages done to her car on Lakewood Drive. County Auditor Bill Herzog stated that this payment will set a bad precedent. Commissioner Rodriguez stated that he is opposed to this action. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize the District Attorney and County Judge to execute final settlement negotiations with Rebecca Evers in the amount of \$337.46 for vehicle damages. Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Rodriguez and Commissioner Payne abstained.

**13165 ADOPT PROCLAMATION RECOGNIZING OCTOBER 13, 1994 AS UNITED WAY'S "DAY OF CARING" IN HAYS COUNTY**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt Proclamation recognizing October 13, 1994 as United Way's "Day of Caring" in Hays County. Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Rodriguez and Commissioner Payne abstained.

OCTOBER 3, 1994

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**PROCLAMATION**

**WHEREAS,** on October 13, 1994, the United Way of Hays County will sponsor its first annual Day of Caring; and

**WHEREAS,** the event will link business and community groups with volunteer opportunities from some of the twenty United Way-funded agencies in Hays County;

**WHEREAS,** the purpose of Day of Caring is to give citizens both hands-on experience helping people at the local agencies and to allow them to see firsthand how their contributions to United Way are being used to help needy people in the community; and

**WHEREAS,** United Way agencies perform many critical services such as help for infants and children, care for the elderly, emergency and disaster relief for those in need; and

**WHEREAS,** Day of Caring is just one local United Way initiative that is helping to meet health and human service needs of people in our community; and

**WHEREAS,** many people throughout Hays County have generously agreed to give their time to participate in this worthwhile cause; and

**WHEREAS,** United Way needs the support of Hays County citizens to help make Day of Caring a success,

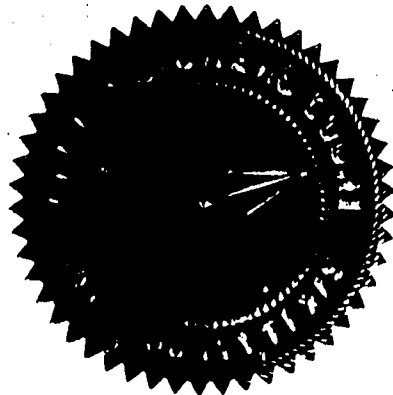
**NOW THEREFORE,** I, Eddy Etheredge, Judge of the County of Hays in recognition thereof, do hereby proclaim October 13, 1994, to be

**DAY OF CARING in Hays County, Texas**

In witness whereof, I have hereunto set my hand and caused the Seal of Hays County to be affixed this

*Eddy A. Etheredge*  
Eddy A. Etheredge, Hays County Judge

Attest:  
*Ronnie Dannelley*  
Ronnie Dannelley, Hays County Clerk



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13166 ADOPT PROCLAMATION RECOGNIZING THE WEEK OF OCTOBER 9-15, 1994 AS "FAMILY AND COMMUNITY EDUCATION WEEK" IN HAYS COUNTY

A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt Proclamation recognizing the week of October 9-15, 1994 as "Family and Community Education Week" in Hays County. Commissioner Barton, Judge Etheredge, and Commissioner Rippey voting "Aye". Commissioner Rodriguez and Commissioner Payne abstained.

PROCLAMATION

OCTOBER 9 - 15, 1994

FAMILY and COMMUNITY EDUCATION WEEK

WHEREAS, Family and Community Education members believe strong families are basic to the well being of Texas, and

WHEREAS, they have educational programs that address critical needs impacting Texas families and communities, and

WHEREAS, they see education as a life-long learning process, and

WHEREAS, they believe volunteers and opportunities for volunteer development are important, and

WHEREAS, they develop leadership which offers opportunities for personal growth and development, and

WHEREAS, cultural and ethnic diversity in programs and membership is present, and

WHEREAS, global awareness is recognized, and

WHEREAS, FCE cooperates with the Extension Service to attain mutual goals, and

WHEREAS, October 9-15 is Family and Community Education week both in Texas and the National organization.

NOW, THEREFORE, I, Eddy Etheredge, County Judge of Hays County, do hereby proclaim October 9-15 Family and Community Education Week in Hays County.

Eddy Etheredge
County Judge

Pat Rodriguez
Commissioner, Precinct 1

Commissioner, Precinct 2

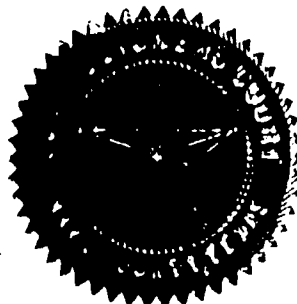
Commissioner, Precinct 3

Commissioner, Precinct 4

Adopted: October 3, 1994

ATTEST:

Ronnie Dannelley, Hays County Clerk



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**13167 ACCEPT INTERNAL AUDITOR REPORT OF JUSTICE OF THE PEACE 1-1 & JUSTICE OF THE PEACE 2**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to accept internal auditor report of Justice of the Peace 1-1 and Justice of the Peace 2 as presented. Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Rodriguez and Commissioner Payne abstained.

**13168 APPROVE PURCHASE OF A VEHICLE FOR CONSTABLE PCT. 2**

Commissioner Payne stated that he was opposed to the purchase of a new vehicle for Constable Pct. #2. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve purchase of a 1994 vehicle through State Contract in the amount of \$15,600.00 for Constable Pct. #2 to be financed with time warrant. Commissioner Barton, Judge Etheredge, and Commissioner Rippy voting "Aye". Commissioner Rodriguez and Commissioner Payne abstained.

**13169 BEAR CREEK OAKS II RESUB LOTS 9-A & 9-B \* FIRST & SECOND READINGS**

Patsy Greiner, Mapping/Planning, stated that property owner is creating two lots out of one lot in an unrecorded subdivision - staff recommends approval on first and second readings. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Bear Creek Oaks II Resub Lots 9-A & 9-B" subdivision on first and second readings. All voting "Aye".

**PARSLEY PARTITION \* DISCUSSION ONLY**

Ray Kotowski, Surveyor, presented a plat of the "Parsley Partition" subdivision - creating two lots on Butler Ranch Road (Lot 1 = 3.131 acres Lot 2 = 2.196 acres). Allen Walther, Environmental health Director, spoke of one parcel having a 4-plex located on it which makes the lot size inadequate (double density). No action this date.

**13170 RICHTER ADDITION \* FIRST & SECOND READINGS**

Engineer/Surveyor Ray Kotowski presented the "Richter Addition" for developer Raymond & Kathy Richter and Reagan T. Dickerson - creating four lots on County Road #266. Staff recommends approval. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve "Richter Addition" on first and second readings. All voting "Aye".

**13171 LEA ACRES RESUBDIVISION OF LOT 1 (LOTS 1-A, 1-B, 1-C, & 1-D) \* FIRST READING AND CALL FOR PUBLIC HEARING**

Property owner Harvey C. & Rosie McGee are resubdividing Lot 1 of Lea Acres into four lots - subdivision is located on County Road #278 (existing 30' r-o-w) and 15 ft. will be dedicated to this roadway. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Lea Acres Resubdivision of Lot 1" on first reading and call for public hearing to be held on October 24, 1994 at 9:00 A.M. All voting "Aye".

**VARIANCE REQUEST FROM GEORGE AND REBECCA MENEFFEE RE: 2 TRACTS ON HAYS COUNTRY ACRES ROAD**

Robert Watts of K.C. Engineering Inc. submitted a request for exemption for the county's platting requirements on behalf of property owners George & Rebecca Menefee Re: a 17 acre and a 8 acre tract with adequate frontage on existing county road (Hays Country Acres Road) - the property will be deed restricted upon sale to prohibit uses other than agriculture and residential and the owners are willing to dedicate an additional 15 ft of r-o-w to the county - the property is not within a flood hazard area and is not within 1/2 mile of the Edwards Aquifer Recharge Zone - the property is within the Dripping Springs ETJ and is under request for exemption from the city's subdivision ordinance. Allen Walther, Environ Health Director, advised that the request meets the county requirements for a variance. Road Director Darryl Brown stated that he has been unable to confirm if Hays Country Acres Road was formally accepted for county maintenance - an additional 15 feet of right-of-way is needed. Commissioner Rippy stated that he was sure that this road was accepted for county maintenance approximately five years ago as a substandard roadway. No action taken this date.

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**VARIANCE REQUEST FROM JOHN THOMAS LEAL FOR 2 ACRES OUT OF A 16.59 ACRES TRACT ON SCHUBERT LANE (CR 211)**

A written request for variance from platting was received from John T. Leal - he would like to take a two acre parcel out of an original 16.59 acre tract in the Otis Eels Survey - this property is in the Niederwald ETJ - the tract is accessible from CR 211 (Schubert Lane) by a 30 ft. easement, which also serves other properties northeast of this property (Vol. 899 Pg. 447 of the Deed Records). No action taken this date.

**13172 PLATTING VARIANCE GRANTED TO KATHERINE H. BERKLEY CANNON ON A 5.1 ACRE TRACT AND 6 ACRE TRACT LOCATED US290 EAST OF DRIPPING SPRINGS**

A request for platting variance was discussed September 26, 1994 - staff recommends approval. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to grant platting variance to Katherine H. Berkley Cannon for a 5.1 acre and a 6 acre tract located on US290 East of Dripping Springs. All voting "Aye".

**13173 BURGER RIDGE ESTATES \* SECOND & THIRD READINGS**

James Kalaher presented "Burger Ridge Estates" subdivision on second and third readings (located on Burger Road). Staff recommended approval. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Burger Ridge Estates" (a ten lot subdivision) on second and third readings. All voting "Aye".

**13174 HAYS COUNTRY OAKS BLOCK B REPLAT LOTS 20-A & 20-B \* THIRD READING**

Commissioner Barton spoke of approval from the City of Hays is forthcoming. Property owner Frank Maldonado appeared - stated that all changes that were requested have been made to the plat. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Hays Country Oaks Block B Replat Lots 20-A & 20-B" on third reading. All voting "Aye".

**13175 ROAD NAME DESIGNATION: CHANGE STREET NAME FROM "RAYMOND JENKINS ROAD" (CR 245) TO "MT. OLIVE SCHOOL ROAD"**

Commissioner Payne spoke of request made to him by property owners on CR 245 to change their street name from "Raymond Jenkins Road" to "Mt. Olive School Road" based on historic significance. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve street name change from "Raymond Jenkins Road" to Mt. Olive School Road. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Rippy voting "No".

**13176 ROAD NAME DESIGNATION: CHANGE STREET NAME FROM "HILLTOP STREET" TO "SIERRA LOMA" (HILLTOP SUBDIVISION)**

Patsy Greiner, Mapping/Planning, advised that there is already a Hilltop Street in Paradise Hills subdivision and none of the residents of the Hilltop Subdivision use Hilltop Street as their address. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve change in street name from "Hilltop Street" to "Sierra Loma" in the Hilltop subdivision. All voting "Aye".

**PUBLIC HEARING HELD TO ESTABLISH TRAFFIC REGULATIONS: 4-WAY STOP AT BLISS SPILLAR ROAD AND CHAPARRAL ROAD**

Judge Etheredge called the public hearing open to consider traffic regulations in precinct 2. Road Director Darryl Brown recommended a 4-way Stop at Bliss Spillar Road and Chaparral Drive due to a blind intersection after an S-curve - spoke of part of Chaparral Road will become Bliss Spillar Road with the new construction. Constable Billy Reeves stated that the correct road name is "Chaparral Road" and not Drive - suggested putting up road name signs up as soon as possible after roads are named. Judge Etheredge called the public hearing closed. No action taken this date.

**13177 PUBLIC HEARING ~~AND ACTION~~ TO ESTABLISH TRAFFIC REGULATIONS: 30 MPH SPEED LIMIT IN THE SUBDIVISIONS OF LEISUREWOOD, CIMARRON PARK, WOODS OF CIMARRON, AND COVES OF CIMARRON, EXCEPT AS OTHERWISE SPECIFIED**

Judge Etheredge called the public hearing open. Commissioner Barton spoke of need to clarify for enforcement the speed limit of 30MPH in the Leisurewood, Cimarron Park, Woods of Cimarron, and Coves of Cimarron subdivisions, except as otherwise specified. Judge Etheredge called the public hearing closed. No action taken this date.

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**13178 ADOPT AS COUNTY POLICY THE AGREEMENT BETWEEN THE SHERIFF AND CONSTABLES REGARDING CIVIL COURT PROCESS**

Judge Etheredge spoke of discussions had in budget workshop to save money in the Sheriff's Dept. - the Sheriff withdrew his request for additional civil warrants officers in exchange for the Constables taking over that workload. Judge Etheredge read the agreement:

September 23, 1994

The Honorable Eddy Etheredge,  
County Judge  
Hays County Courthouse Annex, 3rd Floor  
102 North LBJ Drive  
San Marcos, Texas 78666

Dear Judge Etheredge:

The undersigned parties hereby submit this agreement to you with the request that you carry it to the full Commissioner's Court as an agenda item and adopt this agreement by resolution, thereby making it a COUNTY POLICY.

Effective October 1, 1994, and for thereafter, the Sheriff's Department of Hays County will transfer or pass through all civil court process received from any source to the various constables as listed elsewhere in this agreement, for service and/or execution of the process.

The obligation the sheriff's department will have in regards to this civil court process will be to provide a method by which the process can be distributed to the appropriate constable and the maintenance of a simple record or log of which constable the process was distributed to. The distribution method can be as simple as placing the process in the appropriate constable's box already established at the Law Enforcement Center. All fees received with this process will be transferred intact with the process, as the fees are actually a part of the process.

Beyond this point, the sheriff's department will bear no responsibility nor duty concerning the transferred process. All inquiries regarding the process will simply be referred to the appropriate constable for a proper response.

It will be the Constable's Department of Hays County's responsibility then to receive, promptly service and/or execute and make proper returns according to civil law, of this process. Each respective constable receiving civil court process passed through by the sheriff's department, will either handle the process through to a proper conclusion or if more appropriate, interact with any other constable of the county to accomplish this goal.

In the event that process is received that cannot be appropriately handled by a Hays County Constable (such as a WRIT to be executed in a bordering county), it will be the constable's responsibility to contact the plaintiff or plaintiff's attorney, to make proper disbursement of the process.

In no instance will any civil process be returned to the sheriff's department for any reason, nor will the sheriff's department be burdened with any questions as to the proper service or execution of the process. The sheriff's department will have no one in place to handle such matters. The constables of Hays county will be responsible for handling all civil court process received to a proper conclusion, throughout the county, without interruption or unnecessary delay.

To facilitate the sheriff's pass-through to the constables, as of the effective date of this COUNTY POLICY, the pass-through will be as follows:

| <u>Addresses</u>                              | <u>Constable</u> |
|-----------------------------------------------|------------------|
| San Marcos                                    | Pct. 1           |
| Wimberley                                     | Pct. 3           |
| Dripping Springs, Driftwood & Austin (Rt. 27) | Pct. 4           |
| Manchaca, Buda & Kyle                         | Pct. 5           |

Once the constables receive this process, they will interact among themselves, according to agreements formed among themselves, in a cooperative effort to get the county's civil process business done. Proper records of process handled, fees collected, etc., will be maintained by each constable in accordance with applicable state statutes.

|                                                                       |                                                                          |
|-----------------------------------------------------------------------|--------------------------------------------------------------------------|
| <u>s/ Paul Hastings</u><br>Paul Hastings, Sheriff                     | <u>s/ Lupe Cruz</u><br>Lupe Cruz, Constable Pct. 1                       |
| <u>s/ Donald R. Amerson</u><br>Donald R. Amerson,<br>Constable Pct. 3 | <u>s/ C. E. Bankston</u><br>Clarence "Eddy" Bankston<br>Constable Pct. 4 |
| <u>s/ Billy H. Reeves</u><br>Billy H. Reeves<br>Constable Pct. 5      |                                                                          |

Constable Reeves spoke in support of the agreement - this is a statewide movement and the Constables are authorized by law to perform the services. Commissioner Barton stated that this is a big achievement and will save money in the Sheriff's Dept. Commissioner Payne asked about Constable Pct. 2 not entering into the agreement. He also stated that he does not agree that this agreement will be savings to the county. Judge Etheredge advised that Constable #2 James Kohler has indicated that he is sufficiently busy without civil court process and Constable #5 will handle process in Pct. #2 as well as his own precinct. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt Agreement as County Policy regarding civil court process. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippey, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

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**13179 AUTHORIZE THE COUNTY AUDITOR TO GO OUT FOR BIDS ON THE CLEAN-UP TO THE OLD HOSPITAL SITE**

A motion was made by Commissioner Rodriguez and seconded by Judge Etheredge to authorize the County Auditor to go out for bids for cleanup of the old hospital property. All voting "Aye".

**13180 APPROVE A PERMANENT POSITION IN THE TREASURER'S OFFICE AND SET THE GRADE AND STEP**

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve permanent position in the Treasurer's Office at Grade 6 Step Minimum. All voting "Aye".

**13181 APPOINT JOLENE BROWN TO THE HAYS COUNTY CHILD WELFARE BOARD**

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to appoint Jolene Brown (Buda) to the Hays County Child Welfare Board. All voting "Aye".

**UPDATE ON THE ROAD BOND ISSUE**

Rick Miller and John Doucet (Doucet & Associates) presented the Phase I Schedule and spreadsheet depicting expenditures to date. Judge Etheredge stated that a lot of progress has been made - there are frustration by some - we need to continue the progress on our roads - spoke of letters in the newspaper - we need to disregard those letters that say the bond money will not be spent on roads - we need to obtain the r-o-w as soon as possible so that we can proceed in a timely manner.

| HAYS COUNTY ROAD IMPROVEMENTS PROJECT                                                  |                                      |
|----------------------------------------------------------------------------------------|--------------------------------------|
| PHASE I SCHEDULE                                                                       |                                      |
| OCTOBER 3, 1994                                                                        |                                      |
| <b>WINKLEY/ALEXANDER INC.</b>                                                          |                                      |
| Note: Activities with completion dates that are shaded are estimated completion dates. |                                      |
| <u>CR 215 - Purgatory Road (Moerbe)</u>                                                |                                      |
| Surveying                                                                              | Complete                             |
| Complete Preliminary Design                                                            | October 10, 1994                     |
| Public Hearing                                                                         | October 25, 1994                     |
| Approve Preliminary Design                                                             | October 31, 1994                     |
| Begin Final Design                                                                     | October 31, 1994                     |
| Begin ROW Acquisition                                                                  | October 31, 1994                     |
| Complete Final Design                                                                  | January 2, 1995                      |
| Complete ROW Acquisition                                                               | May 1, 1995 (Estimated - 6 months)   |
| Bid Project                                                                            | May 8, 1995                          |
| Begin Construction                                                                     | July 3, 1995                         |
| <u>CR 181 - Fischer Store Rd (Moerbe)</u>                                              |                                      |
| Surveying                                                                              | Complete                             |
| Complete Preliminary Design                                                            | December 5, 1994                     |
| Public Hearing                                                                         | To be determined                     |
| Approve Preliminary Design                                                             | December 19, 1994                    |
| Begin Final Design                                                                     | December 19, 1994                    |
| Begin ROW Acquisition                                                                  | December 19, 1994                    |
| Complete Final Design                                                                  | February 20, 1995                    |
| Complete ROW Acquisition                                                               | April 3, 1995 (Estimated - 3 months) |
| Bid Project                                                                            | April 10, 1995                       |
| Begin Construction                                                                     | June 5, 1995                         |
| <u>CR 234 - Centerpoint (Moulinet)</u>                                                 |                                      |
| Complete Surveying                                                                     | October 17, 1994                     |
| Complete Preliminary Design                                                            | November 28, 1994                    |
| Public Hearing                                                                         | To be determined                     |
| Approve Preliminary Design                                                             | December 12, 1994                    |
| Begin Final Design                                                                     | December 12, 1994                    |
| Begin ROW Acquisition                                                                  | December 12, 1994                    |
| Complete Final Design                                                                  | February 13, 1995                    |
| Complete ROW Acquisition                                                               | July 3, 1995 (Estimated - 6 months)  |
| Bid Project                                                                            | July 10, 1995                        |
| Begin Construction                                                                     | September 4, 1995                    |
| <u>CR 179 - Wayside Rd (Moerbe)</u>                                                    |                                      |
| Complete Surveying                                                                     | October 31, 1994                     |
| Complete Preliminary Design                                                            | December 12, 1994                    |
| Public Hearing                                                                         | To be determined                     |
| Approve Preliminary Design                                                             | January 2, 1995                      |
| Begin Final Design                                                                     | January 2, 1995                      |
| Begin ROW Acquisition                                                                  | January 2, 1995                      |
| Complete Final Design                                                                  | February 27, 1995                    |
| Complete ROW Acquisition                                                               | July 3, 1995 (Estimated - 6 months)  |
| Bid Project                                                                            | July 10, 1995                        |
| Begin Construction                                                                     | September 4, 1995                    |



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|                                                                                                      |                                          |
|------------------------------------------------------------------------------------------------------|------------------------------------------|
| <u>CR 266 - Old Bastrop Hwy (I) (Moulinet)</u>                                                       |                                          |
| Complete Surveying                                                                                   | November 14, 1994                        |
| Complete Preliminary Design                                                                          | January 2, 1995                          |
| Public Hearing                                                                                       | To be determined                         |
| Approve Preliminary Design                                                                           | January 16, 1995                         |
| Begin Final Design                                                                                   | January 16, 1995                         |
| Begin ROW Acquisition                                                                                | January 16, 1995                         |
| Complete Final Design                                                                                | March 13, 1995                           |
| Complete ROW Acquisition                                                                             | July 17, 1995 (Estimated - 6 months)     |
| Bid Project                                                                                          | July 24, 1995                            |
| Begin Construction                                                                                   | September 18, 1995                       |
| <u>CR 266 - Old Bastrop Hwy (II) (Moulinet)</u>                                                      |                                          |
| Complete Surveying                                                                                   | December 5, 1994                         |
| Complete Preliminary Design                                                                          | January 23, 1995                         |
| Public Hearing                                                                                       | To be determined                         |
| Approve Preliminary Design                                                                           | February 6, 1995                         |
| Begin Final Design                                                                                   | February 6, 1995                         |
| Begin ROW Acquisition                                                                                | February 6, 1995                         |
| Complete Final Design                                                                                | April 3, 1995                            |
| Complete ROW Acquisition                                                                             | August 7, 1995 (Estimated - 6 months)    |
| Bid Project                                                                                          | August 14, 1995                          |
| Begin Construction                                                                                   | October 9, 1995                          |
| <b>K.C. ENGINEERING, INC.</b>                                                                        |                                          |
| <u>CR 101 - Fitzhugh Rd. (Moerbe)</u>                                                                |                                          |
| Surveying                                                                                            | Complete                                 |
| Complete Preliminary Design                                                                          | November 7, 1994                         |
| Public Hearing                                                                                       | To be determined                         |
| Approve Preliminary Design                                                                           | November 21, 1994                        |
| Begin Final Design                                                                                   | November 21, 1994                        |
| Begin ROW Acquisition                                                                                | November 21, 1994                        |
| Complete Final Design                                                                                | January 23, 1995                         |
| Complete ROW Acquisition                                                                             | June 5, 1995 (Estimated - 6 months)      |
| Bid Project                                                                                          | June 12, 1995                            |
| Begin Construction                                                                                   | August 7, 1995                           |
| <u>CR228 - West Goforth St. (Moulinet)</u>                                                           |                                          |
| Surveying                                                                                            | Complete                                 |
| Complete Preliminary Design                                                                          | October 19, 1994                         |
| Remainder of schedule to be determined after completion of coordination with sanitary sewer project. |                                          |
| <b>RUST LICHLITER/JAMESON</b>                                                                        |                                          |
| <u>CR 131 (Moulinet) &amp; cr 122 (Moerbe)</u>                                                       |                                          |
| Complete Preliminary Surveying                                                                       | Complete                                 |
| Complete Preliminary Design                                                                          | October 17, 1994                         |
| Public Hearing                                                                                       | October 18, 1994 - CR 131                |
|                                                                                                      | October 20, 1994 - CR 122                |
| Approve Preliminary Design                                                                           | October 31, 1994                         |
| Complete Final Design                                                                                | December 19, 1994                        |
| Begin Final Design                                                                                   | December 19, 1994                        |
| Begin ROW Acquisition                                                                                | December 19, 1994                        |
| Complete Final Design                                                                                | April 17, 1995                           |
| Complete ROW Acquisition                                                                             | July 3, 1995 (Estimated - 6 months)      |
| Bid Project                                                                                          | July 11, 1995                            |
| Begin Construction                                                                                   | September 4, 1995                        |
| <u>CR 225 - Lime Kiln Rd &amp; CR 222 - Hilliard Rd. (Moulinet)</u>                                  |                                          |
| Complete Preliminary Surveying                                                                       | November 14, 1994                        |
| Complete Preliminary Design                                                                          | January 2, 1995                          |
| Public Hearing                                                                                       | To be determined                         |
| Approve Preliminary Design                                                                           | January 16, 1995                         |
| Complete Final Survey                                                                                | February 20, 1995                        |
| Begin Final Design                                                                                   | February 20, 1995                        |
| Begin ROW Acquisition                                                                                | February 20, 1995                        |
| Complete Final Design                                                                                | June 12, 1995                            |
| Complete ROW Acquisition                                                                             | September 4, 1995 (Estimated - 6 months) |
| Bid Project                                                                                          | September 11, 1995                       |
| Begin Construction                                                                                   | November 6, 1995                         |


\*\*\*\*\*


|                    | PREVIOUS            | MAY 1994            | JUNE                | JULY                | AUG                 | TOTAL                  |
|--------------------|---------------------|---------------------|---------------------|---------------------|---------------------|------------------------|
| KC ENGINEERING     |                     |                     |                     | \$ 9,417.50         | \$ 21,310.00        | \$ 30,727.50           |
| RUST L/J           |                     |                     |                     | \$ 3,800.00         |                     | \$ 3,800.00            |
| WINKLEY/ALEXANDER  |                     |                     |                     |                     | \$ 9,110.00         | \$ 9,110.00            |
| DOUCET & ASSOC     | \$ 75,714.14        | \$ 12,884.75        | \$ 10,881.72        | \$ 10,592.27        |                     | \$110,072.85           |
| RABA-KISTNER       |                     |                     |                     |                     |                     | \$ 0.00                |
| H. R. MOULINET     |                     |                     | \$ 9,813.23         | \$ 5,675.27         | \$ 5,270.56         | \$ 20,759.06           |
| E. MOERBE          |                     | \$ 820.00           | \$ 7,466.25         | \$ 4,445.10         | \$ 4,317.90         | \$ 17,058.25           |
| M.GOSSETT/LEGAL    |                     |                     |                     |                     |                     |                        |
| 1ST SECURITY TITLE |                     |                     |                     |                     |                     |                        |
| APPRAISALS         |                     |                     |                     |                     |                     |                        |
| ROW COSTS          |                     |                     |                     |                     |                     |                        |
| MISCELLANEOUS      |                     |                     |                     |                     |                     |                        |
| <b>TOTAL</b>       | <b>\$ 75,714.14</b> | <b>\$ 13,713.75</b> | <b>\$ 28,161.20</b> | <b>\$ 33,930.11</b> | <b>\$ 40,008.46</b> | <b>\$ 191,527.66</b>   |
|                    |                     |                     |                     |                     | <b>TOTAL BUDGET</b> | <b>\$ 6,708,000.00</b> |

**EXECUTIVE SESSION**

The Court convened into closed executive session to discuss personnel matters. No action taken.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF November, 1994.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

  
**RONNIE DANNELLEY, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 10TH DAY OF OCTOBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANNELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13182 APPROVE COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve county invoices in the amount of \$ 325,123.95 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|--------------------|--------------|-----------------|-------------|------------------|-------------|
| FINES | \$ 38.00 | AUDITORS OFC | \$ 107.48 | TREASURERS OFC | \$ 115.50 |
| EXTENSION OFC | \$ 483.45 | GRANTS ADMIN | \$ 28.00 | JUVENILE PROB | \$ 202.83 |
| COMM & SOC SVC | \$104,037.58 | INDIGENT CARE | \$13,872.36 | TRANSFER STA. | \$ 5,152.72 |
| BLDG. MAINT | \$ 2,241.93 | ENVIRON HEALTH | \$ 6,881.98 | CIVIC CENTER | \$ 3,039.44 |
| COUNTYWIDE OPER | \$54,151.07 | TAX A/C | \$ 75.00 | DIST CLERK | \$ 266.95 |
| COUNTY CLERK | \$ 3,438.74 | SHERIFFS OFC | \$ 1,102.03 | JAIL OPERATIONS | \$19,897.05 |
| COUNTY JUDGE | \$ 272.33 | DISTRICT ATTY | \$ 500.57 | J.P. 1-1 | \$ 133.15 |
| J.P. 1-2 | \$ 49.50 | J.P. 2 | \$ 85.24 | J.P. 3 | \$ 2.12 |
| D.P.S. | \$ 146.98 | CONSTABLE 1 | \$ 85.61 | CONSTABLE 2 | \$ 52.28 |
| CONSTABLE 5 | \$ 162.36 | DIST CRT OPER | \$ 3,102.28 | CO & JP CRT OPER | \$ 3,685.30 |
| VETERANS ADMIN | \$ 311.51 | COMPUTER SVCS | \$10,348.29 | PROT HMKR GRNT | \$ 246.87 |
| RENOV/SPEC PROJ | \$ 347.39 | R&B OPERATIONS | \$19,163.33 | PRECINCT 2 | \$ 1,217.26 |
| HEALTH SVCS GRANTS | \$ 1,059.58 | LAW LIBRARY | \$ 374.54 | ROAD CONSTRCT | \$51,266.52 |
| FOSTER CARE | \$13,311.57 | ADULT PROB OPER | \$ 3,325.57 | ADULT PROB FAC | \$ 741.69 |

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13183 APPROVE APPOINTMENT OF DEBBIE A. INGALSBE AS DEPUTY CONSTABLE PCT. #1 EFFECTIVE OCTOBER 1, 1994

The Court agreed to budget a Deputy Constable position for Precinct #1 during the budget process - the Local Government Code Sec. 86.011 requires that the Court shall approve and confirm this appointment - a request for approval in writing was submitted by Constable Pct. 1 Lupe Cruz (see letter in file). A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve appointment of Debbie A. Ingalsbe as Deputy Constable Pct. #1 effective October 1, 1994. All voting "Aye".

13184 APPROVE UTILITY CROSSING ON CR 217 (HIDDEN VALLEY) IN PRECINCT #3

Commissioner Craig Payne submitted a letter from Bob R. Brown requesting approval for utility crossing on CR 217 (Hidden Valley Road). A motion was made by Commissioner Barton, seconded by Commissioner Rippy to approve utility crossing on CR 217 (Hidden Valley Road) in Precinct #3. All voting "Aye".

13185 AUTHORIZE USE OF THE COURTHOUSE LAWN ON OCTOBER 14, 1994 FOR "TAKE BACK THE NIGHT" PROGRAM

A letter was received from Sandra Soliz, Resident Assistant SWTSU, requesting permission to use the courthouse lawn as an endpoint for a moonlight march being conducted Oct. 14, 1994 - the march is the culmination of a week long program entitled "Take Back the Night" focusing on the effects of violence on today's society - they will be having several keynote speakers and an estimated attendance of 250 people - they will need access to power outlets and lighting. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to authorize use of the courthouse lawn on October 14, 1994 for "Take Back The Night" program. All voting "Aye".

13186 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR THE "PURCHASE OF JUVENILE JUSTICE ALTERNATIVES" AND TO EXECUTE A CONTRACT FOR \$8,961

This is a renewal grant from the Office of the Governor - Criminal Justice Division to provide funds for Hays county to place juveniles in counseling and retention facilities. No matching funds are required from the County. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to authorize the County Judge to accept grant award from the Office of the Governor - Criminal Justice Division for the "Purchase of Juvenile Justice Alternatives" and to execute a contract for \$8,961.00. All voting "Aye".

13187 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE (TCADA) FOR THE D.A.R.E./YOUTH PREVENTION PROGRAM AND TO EXECUTE A CONTRACT FOR \$45,511

This is a grant from the Texas Commission on Alcohol and Drug Abuse to fund a D.A.R.E. Youth Prevention and Intervention Program for Hays County. The grant of \$45,511 will expand the current D.A.R.E. program operated by the Hays County District Attorney's Office. The grant is for four years includes the purchase of a computer system, modem, software, electronic reporting system, supplies and salary for John Roppolo. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to authorize the County Judge to accept grant award from the Commission on Alcohol and Drug Abuse (TCADA) for the D.A.R.E./Youth Prevention Program and to execute a contract for \$45,511. All voting "Aye".

13188 GRANT PLATTING VARIANCE TO THOMAS LEAL 2 ACRES OUT OF 16.59 ACRE TRACT ON CR 211 (SCHUBERT LANE)

Request for variance was discussed at October 3rd meeting (see letter in file). A motion was made by Commissioner Barton, seconded by Judge Etheredge to grant a variance to platting requirement to Thomas Leal on a two acre tract in the Otis Eels Survey out of an original 16.59 acre tract - located on CR 211 (Schubert Lane). All voting "Aye".

13189 GRANT PLATTING VARIANCE TO GEORGE & REBECCA MENEFEE RE: TWO TRACTS LOCATED ON HAYS COUNTRY ACRES ROAD

This variance request was discussed on October 3, 1994 - property owner has agreed to dedicating an additional 15 feet on Hays Country Acres Road - there was a question as to whether or not Hays Country Acres Road was a county maintained roadway - this roadway was accepted by the Court at a county road in 1989 as an unnamed road (aka Hollingsworth Ranch Road). John Harris spoke of Hays Country Acres Road - requested that the Court allow Road Director Darrel Brown to present a report to the Dripping Springs City Council. Court agreed to allow Road Director to speak to the road issue. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to grant a platting variance to George & Rebecca Menefee for two tracts (17 ac & 8 ac) located on Hays Country Acres Road. All voting "Aye".

13190 BEAR CREEK OAKS II RESUB LOTS 9A & 9B * THIRD READING APPROVAL

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Bear Creek Oaks II Resub Lots 9A & 9B" subdivision on third reading. All voting "Aye".

3-G RANCH ADDITION SECTION THREE AMENDED - DISCUSSION

Mike McMinn, Surveyor/Eng., appeared before the Court - approval from the City of Niederwald is still needed - there are questions regarding the road - they are setting up a homeowners association for road maintenance. Darrel Brown, Road Director, spoke of a joint driveway with a maintenance agreement. No action taken this date.

13191 ACCEPT APPROXIMATELY 650 FEET OF CONCORD CIRCLE IN THE RADIANCE SUBDIVISION FOR COUNTY MAINTENANCE

Road Director Darrel Brown stated that the roads in the Radiance Subdivision are very well built - there is some work needed on the road edges which could be done with little problem since the road department has a project planned in that area. Robert Shaw, Member of the Radiance Property Owners Assoc., appeared before the Court - they propose to dedicate the western 650 feet, approximately, of Concord Circle in the Radiance subdivision to Hays County to provide legal access to an adjacent 116 acre tract that currently has only a 50 feet long, 30 foot wide public access - the POA intends to keep all other portions of Concord Circle and all other roadways in Radiance private streets - a dedication deed has been prepared for filing. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to accept approximately 650 feet of Concord Circle in the Radiance Subdivision for county maintenance contingent on approval by the County Road Director of road work being done. All voting "Aye".

13192 CLARIFY FOR THE RECORD THAT "HAYS COUNTRY ACRES ROAD" IS A COUNTY MAINTAINED ROAD (AKA "HOLLINGSWORTH RANCH ROAD")

Commissioner Rippy spoke of unnamed caliche road that was accepted for County maintenance on May 8, 1989 under the name of "Hollingsworth Ranch Road" - this road led to the Hollingsworth and Crow ranches and had never been named - during the 9-1-1 addressing program this same road was designated as "Hays Country Acres Road" as it served the residents of the Hays Country Acres subdivision. Commissioner Payne spoke of his concerns about the fact that there was never a dedication deed filed for record. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to clarify for the record that "Hays Country Acres Road" is a county maintained road and was accepted as such in May 1989 under the name of "Hollingsworth Ranch Road" and without dedication deed. All voting "Aye".

13193 TABLE ACTION ON INTERLOCAL AGREEMENT WITH THE CITY OF BUDA TO ENFORCE CITY ORDINANCES

Commissioner Jeff Barton presented an Interlocal Agreement with the City of Buda to enforce the City Ordinances - the agreement calls for the Sheriff's Dept. to enforce a curfew ordinance, animal control ordinance, traffic regulations, and a fireworks ordinance - the City of Buda has passed the agreement. Pat Benner spoke of cities subsidized by the Sheriff's Dept. - it should be the other way around and the cities should be subsidizing the Sheriff's Dept. Auditor Bill Herzog voiced his concerns about what would happen in the case of a lawsuit. Commissioner Payne spoke of needing time to look over this agreement - there is no reimbursement mentioned - not in favor of enforcing city ordinances. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to table action on interlocal agreement with the City of Buda to enforce city ordinances. Judge Etheredge spoke of the county having very limited ordinance making authority - we need to encourage cities that have rule making authority to pass regulatory ordinances or otherwise we would not have any planning tools to use - we need to provide law enforcement - city residents pay county taxes and are entitled to services. Commissioner Rippy spoke of duplication of services. Commissioner Barton stated that they are not asking the Sheriff's Dept. to walk a

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beat, only to enforce the ordinances - this is done in all the small communities - they rely on the Sheriff's Dept. for law enforcement. Marcos Hernandez, District Attorney, spoke of his concerns about the county's liability - will the cases be filed in J.P. Court which would allow the county to receive the revenue. Judge Etheredge stated that interlocal agreements provide a level of service - willing to table approval until the District Attorney and County Auditor have their questions answered regarding liability. Commissioner Payne spoke of getting further behind on the DMG study by not getting compensated for services being provided to cities. Roll was called on the motion to table action - Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Judge Etheredge voting "Aye" - Commissioner Rippy voting "No".

13194 ACCEPT PROPOSAL AND AUTHORIZE THE HAYS COUNTY BAR ASSOCIATION TO TAKE OVER MAINTENANCE OF THE COUNTY LAW LIBRARY

The following proposal was submitted by Edward R. Phillips , President of the Hays County Bar Association:

County Judge
Commissioners Court
Hays County Courthouse
San Marcos, Texas 78666

Dear Sir:

After a review of the present law library and the plans for the new location, the Hays County Bar Association makes the following recommendations:

- The present budget for the law library fund is:

| | |
|-----------------------|-----------|
| Books and Periodicals | \$ 17,600 |
| Library MTC | \$ 600 |
| | ===== |
| | \$ 18,200 |

Revise the budget as follows:

| | |
|-----------------------|-----------|
| Books and Periodicals | \$ 17,300 |
| Library MTC | \$ 900 |
| | ===== |
| | \$ 18,200 |

Pay the \$900 for maintenance, which is \$75.00 per month, to the Hays County Bar Association and we will hire someone to do the maintenance for \$75 monthly.

The Bar Association will inventory the library in order for all to know the contents of the library.
- Have the Commissioners Court authorize the Hays County Bar Association President to be the person who verifies the books have been received and forwards the invoices to the Auditor's office for payment.
- In regard to the plans for the new location of the law library, I am attaching a copy of the plans. We note there is no reproduction machine. In the present location one is available in order for copies to be made from the books. We recommend such a machine be placed in the law library. We would like to talk to the architect to discuss if turning the shelves in the middle area 90° to determine if that would make more space.

Please advise if the Commissioners Court agree to the proposed arrangements on the law library.

Yours truly,

Edward R. Phillips, President
Hays County Bar Association

A motion was made by Judge Etheredge, seconded by Commissioner Payne to accept proposal and authorize the Hays County Bar Association to take over maintenance of the County Law Library for \$75 per month. All voting "Aye".

13195 APPROVE ASSISTANCE WITH COMMODITIES DISTRIBUTION FOR THE CAPITAL AREA FOOD BANK


The Capital Area Food Bank has picked up the responsibility of providing food commodities to eight locations in San Marcos. They have requested that Hays County assist by picking up the commodities every other month and distribute them to the sites. Travis, Caldwell and Blanco counties have set up similar plans. Winton Porterfield, Admin. Asst., advised that the Road Department will be able to send a truck to Austin to pick up the commodities. Commissioner Rodriguez volunteered to assist in this project. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve assistance with commodities distribution for the Capital Area Food Bank with Commissioner Rodriguez overseeing this project. All voting "Aye".

EXECUTIVE SESSION - PERSONNEL MATTERS

The Court convened into closed Executive Session to discuss personnel matters. No action was taken.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF November, 1994.


 EDDY A. ETHEREDGE, COUNTY JUDGE
 H A Y S COUNTY, TEXAS


 RONNIE DANNELLEY, COUNTY CLERK
 H A Y S COUNTY, TEXAS

STATE OF TEXAS
 COUNTY OF HAYS

ON THIS THE 17TH DAY OF OCTOBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13196 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 222,564.77 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|-------------------|--------------|-------------------|---------------|---------------------|--------------|
| State Shared Rev | \$ 297.56 | Fines | \$ 247.00 | Auditors Ofc | \$ 480.89 |
| Treasurers Ofc | \$ 190.00 | Extension Ofc | \$ 266.87 | Grants Admin | \$ 718.49 |
| Juvenile Prob | \$ 428.35 | Election Admin | \$ 6.73 | Indigent Care | \$ 377.98 |
| Transfer Station | \$ 752.10 | Bldg. Maintenance | \$ 3,349.68 | Environ Health | \$ 321.01 |
| Personal Health | \$ 694.92 | Civic Center | \$ 217.84 | Countywide Oper | \$ 39,426.12 |
| Tax A/C | \$ 1,085.36 | District Clerk | \$ 436.59 | County Clerk | \$ 1,617.64 |
| Sheriffs Ofc | \$ 5,478.27 | Jail Operations | \$ 6,354.55 | County Judge | \$ 182.38 |
| Human Resources | \$ 66.14 | District Attorney | \$ 190.38 | J.P. 1-1 | \$ 78.00 |
| J.P. 1-2 | \$ 218.25 | J.P. 2 | \$ 20.60 | J.P. 3 | \$ 40.00 |
| J.P. 5 | \$ 41.02 | D.P.S. | \$ 457.58 | Constable 1 | \$ 25.47 |
| Constable 3 | \$ 175.05 | Constable 5 | \$ 19.20 | Dist Court Oper | \$ 867.05 |
| Co & JP Crt Oper | \$ 108.26 | Computer Svcs | \$ 59.32 | TPR/Prot Hmkr Grant | \$ 20.50 |
| Dist Court Reprtr | \$ 235.00 | TJPC CCAP Grant | \$ 54.77 | Historical Comm | \$ 1,036.28 |
| Renov/Spec Proj | \$ 24,724.00 | Corr Incub Grant | \$ 498.00 | R&B Operations | \$110,392.95 |
| Precinct 1 | \$ 663.00 | Precinct 2 | \$ 575.13 | Precinct 4 | \$ 55.00 |
| Health Svcs Grant | \$ 722.04 | Hot Check Fee | \$ 235.00 | Road Construction | \$ 10,507.71 |
| Adult Prob Oper | \$ 14,205.55 | Animal Control | \$ 32.20 | Aniticipation Notes | \$ 4,800.00 |
| Gen Fund Credit | (\$128.20) | R&B Gen Credit | (\$11,361.81) | | |

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13197 AWARD CONTRACTS FOR PRESCRIPTION DRUGS & OVER-THE-COUNTER DRUGS FOR THE COUNTY JAIL AND PRESCRIPTION DRUGS FOR INDIGENT HEALTH CARE, SPECIAL ASSISTANCE AND HEALTH DEPT. PATIENTS FOR SAN MARCOS KYLE/BUDA & WIMBERLEY

Bids for Prescription Drugs & Over-The-Counter Drugs for the County Jail were submitted by The Pharmacy, Walmart Pharmacy, B&J Pharmacy, and Thorpe Lane Pharmacy. Bids for Prescription Drugs for Indigent Health Care, Special Assistance and Health Dept. Patients were submitted by Walmart Pharmacy, B&J Pharmacy, Thorpe Lane Pharmacy, Eckerds Pharmacy, MedPark Pharmacy for the San Marcos Area, Kyle Drug for the Kyle/Buda area, and Wimberley Pharmacy for the Wimberley area. Cindy Casparis, Purchasing Agent, advised that there was a tie for the San Marcos area IHC, Spec. Asst. & Health Dept. patients between Thorpe Lane Pharmacy and The Pharmacy - both pharmacies are interested in sharing the contract - the Kyle/Buda area and Wimberley area received only one response - prescription and over-the-counter drugs for the jail were very close - Thorpe Lane Pharmacy offered us the largest discount on generics. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award contract for prescription and over-the counter drugs for the County Jail to Thorpe Lane Pharmacy and prescription drugs for Indigent Health Care, Special Assistance and Health Dept. patients for San Marcos area to Thorpe Lane Pharmacy & The Pharmacy, for the Kyle/Buda area to Kyle Drug, and for the Wimberley area to Wimberley Pharmacy. All voting "Aye".

13198 CALL FOR PUBLIC HEARING TO ESTABLISH A TRAFFIC REGULATION OF 30MPH SPEED LIMIT ON CLOVIS BARKER DRIVE (CR 269)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held October 31, 1994 at 9:00 A.M. to consider establishing a traffic regulation of 30MPH speed limit on Clovis Barker Drive (CR 269). All voting "Aye".

13199 APPROVE UTILITY PERMITS #94405 (P.E.C.) AND #94103 (CENTURY TELEPHONE)

The County Road Dept. submitted the following Utility Permits for approval:

- #94-405 on County Road 194 to Pedernales Electric Coop. for aerial electric line
- #94-103 on County Road 159 (Yarrington Rd) to Century Telephone Co. of San Marcos

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permit #94-405 to Pedernales Electric Coop. and Permit #94-103 to Century Telephone Co. of San Marcos. All voting "Aye".

13200 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION - OFFICE OF POLLUTION PREVENTION AND RECYCLING TO PURCHASE AN OIL FILTER CRUSHER AND TO EXECUTE A CONTRACT FOR \$2,600

Grant funds will be used to purchase an oil filter crusher and related equipment. The crusher will be located at the Wimberley Transfer Station. No matching funds required of the County. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to accept Grant Award from the Texas Natural Resource Conservation Commission - Office of Pollution Prevention and Recycling to purchase an oil filter crusher and execute a contract for \$2,600.00. All voting "Aye".

13201 AMEND THE EQUIPMENT LIST FOR JUSTICE OF THE PEACE PCT. 4

The JP4 office would like to amend their equipment list to purchase an additional desk and chair - they will stay within their equipment budget. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend the equipment list for Justice of the Peace Pct. 4. All voting "Aye".

13202 APPROVE COMMISSIONERS' COURT MINUTES OF SEPTEMBER 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioner Court Minutes of September 1994. All voting "Aye".

**13203 APPROVE CHANGING NURSE PRACTITIONER POSITION AT HEALTH DEPT.
TO AN RNIII POSITION**

Julie Hornberger, Director of Personal Health Services, advised that the Fulltime Certified Nurse Practitioner has resigned and because there are very limited resources for a Pediatric Nurse Practitioner in our county, she would like to re-advertise the position as an RNIII. Human Resources recommends approval of this change - budgeted at Grade 20, but will advertise at Grade 18. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve changing Nurse Practitioner Position at Health Department to an RNIII position. All voting "Aye".

**13204 APPROVE RENEWAL OF ANNUAL CONTRACT WITH VICTORIA COUNTY FOR
JUVENILE DETENTION SERVICES**

Victoria County Juvenile Services proposed renewal of the Detention Contract - two changes in the contract were noted: the daily rate has been increased from \$75.00 a day to \$80.00 (effective January 1, 1995) and the contract renewal dates will be from January 1, 1995 through December 31, 1995 to simplify their process for renewal so that everyone will be on the calendar year when we renew next year. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve renewal of annual contract with Victoria County for juvenile detention services. All voting "Aye".

13205 BLANCO RIVER RAPIDS SECTION 2 RESUB OF TRACTS A,B, & C - FIRST READING

Property owners Kermit Batey and Richard Hunt are resubdividing three tracts into two tracts (Tract A-1 and C-1) - 50' road easement is a private road - this property is part of an unrecorded subdivision. A motion was made by Commissioner Payne, seconded by Commissioner Rippey to approve "Blanco River Rapids Section 2 Resub of Tracts A,B, & C" subdivision on first reading. All voting "Aye".

13206 FIELDSTONE RESUBDIVISION OF LOT 2 BLOCK B - FIRST READING APPROVAL

Property owners Alan Christianson, James A. Miller, and Catherine A. Miller are resubdividing one lot into two lots (Lot 2-A = 2.69 ac & 2-B= 1.99 ac) - a public hearing has already been held in the City of Dripping Springs (located in the ETJ) - property is not within the boundaries of nor within 1/2 mile of the Edwards Aquifer Recharge Zone - lots are located on Fieldstone Loop (a county maintained roadway). A motion was made by Commissioner Rippey, seconded by Commissioner Payne to approve "Fieldstone Resubdivision of Lot 2 Block B" on first reading. All voting "Aye".

13207 ENGELKE SUBDIVISION (LOTS 1-4) - FIRST READING APPROVAL

Property owner Carole Wright proposes to subdivide 46.049 acres into four lots with access on CR 300 (40 ft. roadway) - located in the Niederwald ETJ. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Engelke Subdivision" on first reading with 10 feet additional right-of-way to be provided on CR 300. All voting "Aye".

13208 TRIPLE CREEK RANCH SECTION 3 - FIRST READING APPROVAL

The Triple Creek Ranch Section 3 subdivision was presented for first reading approval - there is floodplain involved - deed restrictions will not allow resubdivision of lots - two flaglots will provide 30 feet each for access side by side (60ft total) - Court advised that a common driveway would be allowed if and easement and maintenance agreement was filed by the property owners. A motion was made by Commissioner Rippey, seconded by Judge Etheredge to approve "Triple Creek Ranch Section 3" subdivision on first reading. Commissioner Barton, Judge Etheredge, Commissioner Payne, and Commissioner Rippey voting "Aye". Commissioner Rodriguez abstained.

**13209 HAYS COUNTRY OAKS RESUBDIVISION OF LOT 3 BLOCK F - FIRST READING AND
CALL FOR A PUBLIC HEARING**

Property owner is proposing to divide Lot 3 (4.4706 ac) into two Lots (Lot 3-A & 3-B) - property is located on Arbor Trail (a county maintained roadway). A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Hays Country Oaks Resubdivision of Lot 3 Block F" subdivision on first reading and call for a public hearing to be held October 31, 1994 at 9:00 A.M. All voting "Aye".

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13210 MADRONE RANCH SECTION 1 - FIRST READING APPROVAL

Lee Blocker presented "Madrone Ranch Section 1" subdivision on first reading - consist of three lots (Lot # 2, #3, & #7), a total of 40 acres out of the Robert L. Redding Survey - located on CR 187 (McGregor Lane - a county maintained roadway). Allen Walther, Environ. Health Director, stated that he would like to see a master plan and we need to know the width of the existing roadway (McGregor Lane). A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Madrone Ranch Section 1" subdivision on first reading. All voting "Aye".

13211 SPRINGLAKE RESUBDIVISION OF TRACT 137 - FIRST & SECOND READINGS

Property Owners Robert and Fern Hecker propose to divide Tract 137 of the Springlake Subdivision (an unrecorded subdivision) into four tracts - located on Spring Valley Drive and Valley Ridge Drive (county maintained 50' roadway easement) - 25 foot road dedication being given. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Resubdivision of Tract 137 of Springlake Subdivision" on first and second reading. All voting "Aye".

13212 LEA ACRES RESUBDIVISION OF LOT 1 - PUBLIC HEARING AND THIRD READING APPROVAL

Property owners Harvey C. & Rosie McGee are resubdividing Lot 1 of Lea Acres subdivision (5.14 acres) into four lots - 15' is being dedicated to the county on Carney Lane (CR278). Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. A motion was made by Commissioner Payne and seconded by Commissioner Rippy to approve "Lea Acres Resubdivision of Lot 1" on third reading. All voting "Aye".

13213 RICHTER ADDITION - THIRD READING APPROVAL

Property owners Raymond Richter, Kathy Richter and Reagan Dickerson are creating a four lot subdivision with access on County Road 266 - located in the ETJ of the City of San Marcos (they will approve this subdivision on October 25, 1994). A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve "Richter Addition" subdivision on third reading contingent on approval by the City of San Marcos. All voting "Aye".

13214 3-G RANCH REPLAT SECTION 1 LOT 1-A & SECTION 2 LOTS 7A & 8A - THIRD READING APPROVAL

The City of Niederwald has approved this replat, however, it was never approved on third reading by the Commissioners Court. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "3-G Ranch Replat Section 1 Lot 1-A & Section 2 Lots 7A & 8A" on third reading. All voting "Aye".

13215 3-G RANCH ADDITION SECTION 3 AMENDED - SECOND READING APPROVAL

Mike McMinn presented "3-G Ranch Addition Section 3 Amended" subdivision on second reading. Niederwald Mayor Fern Howze spoke of plat submitted in September to the City and considered for approval on October 3rd - it was not approved because of conflicting information on the plat regarding roads - City Ordinance does not allow private roads - she did not receive their homeowners agreement until 9/10/94 and City Ordinance requires 30 day action on subdivisions - stated that she will sign approval of the subdivision by default. Commissioner Barton asked if revised plat calls for a common driveway or a private road? Mr. McMinn stated that the roads will be private with a maintenance agreement - 60 ft. r-o-w with 10' of base - Gardner Road will serve Lots 1, 2, & 3 - 3-G Ranch Road will service Lots 4 & 5. Road Director Darryl Brown stated that an easement allows utility and emergency vehicles to use roadway. Commissioner Barton spoke of need for guidelines for common driveways. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "3-G Ranch Addition Section 3 Amended" subdivision on second reading with details on private driveway to be worked out by the third reading. All voting "Aye".

13216 ADOPT RULES AND REGULATIONS FOR INDIGENT HEALTH CARE

Eva Cruz, Indigent Health Care Administrator, stated that State Law requires that you have Fraud Procedures and Administrative Hearings allowing formal hearings for fraud and penalties. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt the Hays County Indigent Health Care Program Rules and Regulations for Fraud Procedures and Administrative Hearings. All voting "Aye".

**HAYS COUNTY INDIGENT HEALTH CARE PROGRAM
FRAUD PROCEDURES AND ADMINISTRATIVE HEARINGS**

THE HAYS COUNTY DISTRICT ATTORNEY HAS SUBMITTED HIS RULING THAT THE COUNTY JUDGE OR DESIGNEE WILL BRING FORTH AND CONDUCT ALL ADMINISTRATIVE HEARINGS IN REFERENCE TO SUSPECTED FRAUD CASES OF THE INDIGENT HEALTH CARE PROGRAM. PROCEDURES USED INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

1. The Administrator of the IHC Program shall investigate all cases of suspected fraud and shall collect and document evidence of fraud.
2. The Administrator of the IHC Program shall contact the participant who has been suspected of fraud by sending a letter explaining the allegations. A state verification form may be used to obtain documents from the participant.
3. An administrative hearing shall be held by the Hays County Judge according to the guidelines set forth in THE FAIR HEARINGS, FRAUD, AND CIVIL RIGHTS HANDBOOK.
4. After the administrative hearing has been conducted and a finding of fraud has been sustained, the County Judge shall contact the District Attorney's Office and inform them of the result of the hearing.
5. If the participant is registered with the Department of Human Services and receives public assistance, the IHC Administrator shall contact the DHS Investigators and report the findings. All evidence of fraud will be submitted to the appropriate law enforcement agency for investigation. If requested by a law enforcement agency, the District Attorney will review the evidence obtained through the investigation and administrative hearing and initiate criminal proceedings if appropriate. Restitution to the Indigent Health Care Program will be one of the highest priorities in all cases of fraud or misrepresentation.
6. A recipient will be administratively denied from the program for failure to report changes within fourteen (14) days from the date of change, if the change effects the certification status. The denial date will be retroactive to the date of change.

The denial penalties will be as follows: (1) FIRST OFFENSE -- SIX (6) MONTHS
(2) SECOND OFFENSE -- TWELVE (12) MONTHS

For subsequent offenses, disqualification from the program as long as the program exists.

13217 AUTHORIZE THE COUNTY JUDGE TO ACCEPT \$208,232 IN GRANT FUNDS FROM THE TEXAS JUVENILE PROBATION COMMISSION

Funds from the Texas Juvenile Probation Commission (TJPC) are for "services related to juvenile probation and community-based correctional services and state aid for these services". TJPC - State Aid provides \$91,108 and TJPC - Community Corrections provides the remainder of \$117,124. Hays County Juvenile Probation Board has completed all required forms. This is the Grant that funds the Juvenile Probation Department operational costs. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize the County Judge to accept \$208,232.00 in Grant funds from the Texas Juvenile Probation Commission. All voting "Aye".

13218 AWARD INCUBATOR MANAGER CONTRACT FOR THE CORRIDOR INCUBATOR PROJECT TO JOHAN GERVAIS, DBA IBA, AND EXECUTE A CONTRACT FOR \$7500

Hays County is participating in the local Corridor Incubator Project by administering the Texas Department of Agriculture - Business Assistance Grant and by injecting \$13,000 over a two year period. This grant from TDA is to hire and equip an experienced incubator manager. The first manager recently quit due to illness and personal conflicts. Mr. Johan Gervais has been selected through a professional services procurement process recently completed by the Incubator Advisory Board. The total grant from TDA is for \$26,000.00 but this contract only covers up to December 31, 1994, at which time the contract will be reviewed and extended for up to 12 more months. As fiscal officer for the project, Hays County will contract with Mr. Gervais and monitor the grant. Matching funds have been budgeted for the project. A motion was made by Judge Etheredge and seconded by Commissioner Barton to award Incubator Manager Contract for the Corridor Incubator Project to Johan Gervais, dba IBA, and execute a contract for \$7,500.00. All voting "Aye".

13219 AUTHORIZE WAIVING THE PROPERTY TAXES ON A PIECE OF PROPERTY OWNED BY THE CITY OF SAN MARCOS

Hays County Tax Assessor-Collector Luanne Caraway advised that the City of San Marcos has requested that the county waive the property taxes on a piece of property that they were not aware they owned - they have now sold this property and waived their own taxes - Lot 9 Block 10 McGehee Heights. A motion was made by Judge Etheredge, seconded by Commissioner Rippy to authorize waiving the property taxes on Lot 9 Block 10 McGehee Heights owned by the City of San Marcos in order to get this property back on the tax rolls. All voting "Aye".

13220 AUTHORIZE \$8,000 GRANT APPLICATION TO CAPCO FOR A RECYCLING PROGRAM

Grants Administrator Richard Salmon spoke of undesignated funds available - grant application will be submitted on behalf of Hays County, Caldwell County, Blanco County, City of Lockhart, and the City of San Marcos. A motion was made by Judge Etheredge and seconded by Commissioner Rodriguez to authorize \$8,000.00 Grant Application to CAPCO for a recycling program. All voting "Aye".

13221 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A CONTRACT ON BEHALF OF HAYS COUNTY WITH OLSON POLICY CONSULTING AT A COST NOT TO EXCEED \$8,860.00

Judge Etheredge spoke of U.S. Fish & Wildlife Svc will be considering in February the listing of the Barton Salamander and the designation of its habitat - we have just come through some complicated discussion regarding the endangered species act and other environmental issues - we need a policy to satisfy the Federal Governments needs as they currently exist - the Hays County Economic Development Council held a special meeting and discussed how we would be able to deal with these issues on a timely basis and beat the February deadline - also present were members from "Take Back Texas", "Sierra Club" from Austin, and others - received unanimous support for and encouragement for the County Judge and Commissioner Barton to come back to the Commissioners court and request authorization to use funds allocated in the budget and obtain the services of a gentleman from California who has written such a plan that has been signed off on by the Fish & Wildlife Service and endorsed by numerous organizations - during discussions it was made aware that this would be an issue that the Commissioners Court alone would not be able to make - there are a lot of stake holders involved in private property rights as they relate to protection of the environment and more importantly being the future water resources of Hays county - we had a good cross section of our community in that meeting - we think it would be to our advantage to at least look at what they have done and determine whether it will interest the Commissioners Court, residents, taxpayers, and landowners of Hays County. Commissioner Barton stated that we have the talent and willpower in Hays County to deal with our own problems - introduced "FED UP":

Free Enterprise Development and Unconventional Planning... or FED UP, an idea for Hays County citizens interested in changing the direction of developmental and environmental regulations.

Goal: Produce a development and subdivision plan for Hays County that would.....

1. Qualify the county to be "exempted" from normal permitting conditions of the Endangered Species Act;
2. Provide adequate protection for the water and wildlife resources of Hays County;
3. Make infrastructure development in rural areas more affordable;
4. Use market incentives and free market forces instead of mandates wherever possible.
5. Channel new growth and infrastructure into selected corridors;
6. Enhance the county's negotiating position on ETJ, environmental and economic issues with the City of Austin, the state, and the federal government;
7. Keep federal and state regulation to a minimum;
8. Protect the economic interests of existing Hays County landowners;
9. Provide avenues and incentives to preserve some of the county's rural character and heritage;
10. Become a model for environment vs. development solutions around the country;
11. Be fair to each region and school district of the county;
12. Become the cornerstone of a comprehensive county plan;
13. Be something each small city could use as a foundation for its own policies;
14. Clarify and tighten technical specifications in the current rules, and explore alternatives;
15. Identify areas where state law needs to be amended;
16. Be enforceable by the Hays County Commissioners Court and/or existing local government bodies;
17. Be flexible, innovative and "anti-bureaucratic" (take risks);
18. Be visionary.

Commissioner Barton spoke of work being done on subdivision ordinance - we need to look at the big picture - spoke of research he has been doing on different plans and alternatives throughout the United States - the most intriguing plan was the one from Kern County California - we want to tailor our own plan but there are some fundamental concepts in that plan that are very creative and innovative and that give us a reason to hope that we can solve our problems - there are different kinds of issues facing different areas of the county. Commissioner Payne asked about the scope of the contract. Mrs. Theresa Spears (Take Back Texas) spoke of concerns about this plan and how it will affect property rights. Commissioner Barton stated that the "Habitat Transaction Method" has possible applications in Hays County - at the meeting we discussed the need to have everyone involved in this process up front - this method does not involve the taking of land in his opinion - the government does not necessarily come in and set aside lands, it establishes credits and turns private development rights into a commodity that can then be sold and traded on the free market - it is a complex plan but it is important for us to move forward or we advocate our rights and responsibilities to the federal government. Mrs. Spears asked if any other consultants were brought into this plan from Texas for consideration. Commissioner Barton spoke of plans that were considered - this was not the only consultant considered, it is the plan I have proposed after a great deal of research - if we go to somebody local they inevitably carry baggage with them - they have already been joined into this debate - there are planning specialists who are identified with S.O.S., Sierra Club, and Take Back Texas who are not trusted by members of the environmental community so I think there is a real benefit in going outside our region to someone who doesn't carry preconceptions to the table and doesn't carry the repeat scars from previous wars - Kern County is a famous county in the environmental debate - Mr. Olson won the support of the California Farm Bureau, Real Estate Interest, and The Sierra Club Environmental Defense Fund - the Kern County plan is not as free market driven as I think ours should be. Mrs. Sears spoke of not wanting someone from out-of-state to develop a plan for Hays County - we need to use local people. Judge Etheredge spoke of being on a strict time line regarding the Barton Salamander and its habitat - we do not need to go back and reinvent the wheel when there is someone who has developed a plan successfully and has gotten approval from the Fish & Wildlife Service - we can accelerate that portion of the discussion early enough so that we can get the stakeholders of this county together in a discussion so that something can be produced and presented to the Fish & Wildlife Service prior to their making a decision on the Barton Salamander and perhaps averting that issue until the county completes it - that is why we recommend getting someone who has done this, who happens to be from California. Mrs. Sears spoke of laws and regulations made in haste. Judge Etheredge stated that if we can come up with a fairly directive rough draft of some kind of policy we can submit that to Secretary of Interior Babbitt and get him to not make a decision that would impact Hays County in regards to the salamander and its habitat - does not have to be a completed product - can put together an outline and a rough draft showing the good intention of the people of this county and direct that to Secretary Babbitt and perhaps avert the issue. Commissioner Barton spoke of Kern County being a very conservative county. Lynn Helton, property owner, spoke of being disturbed about attacks on property rights - you need to consider very carefully who you hire - she is against consultant who will threaten the use of her land. Judge Etheredge stated that he is very concerned about property rights - we must move toward the future of our county and our state - we will be extremely careful in anything we do that threatens or impedes our property rights, social rights, or our human rights - I do believe very strongly that our system of government must work - the government is failing because its elected officials are not producing to the level that their constituents want them to - we have to identify problems, look for solutions, then implement solutions that are acceptable to our constituents - consensus building is extremely difficult today - we are finding fewer and fewer people who want to sit around the table and work out solutions - we are more often defending positions we are not taking - we are simply laying the issue on the table for discussion - we want to include individuals, school districts, cities, large property owners, and the small property owners who have moved into area where there was once large property owners - everyone who wants to be a stake holder should be included in the process - we need to get the footprint on the ground to something that we can take to the Secretary of Interior and say do not list portions of Barton Creek/Barton Springs Watershed as habitat for the salamander because we have this plan that we believe the people in our community will accept - we want involvement. Mrs. Helton spoke of amendments being made to the Endangered Species Act that are becoming more favorable to property owners - do not rush into anything - we would like to see the plan for review. Commissioner Barton stated that his family has owned land since the 1830's in Texas and he lives on the family farm (7 generations) and he considers himself an environmentalist and a property owner - is not an extremist on either side - believes in conserving the land - not interested in taking property rights - plan may allow property owner to cash out, get your money, and still live on the land - would be the property owners choice. Commissioner Payne spoke of having a workshop on this plan. Commissioner Barton clarified that this is not the plan - it is the method that might be used to develop a plan for Hays County - does not mean this is what we will use as our plan. Ron Parker stated that if we really want to take back Hays County the proper thing to do would be to take some action and take control of development in this County so that the Federal Government does not have to step in and take over - uncontrolled development in the past has caused problems that the county is now dealing with - subdivision ordinances in the past were not adequate to protect the property owners - he himself is stuck with substandard roads in the subdivision he lives in. Commissioner Payne stated that he felt like roads have nothing to do with

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endangered species act. Niederwald Mayor Fern Howze, member of the Hays County Economic Development Council, stated concerns about statements made - asked if anyone in the audience know of any local firms that could assist in developing a plan - someone with successful experience in developing a plan of this nature - this is merely to get a consultant to come in and help us to get together a plan. Mrs. Sears stated that she has not had an opportunity to research a firm - we would like to have more time to review and allow local input. Commissioner Rippy spoke of item on Page 3 (2d) Landowners Control Their Own Destiny - Landowners are not forced to preserve land, nor are they prohibited from developing land - they make their own economic choices concerning what to do with their land and when to do it in order to maximize their profits in the context of the conservation credit system - makes him nervous - does not like Hays county telling him what to do with his feed store or land or whatever. Judge Etheredge stated that we have to have government participation at the local level - we would like to get it on the table with someone who can assist the community to direct the dialogue toward a focused finished line rather than a scattergun approach where nothing is accomplished and everyone goes away mad and distrusting each other - would like for consensus building by Hays county people to come out of it - sit at the same table, disagree with each other, make a decision and go on down the road - need to get someone started with our community towards the development of some suggestion that we can then develop a plan around - we need to get this project underway as soon as possible to avoid a head-on collision with the Fish & Wildlife Service. Commissioner Barton stated that this is not simply something we rushed into - a culmination of a years worth of work - its not the end, its a beginning - with no guarantee its worth the risk and this amount of money. A motion was made by Commissioner Barton to authorize the county Judge, after reviewing the contract with the District Attorney, to enter into a contract on behalf of the County with Olson Policy Consulting to develop a discussion paper applying a market-bases approach to achieving in an amount not to exceed \$8,860.00 - motion was seconded by Judge Etheredge. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Payne voting "Aye". Commissioner Rippy abstained. Judge Etheredge stated that this outline should be ready in six to eight weeks - at that time he anticipates that there will be many and very open discussions in all the communities in the county as we move forward, with everyone who wants to be a stake holder invited to the table. Commissioner Barton spoke of the City of San Marcos - this plan is not intended to undermine their negotiations with the City of San Antonio and other water users south and west - we are aware of their negotiations.

EXECUTIVE SESSION - SALE, LEASE OR ACQUISITION OF REAL ESTATE

The Court convened into closed executive session to discuss real estate matters. No action was taken. Court was recessed.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF November, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 24TH DAY OF OCTOBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- | | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13222 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 173,145.21 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|----------------------|---------------|----------------------|-------------|-------------------|-------------|
| Auditors Ofc | \$ 250.75 | Treasurers Ofc | \$ 131.19 | Extension Ofc | \$ 316.59 |
| Grants Admin | \$ 121.35 | Juvenile Prob | \$ 312.80 | Election Admin | \$ 331.48 |
| Indigent Care | \$11,759.29 | Bldg. Maintenance | \$ 9,171.47 | Environ Health | \$ 9,766.92 |
| Personal Health Svc | \$ 2,285.85 | Civic Center | \$ 3,582.81 | Countywide Oper | \$ 7,567.93 |
| Tax A/C | \$ 210.07 | District Clerk | \$ 671.00 | County Clerk | \$ 31.20 |
| Sheriff's Office | \$ 7,818.65 | Jail Operations | \$41,157.50 | County Judge | \$ 144.96 |
| Human Resources | \$ 144.55 | Co Crt @ Law 1 | \$ 29.21 | District Attorney | \$ 895.91 |
| J.P. 1-1 | \$ 35.79 | J.P. 1-2 | \$ 318.00 | J.P. 4 | \$ 45.32 |
| J.P. 5 | \$ 16.00 | D.P.S. | \$ 572.12 | Constable 1 | \$ 491.04 |
| Constable 2 | \$ 114.40 | Constable 4 | \$ 138.00 | Constable 5 | \$ 6,141.53 |
| District Crt Oper | \$ 540.22 | Co & JP Crt Oper | \$ 8,103.08 | Veterans Admin | \$ 5.01 |
| Computer Svcs | \$ 8,970.69 | Co Crt @ Law 2 | \$ 61.99 | Fire Marshal/EMC | \$ 149.23 |
| TABC | \$ 120.68 | Dist Court Reporters | \$ 218.40 | Renov/Spec Proj | \$ 4,594.69 |
| General Fund Credit | * \$ 238.19 * | R&B Operations | \$21,555.34 | Precinct 1 | \$ 320.20 |
| Precinct 3 | \$ 295.87 | Precinct 4 | \$ 231.38 | Right of Way | \$ 28.12 |
| R&B Gen Fund Credit | * \$150.71 * | Records Mng/Co Clk | \$ 4,172.47 | Health Svc Grants | \$ 3,286.80 |
| Adult Prob Operating | \$10,036.25 | Adult Prob Fac | \$ 763.94 | D.A. Reimb rust | \$ 5,506.07 |

13223 PARSLEY PARTITION LOTS 1 & 2 - FIRST & SECOND READINGS

Ray Kotowski, Surveyor/Engineer, presented the "Parsley Partition" subdivision for first and second readings. Allen Walther, Environ Health Dir., spoke of his concerns about density requirements - they have tied other lots into this subdivision which has satisfied this requirement - this subdivision is located in the Dripping Springs ETJ and they have been made aware of the requirements. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve the "Parsley Partition Lots 1 & 2" on first and second readings. All voting "Aye".

13224 PROHIBIT ELECTION CAMPAIGN SIGNS ON THE COURTHOUSE LAWN

Judge Etheredge spoke of election campaign signs being allowed at the Election Department building on Broadway Street (30 ft. distance requirement) - court needs to decide if we will allow signs to be placed on the courthouse lawn during early voting at the Courthouse. A motion was made by Commissioner Barton, seconded by Judge Etheredge to prohibit election campaign signs on the courthouse lawn during early voting and continue allowing sign placement at the Election Department building on Broadway Street. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Payne voting "Aye". Commissioner Rippy abstained.

13225 ESTATES OF DODGEN RANCH SUBDIVISION - FIRST READING

Matt Mitchell, Professional Design Group, appeared - spoke of developer going with larger lots than originally planned - 50' right-of-ways - will be reviewed by the City of Austin. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Estates of Dodgen Ranch" subdivision on first reading. All voting "Aye".

13226 TRIPLE CREEK SECTION 3 - SECOND & THIRD READINGS

Patsy Greiner, Mapping/Planning, spoke of two flag lots with 30' strips for access. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Triple Creek Section 3" subdivision on second and third readings. All voting "Aye".

13227 MADRONE RANCH SECTION 1 - SECOND & THIRD READINGS

Allen Walther, Environ. Health Director, advised that 30' r-o-w is provided - a master plan was presented to him regarding the road proposals - staff recommends approval. A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to approve "Madrone Ranch Section 1 (Lots 2, 3 & 7)" subdivision on second and third readings. All voting "Aye".

13228 SPRINGLAKE RESUB OF TRACT 137 - THIRD READING

A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Springlake Resub of Tract 137" subdivision on third reading. All voting "Aye".

13229 FIELDSTONE RESUB OF LOT 2 BLOCK B - SECOND & THIRD READINGS

A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Fieldstone Resub of Lot 2 Block B" (Lots 2-A & 2-B) on second and third readings. All voting "Aye".

13230 BLANCO RIVER RAPIDS SECTION 2 RESUB OF TRACTS A,B, & C - SECOND AND THIRD READINGS

A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Blanco River Rapids Section 2 Resub of Tracts A,B, & C (lots A-1 & C-1) on second and third readings. All voting "Aye".

13231 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS DEPARTMENT OF TRANSPORTATION - TRAFFIC SAFETY PROGRAM AND TO EXECUTE A CONTRACT FOR \$55,000

This is a STEP (Selective Traffic Enforcement Program) grant for the Hays County Sheriff's Office for \$55,000.00. Grant funds are provided by the Texas Dept. of Transportation - Traffic Safety Program and will be used to pay overtime salaries for increased traffic enforcement in rural areas of the county. Grant funds cannot be used for benefits - county will pay \$11,040.00 in "benefits" as match. Sheriff Paul Hastings spoke of this being a 12 county area grant - they will concentrate on areas of the county that don't have adequate DPS coverage - two units (off duty officers) will be allocated 40 hours per week for traffic law enforcement - the public will be notified of the program. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to authorize the County Judge to accept grant award from the Texas Dept. of Transportation - Traffic Safety Program and to execute a contract for \$55,000.00. All voting "Aye".

13232 ROAD NAME DESIGNATION - NAME A PRIVATE ROAD "MUSSEY ROAD" - LOCATED OFF PURSLEY ROAD (CR 198)

A motion was made by Commissioner Rippy, seconded by Commissioner Barton to name a private road "Mussey Road", located off Pursley Road (CR 198) near the intersection of Prochnow Road (CR 195). All voting "Aye".

WORKSHOP DISCUSSION REGARDING DEVELOPMENT OF RULES AND STANDARDS FOR JOINT DRIVEWAY PERMITS

Commissioner Barton submitted:

Draft Notes for Shared Driveway Permits

- 1) Driveways must be a minimum width of 12 ft. They should be 16 ft. unless the applicant can show cause why less is sufficient for anticipated traffic.
- 2) Normal culvert procedures must be followed.
- 3) Driveways must front onto official public roads (private roads?)
- 4) Residences on common driveways shall be addressed off the nearest official road
- 5) No cul-de-sac is required.
- 6) Length shall be less than 500 ft unless otherwise provided by vote of commissioners court.
- 7) Said driveways shall be constructed with all weather material and conformed to the county subdivision drainage standards.
- 8) Said driveways must meet all flood plain regulations applicable to private or public roads.
- 9) A binding property owners association must be formed among all property owners who will use the driveway to access the property. The county will develop a sample agreement for use by property owners.
- 10) County will develop a standard plat note to record driveway status and standards.

Commissioner Payne spoke of limiting common driveways to four residences (maximum) - would not be appropriate for business properties - need to stipulate that resubdivision of lots is not allowed. Darryl Brown, Road Director, stated that we need to encourage a lesser number of driveways onto public roads and we need to set standards for the subdivision ordinance. Judge Etheredge spoke of private roads that may eventually become public - if it is a driveway you have more of a right to deny it as a public r-o-w in the future. Commissioner Payne spoke of his concerns that by allowing joint driveways we are lowering our standards for a private road. No action taken this date.

13233 3-G RANCH ADDITION SECTION THREE AMENDED - THIRD READING

Mike McMinn presented subdivision on final reading - roads will be dedicated as a Lot (60 ft) with joint ownership through a Homeowners Association. Commissioner Payne recommended that a performance bond be required to make sure that the developer builds the roads to county standards for private roads. Darrel Brown, Road Director, requested that roads be built with 11" base 16' wide with 22' of subgrade. Discussion was had on large acreage lots being served by one of the roads - court would not allow resubdivision of these lots without access to a public road - prospective buyers would have to be allowed to join into the homeowners association. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "3-G Ranch Addition Section 3 Amended" on third reading, requiring a performance bond, and granting a variance on roadway requirements upon receipt of a written request, provided that developer puts in private drives with a minimum 16' wide, 60' r-o-w, 11" of base. All voting "Aye".

13234 APPROVE DOWNGRADE OF A POSITION IN THE MAINTENANCE DEPARTMENT

County Judge Eddy Etheredge proposed downgrading of the Building Maintenance Supervisor position from Grade 7 to Grade 3 to be effective November 1, 1994 - this position is currently vacant - a discussion was held in Executive Session last week. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve downgrade of the building maintenance supervisor position from Grade 7 to Grade 3 effective November 1, 1994. All voting "Aye".

13235 APPROVE TEMPORARY GRADE CHANGE TO TWO POSITIONS WITHIN THE TAX ASSESSOR-COLLECTOR'S DEPARTMENT

The Tax Office is currently upgrading and streamlining the office to include computer enhancement - request one position of Tax Dept. Clerk (Grade 2) and one position of Auditor/Poster (Grade 3) be changed temporarily to Grade 5 effective November 1, 1994 - Human Resources will do a complete re-evaluation of all department positions in January 1995 once the enhancements are complete. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve temporary grade change to two positions within the Tax Assessor-Collector's Department - Tax Dept. Clerk and Auditor/Poster positions changed to Grade 5 effective November 1, 1994. All voting "Aye".

13236 APPOINT DANNY BAZAN AS A REPLACEMENT FOR TABULATION SUPERVISOR FOR THE NOVEMBER 8, 1994 GENERAL ELECTION

Joyce Cowan, Elections Administrator, advised that Mark Lambdin is unable to serve as the Tabulation Supervisor for the upcoming November 8th election - recommended that Danny Bazan be appointed to replace Mr. Lambdin. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to appoint Danny Bazan as a replacement for Tabulation Supervisor for the November 8, 1994 General Election. All voting "Aye".

13237 CALL FOR A PUBLIC HEARING TO BE HELD NOVEMBER 7, 1994 TO ESTABLISH TRAFFIC REGULATION: SET SPEED LIMITS IN BIG COUNTRY SUBDIVISION

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held November 7, 1994 at 9:00 A.M. to establish traffic regulation: set speed limits in the Big Country Subdivision. All voting "Aye".

13238 AUTHORIZE THE COUNTY JUDGE AND SHERIFF TO ENTER INTO AN INTERLOCAL AGREEMENT ON BEHALF OF HAYS COUNTY WITH THE CITY OF BUDA FOR THE PROTECTION OF PUBLIC SAFETY

This agreement was discussed October 17, 1994 - Buda City Attorney Jim Duvall has submitted a revised contract that addresses indemnification for the county and splits fines collected 50/50 between the City of Buda and Hays County. Commissioner Barton stated that this agreement would allow Sheriff's Deputies and Constables to enforce the curfew, animal control, traffic laws, and fireworks ordinances for the City of Buda - felt like the cost to the county would be negligible and some small revenue would be generated. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize the County Judge and Sheriff to enter into an Interlocal Agreement on behalf of Hays County with the City of Buda for the protection of public safety and to clarify that Sheriff's Deputies are authorized to enforce City Park Curfew and other city ordinances as needed. Commissioner Payne spoke of his position on small towns

providing their own police protection or providing fair compensation for these services - Wimberley has a study group regarding incorporation and he has advised them that they would need to assume their own responsibility for road maintenance, police protection, etc. - will they be entitled to the same treatment as the City of Buda? - spoke of the Sheriff not having contractual agreement powers for the county - does not address fair compensation as provided by law. Commissioner Barton spoke of this agreement providing basic cooperation between two governmental entities - not in favor of fragmented governmental services - does not make good sense to coerce small cities into creation of their own police departments to enforce deminimis law enforcement - their are cities in this county who wish routine patrol and city councils that want enhanced enforcement, such as the city of San Marcos and Kyle, and they have their own police departments - Buda wants the basic level of coverage as is provided by other small cities - Sheriff Deputies are already patrolling the area and they should be able to enforce the city ordinance in the performance of their duties in order to provide public safety. Commissioner Payne spoke of subsidizing Buda's law enforcement for Buda. Sheriff Paul Hastings spoke of his 5-year plan - tried to obtain input from the various city councils to determine their needs in regards to law enforcement - our deputies have no authority to check on juveniles to see what they are doing - spoke of vandalism and gang activities going on in these communities - did not attempt to enter into any interlocal agreements with any cities on his own - he was concerned about the law enforcement needs for areas that do not have their own police departments - spoke of Sheriff's Dept. investigations done in small cities (Woodcreek) even though they have a City Marshal - stated that he is elected by the voters of all these cities and feels obligated to provide various programs and law enforcement to these areas. Kyle Maysel, Buda Council member, spoke of this not being a battle with Wimberley/Woodcreek - we currently have Sheriff protection and we need an agreement to allow enforcement - our small park needs enforcement - this is not a significant revenue generating issue. Commissioner Payne spoke of not following the DMG study - the Local Government Code states that the governments functions and services are as follows: police protection and detention services - the agreement must include provisions for payments in amounts that fairly compensate performing parties for services performed - where is the fair compensation? Commissioner Rippy spoke of fair compensation from county tax dollars - you want to deny them the minimum amount of police coverage and the minimum of road repairs - they shouldn't be punished for living in the city, their property has a higher value because they live in the city so they are paying more county taxes - would support the same services provided to other small cities to Wimberley & Woodcreek. Commissioner Barton spoke of this not being something out of the ordinary for this Court - we provide interlocal agreements for various issues throughout the county - we house prisoners, provide juvenile detention services, 9-1-1 dispatch services, animal control, emergency medical services, etc. for cities throughout the county - we can enter into this agreement for one year and if the City of Buda wants for extensive services we can then require a contract for services or they can create their own police department. Judge Etheredge called for the vote: Commissioner Rodriguez, Commissioner Barton, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

AGREEMENT

STATE OF TEXAS * KNOW ALL MEN BY THESE PRESENTS
 *
 COUNTY OF HAYS *

This agreement is made between HAYS COUNTY, TEXAS, acting by and through its County Judge, joined herein by the Sheriff of Hays County, Texas, and THE CITY OF BUDA, TEXAS, acting by and through its Mayor.

The effective date of this agreement is _____, 1994.

This agreement is made pursuant to the Texas Interlocal Cooperation Act.

In consideration of the mutual promises and covenants herein contained, the parties hereby agree that Hays County Law Enforcement Officers will enforce the following described Buda Ordinances:

1. Ordinance No. _____ - Curfew Ordinance,
2. Ordinance No. 900605-1 - Animal Control Ordinance,
3. All ordinances regarding traffic laws; and
4. Ordinance No. 781107-2 - Fireworks.

The parties agree that this agreement will be primarily performed by the Hays County Sheriffs Department and the several Hays County Texas Constables who cooperate with the Sheriff's Department in law enforcement activities.

This agreement is made with the understanding that the Sheriff's Department has limited resources of man power and equipment to devote its enforcement activities in Buda. The law enforcement agencies involved in enforcement shall have the right to patrol, investigate, file complaints, assist in prosecution, and do all things normally and customarily done in their normal law enforcement work.

The City shall cooperate with and lend such assistance of equipment and personnel to the law enforcement officers as may reasonably be required from time to time to carry out the purposes of this agreement.

The City hereby agrees to indemnify and hold harmless the County of Hays, the Hays County Sheriff's Department, their agents, servants, representatives and employees, against all claims and causes of actions of every kind and character (except those caused in whole or in part by the negligent or intentional acts of said indemnified parties) arising out of their performance of this agreement.

The City shall pay to Hays County, Texas, one-half (1/2) of all fines received by the City when the activities of the County in the performance of this agreement was directly responsible in whole or in part for the assessment and/or collection of such fines.

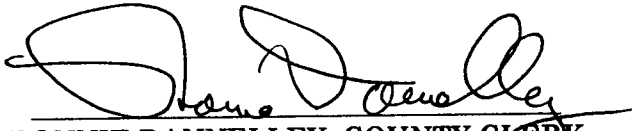
This agreement shall commence on the effective date and continue in full force and effect for one (1) year. Thereafter, it shall renew annually unless either party notifies the other sixty (60) days prior to an anniversary date that it desires to terminate the agreement.

If any of the above ordinances are amended they shall be enforced as amended. Additional ordinance may be added to this agreement from time to time as the parties may hereafter agree.

If any portion of this agreement is determined by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall remain in full force and effect.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF November, 1994.


 EDDY A. ETHEREDGE, COUNTY JUDGE
 H A Y S COUNTY, TEXAS


 RONNIE DANNELLEY, COUNTY CLERK
 H A Y S COUNTY, TEXAS

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STATE OF TEXAS
 COUNTY OF HAYS

ON THIS THE 31st DAY OF OCTOBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13239 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 139,442.01 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|--------------------|--------------|-------------------|--------------|--------------------|--------------|
| Financial Adm | \$ 150.00 | Fines | \$ 50.00 | Auditors Ofc | \$ 258.44 |
| Treasurer | \$ 201.33 | Extension Ofc | \$ 348.32 | Grants Admin | \$ 420.38 |
| Juvenile Prob | \$ 336.23 | Election Admin | \$ 284.10 | Transfer Sta | \$ 123.18 |
| Bldg. Maint. | \$ 1,447.09 | Environ Health | \$ 513.26 | Personal Health | \$ 75.21 |
| Civic Center | \$ 2,103.49 | Countywide Oper | \$ 18,184.55 | Tax A/C | \$ 229.42 |
| District Clerk | \$ 487.29 | County Clerk | \$ 136.28 | Sheriffs Ofc | \$ 6,051.11 |
| Jail Operations | \$ 28,974.92 | County Judge | \$ 147.71 | Human Resources | \$ 40.88 |
| Co Crt @ Law 1 | \$ 193.36 | District Attorney | \$ 890.12 | J.P. 1-1 | \$ 113.11 |
| J.P. 1-2 | \$ 99.34 | J.P. 2 | \$ 14.06 | J.P. 3 | \$ 49.65 |
| J.P. 5 | \$ 203.04 | D.P.S. | \$ 302.37 | Constable 1 | \$ 66.85 |
| Constable 3 | \$ 33.37 | Constable 4 | \$ 103.49 | Dist Crtr Reporter | \$ 10,665.88 |
| Co & JP Crtr Oper | \$ 3,153.94 | Veterans Admin | \$ 27.29 | Computer Svcs | \$ 1,449.73 |
| Co Crtr @ Law 2 | \$ 21.56 | Fire Marshal/EMC | \$ 46.70 | TABC | \$ 21.50 |
| Dist Crtr Reprtr | \$ 107.78 | TJPC CCAP Grant | \$ 1,239.60 | Renov/Spec Proj | \$ 693.43 |
| DARE/DA Grant | \$ 94.71 | R&B Operations | \$ 29,929.43 | Precinct 1 | \$ 138.00 |
| Precinct 2 | \$ 1,170.50 | Precinct 3 | \$ 75.69 | Rec Mng/Co Clk | \$ 2,614.69 |
| Health Svcs Grants | \$ 2,025.47 | Law Library Fund | \$ 75.00 | Juv Det Facility | \$ 2,916.75 |
| Road Construction | \$ 5,684.10 | Crths Renov & Rds | \$ 37.50 | Anticip Notes | \$ 83.00 |
| Adult Prob Oper | \$ 9,962.10 | Adult Prob Fac | \$ 1,732.42 | New Canaan Grant | \$ 2,643.38 |

13240 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM CAPCO FOR RECYCLING EQUIPMENT AND TO EXECUTE A CONTRACT FOR \$8,000.00

Richard Salmon, Grants Administrator, advises that grant funds from CAPCO will be used to purchase five (5) utility trailers to be used in recycling efforts for the following participants: Hays, Caldwell and Blanco counties and the cities of San Marcos and Lockhart. Each participant will get one 16 foot tandem trailer with Hays County receiving an additional \$500 to facilitate the process. Don Stence, CAPCO's representative requested Hays County be the sole applicant to reduce paperwork and the other participants agreed. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to accept Grant Award from CAPCO for Recycling Equipment and to execute a contract for \$8,000.00. All voting "Aye".

13242 WHISPERING OAKS SUBDIVISION - FIRST READING APPROVAL

Tom Weissman presented a 33 lot subdivision for approval on first and second reading - spoke of working with the City of Dripping Springs for their acceptance - they prefer larger lots than originally proposed. Road Director Darryl Brown spoke of need for road construction plans. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Whispering Oaks" subdivision on first reading. All voting "Aye".

13243 HAYS COUNTRY OAKS RESUB OF LOT 3 BLOCK F - PUBLIC HEARING AND SECOND READING APPROVAL

Judge Etheredge called the public hearing open to consider resubdivision of Lot 3 Block F of Hays Country Oaks subdivision - no input was received - the public hearing was closed. Allen Walther, Environmental Health Director, spoke of need for approval from the City of Hays. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Hays Country Oaks Resub of Lot 3 Block F" (Lots 3-A & 3-B) on second reading. All voting "Aye".

13244 PARSLEY PARTITION - THIRD READING APPROVAL

Ray Kotowski, Surveyor/Engineer, presented "Parsley Partition" subdivision on third reading. Allen Walther, Environmental Health Director, spoke of need for a letter regarding density requirement and tying additional lots to the subdivision. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "Parsley Partition" on third reading contingent on filing of letter regarding density requirement. All voting "Aye".

13245 SET FEE TO BE CHARGED FOR HAYS COUNTY STREET LOCATOR MAP BOOKS AND ACTION TO NOT CHARGE A FEE FOR DRIVEWAY CULVERT PERMITS

During the budget process (September 12, 1994) the Court discussed establishing a fee for driveway culvert permits in the amount of \$25.00 and charging a fee of \$25.00 for the new Hays County Street Locator Map Books - no formal action has been taken to date.

Allen Walther requested direction on where the map books will be sold. Patsy Greiner, Mapping/Planning, presented proposal for distribution of 2nd Edition Street Locator Map and price to be charged - spoke of problems with printing the books (were bound incorrectly making the book unusable) - they will be reprinted and rebound. Commissioner Payne spoke in opposition to providing the Sheriffs Dept/Law Enforcement Center with 70 books. A motion was made by Commissioner Barton, seconded by Judge Etheredge to set the fee to be charged for the Hays County Street Locator Map at \$25.00 (\$23.09 + \$1.91 tax). All voting "Aye". A motion was made by Judge Etheredge, seconded by Commissioner Payne to designate the Mapping/Planning Office as the location for selling the books and to furthermore direct that office to accept payment by check or money order only. All voting "Aye".

Darryl Brown, Road Director, spoke of procedures followed regarding driveway culvert permits - requires two inspections - they are not presently collecting a fee for this service. Commissioner Rippy spoke in opposition to establishing a fee for the permits - feels like this would encourage people to not follow the correct procedures. A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to not charge a fee for Driveway Culvert Permits. All voting "Aye".

13246 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATION: 30 MPH SPEED LIMIT ON CLOVIS BARKER DRIVE (PCT. 1)

Judge Etheredge called the public hearing open to consider establishing a 30 MPH speed limit on Clovis Barker Drive. Road Director Darryl Brown recommended that the speed limit be set at 30MPH to match the speed limit set by the City of San Marcos on their portion of Clovis Barker Drive - also needed to post weight limit sign (28,800 lbs) as established by Court action on August 7, 1972 by resolution #4353. Judge Etheredge called the public hearing closed. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to establish traffic regulation of 30MPH speed limit on Clovis Barker Drive in Precinct 1 and to post weight limit sign of 28,800 lbs as previously established by the Court. All voting "Aye".

13247 APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF BUDA TO ADMINISTER THE TEXAS CAPITAL FUND INFRASTRUCTURE GRANT FOR SEWER IMPROVEMENTS TO CONNECT CAPITAL CITY CONTAINER

Grants Administrator Richard Salmon advised the Court that the Texas Capital Fund - Infrastructure Grant Program will provide \$282,580 in grant funds to extend sewer lines from the City of Buda to Capital City Container. The Hays County Grants Dept. has been asked by the City of Buda to administer the grant and oversee the project. The Hays County Grants Dept. has been working on this application since last year, but had to redo the application when the Texas Capital Fund ran out of funds last October. The grant includes \$45,000 for administrative funds for Hays County and the City of Buda. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve Interlocal Agreement with the City of Buda to administer a Texas Capital Fund Infrastructure Grant for sewer improvements to connect Capital City Containers. All voting "Aye".

AGREEMENT

This agreement is made on the 31st day of October, 1994, between the City of Buda ("City") and the County of Hays ("County") under the authority of the Interlocal Cooperation Act (Tex. Gov't. Code Section 791.001, et seq, 1992 Supp.).

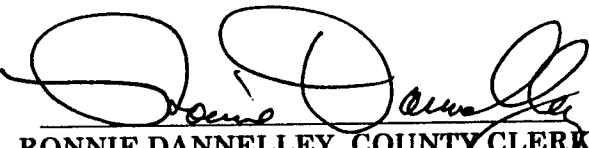
1. This agreement was authorized by the City at a properly scheduled meeting on the ____ day of _____, 1994.
2. This agreement was authorized by the County at a properly scheduled meeting on the 31st day of October, 1994.
3. The subject matter of this agreement is the Texas Department of Housing and Community Affairs, Texas Capital Fund Grant for Infra Structure in Support of Capital City Container Corporation (the "Grant").
4. As a part of the Grant, the City will construct certain wastewater facilities that are required by Capital City Container Corporation (the "Grant").
5. The County will administer the Grant until it is closed in accordance with the terms thereof. The City agrees to cooperate with the County as may be required from time to time in order to achieve the economic goals for which the Grant was obtained.
6. The County shall keep the City informed as to each step in the construction of the infra structure and shall provide the City adequate time to require all such construction to be completed in accordance with the ordinances, regulations, and policies of the City. The City shall have the right to inspect the construction in its various phases to determine that construction complies with the approved plans, specifications, policies, ordinances and regulations of the City. Upon completion of construction of the improvements, the County will provide the City a set of "as built" plans showing the construction of the complete infra structure.
7. This is the entire agreement of the parties.

13248 EXECUTIVE SESSION AND ACTION REGARDING A SETTLEMENT FOR VEHICLE DAMAGE

The Court convened into closed executive session to discuss possible settlement agreement for vehicle damage - upon completion of executive session, the Court reconvened into open session for action. A motion was made by Judge Etheredge, seconded by Commissioner Rippey to deny the claim for vehicle damage made by Paul Schlachter based on staff recommendation and the recommendation of the County Insurance Representative. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF November, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 7TH DAY OF NOVEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE
PETER RODRIGUEZ
JEFFERSON W. BARTON
CRAIG D. PAYNE
ORAN H. RIPPY
RONNIE DANNELLEY

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

DISCUSSION REGARDING WATER CONCERNS IN THE DRIPPING SPRINGS AREA

Dede Stevenson, resident of Sunset Canyon Subdivision, appeared before the Court regarding her concerns about water in the Dripping Springs area - made the following presentation:

Dede Stevenson
1053 Hidden Hills Drive
Dripping Springs, Texas 78620

Hays County Commissioners Court
County Courthouse
San Marcos, Texas 78666

Gentlemen:

There has been extensive discussion and debate in recent months over water quality and the effect it has on endangered species. A much more serious issue is the one concerning water quantity and its effect on our entire way of life.

In the 1989 Water and Wastewater Master Plan report for Hays County and surrounding area; the study contained information on the following:

- A. Population: The population of Hays County is increasing dramatically. The City of Austin has forecast growth within the Barton Springs Edwards Aquifer region, which included a portion of Hays County, to increase almost 400% in the next 15 years. It is expected that the water supply for many of these people will be obtained from the aquifers of the area.
- B. Water: Hays County is experiencing declining water levels. Very poor water quality has been found in the Dripping Springs area and the poor water quality and relatively low yield of wells make it an undesirable source to serve the expanding growth. Based on population projections, ground water supplies could be exceeded by the year 2002.
- C. Drought Conditions: Comal Springs, one of the two largest springs in Texas, dried up for 5 months during the drought of the 1950's. It nearly occurred again in 1984. A recurrence of the drought of the 1950's concurrent with present or forecasted pumping from the Edwards Aquifer would result in drying up the Comal Springs for several years. It would also severely reduce the flow and could even dry up the flow of the San Marcos and Barton Springs.
- D. Recommendations: Based on projections developed in this study, additional supplies of water will be required from other water sources by the year 1995.

This study was completed in December of 1989. I am not aware of any action that has taken place to implement any of the recommendations. Based upon the information in this study, we have inadvertently set the stage for the systematic destruction of Dripping Springs. It is my sincerest hope, that we, the people of Hays County, can address this issue and take the necessary steps to take care of this land which for generations has so graciously taken care of us.

Sincerely,
Dede Stevenson

NOVEMBER 7, 1994

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Judge Etheredge stated that the report was given to the Commissioners' Court and a task force studied the report back in 1989 - alternative sources of water were considered, however, local taxpayers could not afford to bear the expense of surface water and no federal funds were available - the economy was not good at that time - the Barton Springs-Edwards Aquifer Conservation District was created to address the problems. Judge Etheredge spoke of establishment of Contributing Zones - Dripping Springs did not want to be included in the Barton Springs-Edwards Aquifer contributing zone, therefore, they gave up their right to receive water from the Edwards Aquifer - Clopton's Crossing Dam (which would create a lake in Hays County) was another alternative which was not acceptable to property owners in that area because of the land that would be lost - LCRA has indicated a willingness to supply water to the Dripping Springs area. The City of San Marcos passed a bond issue several years ago to address piping water from Canyon Lake and that project is ongoing. Commissioner Rippy stated that he felt like the problem is convincing people that this is a serious issue and then passing a bond issue. Judge Etheredge spoke of his personal experience at drilling water wells - spoke of the Glenn Rose formation that supplies water in the Dripping Springs area - they knew back in 1985 it would be going dry - we have attempted to encourage people to understand that the water source is limited - a plan to obtain water would take five to ten years before you would receive the needed water - residents need to consider rain water capture systems or make plans to upgrade their existing equipment with larger storage tanks, etc. Commissioner Barton spoke of need to start community awareness - work is needed with the Legislature to pass laws that allow counties to have more authority over local growth issues. Mrs. Stevenson stated that options are needed to present to the communities. Everyone agreed that we need to accept the fact that this county is growing and we need to address the water problems.

13249 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 171,518.75 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|-------------------|-------------|--------------------|--------------|------------------|--------------|
| Auditors Ofc | \$ 267.10 | Grants Admin | \$ 80.96 | Juvenile Prob | \$ 1,517.37 |
| Transfer Sta | \$ 268.33 | Bldg. Maint | \$ 666.56 | Environ Health | \$ 2,935.68 |
| Personal Health | \$ 5,598.59 | Civic Center | \$ 1,380.27 | Countywide Oper | \$ 11,237.62 |
| Tax A/C | \$ 273.87 | District Clerk | \$ 619.72 | County Clerk | \$ 1,276.78 |
| Sheriffs Ofc | \$ 8,888.03 | Jail Operations | \$ 57,133.03 | County Judge | \$ 10.95 |
| Human Resources | \$ 119.42 | Co Crt @ Law 1 | \$ 90.33 | District Atty | \$ 290.45 |
| J.P. 2 | \$ 103.74 | D.P.S. | \$ 890.18 | Constable 1 | \$ 5,104.11 |
| Constable 2 | \$ 1,304.11 | Constable 4 | \$ 49.97 | Constable 5 | \$ 44.19 |
| Dist Crt Oper | \$ 3,876.85 | Co & JP Crt Oper | \$ 4,377.84 | Computer Svcs | \$ 14,533.30 |
| CJD Juv Svcs | \$ 1,240.00 | Prot Hmkr Grant | \$ 393.24 | Dist Crt Reprtr | \$ 220.30 |
| CCAP Grant | \$ 2,502.90 | Renov/Spec Prj | \$ 7,201.91 | Corr Incub Grant | \$ 2,500.00 |
| *Gen Fund Credit* | *\$12.33* | R&B Operations | \$ 15,350.07 | Precinct 1 | \$ 210.00 |
| Precinct 2 | \$ 3337.16 | Health Svcs Grants | \$ 8,843.62 | Law Library | \$ 548.70 |
| Adult Prob Oper | \$ 4,348.74 | Adult Prob Fac | \$ 194.60 | D.A. Reimb Trust | \$ 4,700.49 |

13250 APPROVE SPECIFICATIONS FOR REMOVAL OF DEBRIS AND CLEAN-UP OF OLD HOSPITAL PROPERTY

Bid #95B001 Demolition Site Clean Up (Old County Hospital Site) was submitted by Cindy Casparis, County Purchasing Agent. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications for removal of debris and clean-up of the old hospital property. All voting "Aye".

13251 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR HAULING CONTRACT

Bid #95B002 Specification for Hauling Services was submitted by the County Purchasing Agent Cindy Casparis. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for hauling contract. All voting "Aye".

13252 ACCEPT INTERNAL AUDIT REPORT ON JUSTICE OF THE PEACE 5

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Auditor Report on Justice of the Peace Pct. 5. All voting "Aye".

13253 HOBBS AT THE CROSSING - FIRST READING APPROVAL

Commissioner Payne stated that this is part of an unrecorded subdivision - it has floodplain - no roads. Allen Walther, Environmental Health Director, spoke of his concerns about lots being sold without platting. A motion was made by Commissioner Payne, seconded by Commissioner Rippy to approve "Hobbs at the Crossing" subdivision on first reading. All voting "Aye".

13254 OAK RUN WEST RESUB OF LOTS 34 & 35 - FIRST READING AND CALL FOR PUBLIC HEARING

Louis J. Scotti, Sharon Scotti, Richard W. Baldwin, and Dorothy M. Baldwin are owners of Lots 34 & 35 of the Oak Run West Subdivision - only the front portions of these lots lie within Hays County and the remainder of the property is located in Travis County - this resub will create Lots 34-A, 35-A, and 35-B and the building sites will be located in Travis County. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Oak Run West Resub of Lots 34 & 35" on first reading and to call for a public hearing to be held November 21, 1994 at 9:00 o'clock A.M. All voting "Aye".

HERITAGE COUNTRY SUBDIVISION - DISCUSSION

Carroll Walker presented "Heritage Country Subdivision" - would like to vacate the existing plat of Heritage Country (94 lot subdivision filed in 1984 in volume 3 page 204-206 of the Plat Records) and refile a new subdivision containing additional acreage and creating only 53 lots. Road Director Darryl Brown stated that the subdivider has not yet met the subdivision requirements for first reading (only 3 of the 15 requirements have been met) - access to this subdivision is through the Big Country Subdivision and may require considerable road reconstruction in that subdivision. Judge Etheredge spoke of District Court Order that denied access through the Heritage Oaks Subdivision - this case has been appealed and the original court order was not overturned - we need to know what impact this subdivision will have on the roads in the Big Country subdivision. Allen Walther, Environmental Health Director, spoke of his concerns about water supply - we need a letter advising availability. Judge Etheredge suggested that a note be placed on the plat regarding the limited sources of water. No action was taken this date.

13255 THE RIDGE RESUB OF TRACT 5 - FIRST READING APPROVAL AND CALL FOR PUBLIC HEARING

Tract 5 of The Ridge Subdivision is a large (11 ac) flag lot with 60 ft. access off CR 157 - the tract is being split in half (Tract 5-A = 6 acres & Tract 5-B = 5 acres) and each tract will contain 30 feet of the 60 foot roadway - each property owner will have easement to the entire 60' roadway. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "The Ridge Resub of Tract 5" subdivision on first reading and call for a public hearing to be held November 21, 1994 at 9:00 A.M. All voting "Aye".

13256 THE HILL SUBDIVISION - FIRST READING APPROVAL

Developer Barbara Humble presented a preliminary plat of "The Hill" subdivision - creates an eight lot subdivision located on FM150 and Creekside Drive. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "The Hill" subdivision on first reading. All voting "Aye".

13257 RICHTER ADDITION PHASES I & II - THIRD READING APPROVAL

Allen Walther, Environmental Health Director, spoke of confusion regarding the City's requirements - the city has approved two of the lots and the county is considering approval of four lots, therefore, it will be considered as Phase I & Phase II. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve the "Richter Addition Phases I & II" subdivision on third reading. All voting "Aye".

13258 PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS IN THE "BIG COUNTRY" SUBDIVISION

Judge Etheredge called the public hearing open to consider establishing traffic regulations in "Big Country" subdivision. Mr. Bill Cummings (resides at 12710 Trail Driver in Big Country) appeared before the Court - advised that Trail Driver has two adjoining sharp, blind, dangerous curves and numerous vehicles are exceeding safe speeds on these curves daily and thereby creating hazardous situations for school children waiting for the bus in the morning and crossing the road in the afternoon, for joggers and walkers, and vehicles negotiating these curves on the wrong side of the road. Mr. Cummings advised that there have been several near head-on collisions at this location - home development on adjoining land (Heritage Country) will subsequently increase traffic on these two curves and further increase the already hazardous situation - Big Country has approximately 300 residents and the roads are in terrible condition. Road Director Darryl Brown suggested that the speed limit be set at 30MPH with 15-20MPH on curves. Public hearing was closed. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to establish traffic regulations as follows: 30 MPH speed limit on all road in Big Country Subdivision and furthermore, advisory signs on curves and a school speed zone of 15 MPH. All voting "Aye".

NOVEMBER 7, 1994

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DISCUSSION REGARDING THE PRIORITIZING OF RURAL ROADS AND SUB-STANDARD BRIDGES FOR SUBMISSION TO TXDOT


A letter was received from Texas State Senator Frank Madla (District 24), Chairman of the Senate Interim Committee on Rural Transportation Infrastructure - the committee is directed to study and make recommendations regarding preventative maintenance and safety on Texas rural roads. Senator Madla has asked the Texas Dept. of Transportation (TxDot) to work with county officials to prioritize the rural roads and the farm-to-market roads that are in the greatest need of repair - the committee will use the prioritized list to make recommendations regarding the allocation of funds for the maintenance and construction of farm-to-market roads and substandard bridges located in rural areas. County Road Director Darryl Brown submitted his list of county roads and bridges in need of repair - the deck number is a rating (9 is excellent and 4 is low and needs replacement - N is not rated). Judge Etheredge advised that we need to also include Farm-to-Market roads in our list. Commissioner Payne spoke of CR314 Hidden Valley Road bridge on the Blanco River and CR215 Purgatory Creek Road bridge need to be added to the list. Commissioner Rippy spoke of RR12 and FM150 bridge needs to be listed. Judge Etheredge spoke of each Commissioner giving his priorities to the Road Director for consideration.

13259 APPROVE SALARY STEP ADJUSTMENTS IN THE DISTRICT ATTORNEYS OFFICE

The Court convened into Executive Session to discuss personnel matters. Upon completion of the Executive Session they reconvened into open session. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to set salary at Grade 6 Step 3 for Cecilia Johnson, Misdemeanor Secretary in the District Attorney's office effective November 1, 1994. Commissioner Barton requested that the record reflect that this decision is based on her extensive work experience acquired while working in another county and she is coming in with much higher qualifications than a beginner. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF December, 1994.


 EDDY A. ETHEREDGE, COUNTY JUDGE
 HAYS COUNTY, TEXAS


 RONNIE DANNELLEY, COUNTY CLERK
 HAYS COUNTY, TEXAS

oOo

STATE OF TEXAS
 COUNTY OF HAYS

ON THIS THE 14TH DAY OF NOVEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13260 CANVASS ELECTION RETURNS FOR THE NOVEMBER 8, 1994 ELECTION

Joyce Cowan, Elections Administrator, presented the total vote count for the November 8, 1994 General Election (cumulative totals) - spoke of need to invest in signs to make it easier to locate polling places and the need to educate voters. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to approve canvass of election returns for the November 8, 1994 General Election. All voting "Aye".

13261 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 253,804.16 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|-------------------|--------------|------------------|--------------|-------------------|--------------|
| State Shared Rev | \$ 179.61 | Fines | \$ 63.00 | Auditor | \$ 29.00 |
| Treasurer | \$ 123.89 | Extension Svc | \$ 51.39 | Grants Admin | \$ 420.37 |
| Juvenile Prob | \$ 630.28 | Indigent Care | \$ 15,799.39 | Transfer Sta | \$ 3,770.08 |
| Bldg. Maint | \$ 2,620.46 | Environ Health | \$ 436.83 | Personal Health | \$ 410.33 |
| Civic Center | \$ 10,261.77 | Countywide Oper | \$ 17,513.28 | Tax A/C | \$ 603.35 |
| District Clerk | \$ 28.97 | County Clerk | \$ 705.97 | Sheriffs Ofc | \$ 6,432.70 |
| Jail Oper | \$ 15,785.24 | County Judge | \$ 654.66 | Human Resources | \$ 142.77 |
| District Atty | \$ 377.43 | J.P. 1-1 | \$ 29.00 | J.P. 1-2 | \$ 129.75 |
| J.P. 2 | \$ 39.27 | J.P. 5 | \$ 83.71 | D.P.S. | \$ 505.32 |
| Constable 1 | \$ 96.62 | Constable 3 | \$ 100.20 | Constable 5 | \$ 133.66 |
| Dist Crt Oper | \$ 1,585.76 | Co/JP Crt Oper | \$ 1,613.70 | Computer Svcs | \$ 19,668.24 |
| TABC | \$ 69.88 | Dist Crt Reprtr | \$ 202.60 | Renov/Spec Prj | \$ 204.31 |
| Corr Incub Grant | \$ 2,534.24 | DA Dare Grant | \$ 120.00 | *Gen Fund Credit* | *\$736.22* |
| R&B Operations | \$ 45,712.98 | Precinct 1 | \$ 191.96 | Precinct 2 | \$ 314.94 |
| Precinct 4 | \$ 55.00 | Rec Mng/Co Clk | \$ 118.49 | Health Svcs Grant | \$ 3,034.71 |
| Road Construction | \$ 69,076.54 | Courthouse Renov | \$ 816.40 | Foster Care | \$ 14,697.83 |
| Adult Prob Oper | \$ 11,100.03 | Adult Prob Fac | \$ 423.47 | Anticip Notes | \$ 4,800.00 |

13262 APPROVE THE COMMISSIONERS' COURT MINUTES OF OCTOBER 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioners' Court Minutes of October 1994 as presented by the County Clerk. All voting "Aye".

13263 CALL FOR A PUBLIC HEARING TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS IN FITZHUGH CORNERS SUBDIVISION

A resident of the Fitzhugh Corners subdivision has requested MPH signs installed on curves in the subdivision - in order to enforce them, the road department has recommended setting a 30 MPH speed limit. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held November 28, 1994 at 9:00 A.M. to consider establishing traffic regulations in the Fitzhugh Corners subdivision. All voting "Aye".

13264 APPROVE PURCHASE OF A DESK FOR THE LEC OUT OF UNSPECIFIED EQUIPMENT

Chief Deputy Sheriff Sherman Brodbeck requested authorization to purchase a new desk for the Bonding Officers at the LEC. Purchasing has approved this request. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of a desk for the LEC out of unspecified equipment line item. All voting "Aye".

13265 APPROVE STEP ADJUSTMENTS FOR PART-TIME PCT. 3 EMPLOYEES (TRANSFER STATION)

George Aitken, Human Resources Director, advised that based upon duty performance, he recommends that two employees be granted a 1 step increase: Wes Bradbery (Grade 3 Step Minimum) and Herb Winchester (Grade 2 Step 2) - both employees have been in grade (1) year. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve 1 step increase adjustments for part-time Pct. 3 employees: Wes Bradbery (Grade 3 Step 1) and Herb Winchester (Grade 2 Step 3) to be effective Nov. 1, 1994. All voting "Aye".

13266 AMEND BUDGET OF CONSTABLE PCT. 2

Budget Amendment No. 95-001 was presented for approval - transfer \$300.00 from fuel & lubes to vehicle repair maintenance for carburetor repairs. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend budget of Constable Pct. 2 in the amount of \$300 as proposed by the county auditor. All voting "Aye".

| LINE ITEM - EXPENDITURE | INCREASE | DECREASE |
|---|-----------|-----------|
| CONSTABLE 2 (432) | | |
| 01-432-5413 Veh Maint | \$ 300.00 | |
| 01-432-5271 Fuel & Lubes | | \$ 300.00 |
| Transfer for carburetor and other repairs | | |

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13267 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A BUS FOR THE VETERANS SERVICE OFFICER

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for a bus for the Veterans Service Officer - funds have been budgeted. All voting "Aye".

13268 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR ENGINEERING/ARCHITECT AND CONSULTANT FOR THE CAPITAL CITY CONTAINER PROJECT

The City of Buda is seeking to enter into a professional services contracts with a qualified engineer/architect and a management consultant firm to assist in a recently approved project from TDHCA, Capital Fund - Infrastructure Grant Program - grant funds of approximately \$292,000 will be used to construct wastewater improvements for Capital City Container, Inc. at a site in Buda, Texas - Hays County will administer the grant and the contracts are subject to availability of funds. A motion was made by Commissioner Barton, seconded by Commissioner Gonzales to approve specifications and authorize the County Auditor to advertise for request for proposals for Engineering/Architect and Consultant services for the Capital City Container Project. All voting "Aye".

13269 ACCEPT INTERNAL AUDIT REPORT ON INDIGENT HEALTH CARE PROGRAM

A motion was made by Commissioner Barton, seconded by Commissioner Gonzales to accept the Internal Audit Report on the Indigent Health Care Program. All voting "Aye".

13270 APPROVE GRADE/STEP ADJUSTMENTS IN THE DISTRICT ATTORNEY'S OFFICE

George Aitken, Human Resources Director, spoke in support of Grade/Step Adjustments as proposed by District Attorney Marcos Hernandez: upgrade Assistant District Attorney Jennifer Habecker to Grade 16 Step 6 (Felony prosecutor) - assign ADA David Watts as Grade 15 Step 4 (Misdemeanor prosecutor) and demote ADA John Costello from Step 8 to Grade 15 Step Minimum. Commissioner Craig Payne spoke of this being a merit increase and inappropriate at this time. Commissioner Jeff Barton spoke of this action needed because of changes in job responsibilities. A motion was made by Commissioner Rippey, seconded by Commissioner Barton to approve Grade/Step adjustments as proposed in the District Attorney's office to be effective November 1, 1994. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippey, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

13271 AUTHORIZE TRANSFER OF FUNDS BUDGETED FOR CEMETERIES TO HAYS COUNTY CEMETERIES PRESERVATION FUND

Winton Porterfield and Lila Knight (Hays County Historical Commission) requested authorization to make a one-time transfer of budgeted money into the Cemeteries Fund, rather than quarterly transfers in order to earn additional interest income. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize transfer of funds budgeted for cemeteries to Hays County Cemeteries Preservation Fund. All voting "Aye".

13272 APPROVE UTILITY PERMIT FOR THE ROAD DEPARTMENT

Darrel Brown, Road Director, presented the following for approval:

Utility Installation Permit No. 94207 - CR156 (Plum Creek Road)
Issued to Southwestern Bell Telephone Co. for buried copper cable

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Utility Permit No. 94207 on CR 156 (Plum Creek Road) to Southwestern Bell Telephone Co. All voting "Aye".

13273 WHISPERING CREEK - FIRST READING APPROVAL

Developer Robert E. Peerman, Jr. proposed to develop 20 acres into four lots - located on CR163 and FM 1826 - staff recommends approval on first reading. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Whispering Creek" subdivision on first reading. All voting "Aye".

13274 RIVER OAKS RANCH PHASE TWO RESUB OF LOT 17 - FIRST READING AND CALL FOR PUBLIC HEARING

John Byram, owner of 32.728 acres (Lot 17 River Oaks Ranch Phase 2) proposes to divide this acreage into two lots (Lot 17-A & Lot 17-B) - Lot 17-B is a flag lot with 20 foot access to Bell Springs Road - River Oaks Ranch restrictions will not allow further resubdivision of these lots (no resubs with less than 15 acres). A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "River Oaks Ranch Phase Two Resub of Lot 17" on first reading and call for a public hearing to be held November 28, 1994 at 9:00 a.m. All voting "Aye".

13275 HOBBS AT THE CROSSING - SECOND & THIRD READING APPROVAL

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Hobbs at the Crossing" subdivision on second and third readings. All voting "Aye".

REQUEST FOR VARIANCE FROM PLATTING REQUIREMENT FOR A 10 ACRE TRACT LOCATED AT THE CORNER OF CR266 AND CAMINO WAY

Carmen Selvera appeared before the Court - spoke of plans to allow her children to build homes on their 10 acre tract of land - her property currently has two homes located on it and her daughter is ready to begin building a home - they have no intention of selling lots, only to provide building sites for their children. The Court advised Mrs. Selvera that they had no problem with granting a variance, however, she would need to obtain a variance from the City of San Marcos prior to County consideration.

DISCUSSION REGARDING AMENDING THE COUNTY ANIMAL CONTROL ORDINANCE

Pat Nordyke, PAWS Shelter, appeared before the Court requesting consideration on amending the county animal control ordinance to address requirement that all animals adopted through the animal shelter be spayed/neutered. Mrs. Nordyke advised that a \$35.00 voucher is provided to each person adopting a cat or dog toward the spay/neuter fee charged by local vets (\$30 for spay/neuter and \$5 for rabies shot) - the amendment to the ordinance would allow enforcement of the shelter's requirement. Sheriff Paul Hastings spoke of the responsibility on the part of the Animal Control Officer (notification & citation) - we would have the authority to cite persons who adopted animal in Hays County even if they are residents of another county. Amendment to be drawn up and approved by the District Attorney prior to adoption.

DISCUSSION REGARDING RECOMMENDATIONS TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR RURAL ROADS AND SUB-STANDARD BRIDGES

Members of the Court were reminded to put together a list of proposed rural road and sub-standard bridges in their respective precincts and submit them to the Road Director - the list will be compiled and sent TxDot for funding consideration. A completed list will be presented next week for approval.

13276 APPROVE HAYS COUNTY HOLIDAYS FOR 1995

County Clerk Ronnie Dannelley presented three options to consider for county holidays:

- (1) 11 Days - Nov 10 holiday (true Veterans Day is Saturday Nov 11) - no New Years holiday
- (2) 11 Days - Jan 2 New Years holiday - no Veterans Day holiday
- (3) 12 Days - Jan 2 New Years & Nov 10 Veterans Day holiday

A motion was made by Judge Etheredge, seconded by Commissioner Barton to adopt option #2 (Jan 2, 1995 New Years holiday - no Veterans Day holiday) as the Hays County holidays for 1995. All voting "Aye".

HAYS COUNTY HOLIDAYS FOR 1995

| | |
|--------------------------------------|--|
| NEW YEARS | January 2 (Monday) |
| MARTIN LUTHER KING'S BIRTHDAY | January 16 (Monday) |
| PRESIDENT'S DAY | February 20 (Monday) |
| GOOD FRIDAY | April 14 (Friday) |
| MEMORIAL DAY | May 29 (Monday) |
| INDEPENDENCE DAY | July 4 (Tuesday) |
| LABOR DAY | September 4 (Monday) |
| THANKSGIVING | November 23 (Thursday)
November 24 (Friday) |
| CHRISTMAS | December 25 (Monday)
December 26 (Tuesday) |

PASSED AND ADOPTED THIS THE 14th DAY OF NOVEMBER , 1994.

HAYS COUNTY COMMISSIONERS' COURT



Johy A. Scheraga

 COUNTY JUDGE

John Rodriguez

 COMMISSIONER PCT. 1

Jim [Signature]

 COMMISSIONER PCT. 2

Aris [Signature]

 COMMISSIONER PCT. 3

Don Hill Rippey

 COMMISSIONER PCT.

ATTEST:
[Signature]

 HAYS COUNTY CLERK

13277 ADOPT THE HAYS COUNTY AWARD PROGRAM

George Aitken, Human Resources Director, spoke of committee meetings held and program developed - there are three parts to the program: (1) longevity/10,20,30 years , (2) retirees, and (3) semi-annual employee recognition in grade categories 1-8, 9-14, & 15-21. Recognition would occur in Commissioners' Court - there will also be a special category award and a Hall of Honor for annual awards. Commissioner Barton suggested a bonus program for employees who help save tax dollars. Judge Etheredge spoke of need to recognize people serving on various committees and boards. A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt the Hays County Award Program as presented by Human Resources. All voting "Aye".

| | |
|----------|--|
| Subject: | Employee Recognition |
| Purpose: | To establish guidelines for the operation of an employee recognition program |

Administration of the Pool:
Commissioners' Court appoints Human Resources as the overall program administrator. As such Human Resources is responsible for developing rules, procedures and a budget for the operation of the program.

General Provision:
1. All regular full-time employees of Hays County are eligible for employee recognition.

Longevity Awards:
1. Employees will be recognized after 10, 20 and 30 years of county service.
2. Recognition will consist of pins, bronze 10 years, silver 20 years, and gold 30 years.
3. The pins will normally be presented by the Department Head or a designated representative.

Retirees:
1. Hays County employees meeting the conditions of the TCDRS will receive a plaque recognizing their faithful and honorable service to the county.
2. the Plaque will normally be presented by the Department Head or a designated representative.

Semi-Annual Employee Recognition:
1. Employees will be eligible to be nominated by their Department each six months.
2. Recognition will be on a fiscal year (FY) basis; October-March and April-September respectively.
3. The three grade categories are grades 1 to 8, grades 9 to 14 and grades 15 to 21.
4. Awards will be submitted using the "Hays County Recognition Form", Form #30.

Human Resources: Is responsible for convening "three separate review boards" that will recommend a proposed winner in each category. Final approval authority is Commissioners' Court. Review panels will be as follows:

| | |
|-------------|---------------------------------|
| Grade 1-8 | Review panel: grades 9-14 |
| Grade 9-14 | Review panel: grades 15-21 |
| Grade 15-21 | Review panel: Elected Officials |

The "review panels" each consisting of three panel members, have the option of reviewing the Form 30's only (or) the Form 30 plus personally interviewing candidates before making a selection.

Annual Awards:
1. Only those employees nominated for semi-annual awards each FY are eligible to compete for annual recognition.

Deadline:
1. For the October-March award period nominations are due in Human Resources no later than 4:30 p.m. on April 21st each year.
2. For the April-September award period nominations are due in Human Resources no later than 4:30 p.m. on October 21st each year.
3. Deadline for annual award is November 21st each year, 4:30 p.m. to Human Resources.

Special Category Award:
1. Semi-annually and annually each FY the county will also recognize an employee in a "special award" category. Special category implies "unique or unusual circumstances" outside the normal. Any grade is eligible.
2. Again, submit any employee using the Hays County Form #30 and follow the deadlines outlined above.

Certificates:
1. Semi-annual, annual and special category employees selected will receive a framed certificate.
2. The certificate will be signed by the Department Head and the County Judge.
3. Presentation will normally be at Commissioners' Court provided circumstances permit.

Hall of Honor:
1. The county will make a commitment to develop a "Hall of Honor" depicting year, name and department of each winner for permanent display in a prominent public location.

APPROVED THIS 14TH DAY OF NOVEMBER, 1994.

13278 ADOPT CHANGES IN THE COUNTY PERSONNEL POLICY

George Aitken, Human Resource Director, presented proposed changes to the Hays County Personnel Policy - changes are as follows: add Life Threatening Policy, address 40 hour work week, administrative leave for exempt employees, increase vacation, sick leave amounts, address "light" duty status, address "misconduct", address disclosure of information, and clarify vehicle reimbursement rate. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt changes in the Hays County Personnel Policy as proposed by Human Resources. All voting "Aye".

NOVEMBER 14, 1994

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13279 POSTPONE ACTION ON AWARDING BID FOR JUVENILE DETENTION CENTER

Cindy Casparis, Purchasing Agent, presented bid tabulations - bids were submitted by Stokes Construction Co. (San Marcos), Constructors & Associates (Austin), BRATH (Roundrock), K-W Construction (San Marcos), SSC, Inc. (Boerne), CLM Construction Inc. (Gatesville), and H.B. Zachary (San Antonio).

| <u>Contractor</u> | <u>Base Bid</u> | <u>Totals with alternates</u> |
|-----------------------|-----------------|-------------------------------|
| Stokes Construction | \$ 1,221,221.00 | \$ 1,224,307.00 |
| Constructors & Assoc. | \$ 1,390,000.00 | \$ 1,394,200.00 |
| BRATH | \$ 1,325,000.00 | \$ 1,335,100.00 |
| K-W Construction | \$ 1,320,000.00 | \$ 1,330,300.00 |
| SSC, Inc. | \$ 1,287,000.00 | \$ 1,292,500.00 |
| CLM Construction Inc. | \$ 1,248,000.00 | \$ 1,266,693.00 |
| H. B. Zachary | \$ 1,598,800.00 | \$ 1,600,550.00 |

Additional funds will be needed for engineering work by Rick Miller and for sewer fees to the City of San Marcos - also does not include any furnishings, etc. Commissioner Payne suggested proceeding with the project - this is a high priority project and we should be able to come up with the additional funds needed. Commissioner Barton spoke of the bids being 30-40% over the budgeted amount - did not feel like it would be a good idea to proceed at this time - we need to look closer at the project and see where we might make cuts. Judge Etheredge voiced his concerns about whether Stokes Construction (low bidder) is qualified to construct this type of facility. Chief Juvenile Probation Officer Ed Cooper spoke of the original project cost was \$725,000.00 and has now risen considerably - spoke of state facilities that are being built - we are in line at construction costs of \$55,000 per bed. Judge Etheredge spoke of his concerns about operational costs - requested postponement until we have the opportunity to get additional input at the state and local levels. Ross Molenaar, newly elected Commissioner for Pct. 4 to take office Jan 1, 1995, was asked for his input - he stated that discussions he has had with people indicate that they want and need the facility - the longer you put it off, the more it will cost. Cindy Casparis, Purchasing Agent, stated that she could get back with the Architect and see what can be cut and re-bid the project - she will need approximately 30 days to re-do the specs and re-advertise. A motion was made by Commissioner Barton, seconded by Judge Etheredge to table this matter until next week. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Payne voting "Aye"

13280 FRIENDSHIP RANCH PHASE II - RELEASE LETTER OF CREDIT AND ACCEPT MAINTENANCE BOND ON ROAD CONSTRUCTION

Darrel Brown, Road Director, stated that he had inspected the roads in Friendship Ranch Phase II subdivision and they meet the county standards - recommended releasing the Letter of Credit and accept a maintenance bond in the amount of 10% of the Letter of Credit. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to release the Letter of Credit on Friendship Ranch Phase II subdivision and accept a one year maintenance bond. All voting "Aye".

13281 CHANGE GRADE AND STEP FOR HUMAN RESOURCES DIRECTOR

Upon completion of executive session the following action was taken. In March 1994 when the court interviewed and hired George Aitken as Human Resources Director he was advised that he would be re-evaluated in 3 to 6 months. Based upon performance recommended change is from coordinator 13/7 to director 15/5 effective November 1, 1994. The DMG consulting group classified the position as grade 15 in 1993. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to change Grade and Step for Human Resources Director from Grade 13 Step 7 to Grade 15 Step 5 effective November 1, 1994. All voting "Aye".

13282 REVISE "GRANDFATHERED" EMPLOYEES FOR COUNTY VACATION TIME

Upon completion of Executive Session the following action was taken. George Aitken, Human Resources Director, advised that max accumulation is 240 hours of vacation time - five employees, as of October 1, 1994, have between 37.5 to 120 hours in excess of the maximum - recommends that court grandfather these employees from FY96 to FY98 to bring their vacation down to the max or loose it - special exemptions need to be made for Clifford Conner - proposed the following:

| EXECUTIVE SUMMARY | | | | |
|-------------------|--------|-----|-------------|--------------------|
| | BAL. | MAX | EXCESS | GRANDFATHER |
| Allen Walther | 298.5 | 240 | 58.5 hours | 2 years - FY96 max |
| Tom Pope | 336.0 | 240 | 96.0 hours | 3 years - FY97 max |
| Rob. Pratt | 287.5 | 240 | 37.5 hours | 2 years - FY96 max |
| Wm. Montague | 292.0 | 240 | 52.0 hours | 2 years - FY96 max |
| Thomas Tvrdik | 360.00 | 240 | 120.0 hours | 3 years - FY97 max |

Special case -- Clifford Connor
928 hours currently - allow for payment of up to 720 hours (90) days per current City of San Marcos policy, at retirement. If balance dips below 720 hours, vacation hours cannot be reaccumulated.

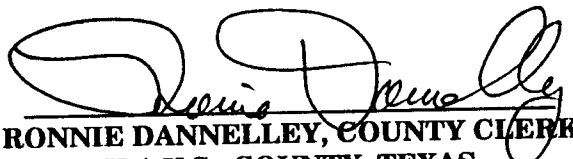
FORMULA

ORIGINAL POLICY 2 YEARS - - FY 95/96
NEW SUPPLEMENTAL RULES
00-80 HOURS -- FY95/96 (2 years)
81-120 HOURS -- FY 95/97 (3 years)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve recommendation of Human Resources Director to "grandfather" vacation time for some county employees as set out in the above Executive Summary. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF December, 1994.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 21st DAY OF NOVEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY       | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Human Resources Director George Aitken introduced new county employees Leela Devi (Personal Health), Joel Cliett (Road Dept.), and Don Findley (Building Maintenance).

**13283 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$ 121,787.51 as presented by the County Auditor. All voting "Aye".



\*\*\*\*\*

|                   |             |                     |              |                  |              |
|-------------------|-------------|---------------------|--------------|------------------|--------------|
| Fines             | \$ 27.00    | Auditor             | \$ 75.32     | Treasurer        | \$ 27.29     |
| Extension Office  | \$ 590.27   | Grants Admin        | \$ 425.69    | Juvenile Prob    | \$ 1,081.77  |
| Election Admin    | \$ 471.04   | Comm & Soc Svcs     | \$ 3,750.00  | Indigent Care    | \$ 1,386.84  |
| Building Maint.   | \$ 541.62   | Environmental Hlth  | \$ 1,238.02  | Personal Health  | \$ 220.21    |
| Civic Center      | \$ 397.90   | Countywide Oper     | \$ 15,691.00 | District Clerk   | \$ 699.70    |
| County Clerk      | \$ 458.87   | Sheriffs Ofc        | \$ 10,360.52 | Jail Operations  | \$ 22,675.21 |
| County Judge      | \$ 107.56   | Human Resources     | \$ 34.75     | Co Crt @ Law 1   | \$ 34.05     |
| District Attorney | \$ 707.74   | J.P. 1-1            | \$ 11.73     | J.P. 1-2         | \$ 143.39    |
| D.P.S.            | \$ 86.94    | Constable 1         | \$ 11.97     | Constable 2      | \$ 141.09    |
| Constable 5       | \$ 189.46   | Dist Crt Operations | \$ 5,586.96  | Veterans Admin   | \$ 3.41      |
| Computer Svcs     | \$ 4,436.28 | Co Crt @ Law 2      | \$ 1.36      | Fire Marshal/EMC | \$ 15.21     |
| TABC              | \$ 129.42   | Dist Crt Reporters  | \$ 201.33    | TJPC CCAP Grant  | \$ 1,354.59  |
| DARE (DA) Grant   | \$ 81.78    | R&B Operations      | \$ 10,533.44 | Precinct 1       | \$ 917.00    |
| Precinct 2        | \$ 14.87    | Precinct 3          | \$ 94.53     | Rec Mng/Co Clk   | \$ 1.47      |
| Health Svcs Grant | \$ 914.50   | Road Construction   | \$ 23,190.45 | Foster Care      | \$ 491.35    |
| Adult Prob Oper   | \$ 6,357.42 | Adult Prob Fac      | \$ 2,164.46  | DA Reimb Trust   | \$ 3,126.74  |

**13284 ACCEPT INTERNAL AUDIT REPORT ON CONSTABLE #1 OFFICE**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to accept the internal audit report on Constable Pct. 3 office. All voting "Aye".

**13285 APPROVE PURCHASE OF EQUIPMENT FOR THE SHERIFF'S DEPT.**

Sheriff Hastings requested authorization to purchase : computer chips for scanner = \$495, starter and charger system tester - \$1,495, paint spray gun = \$305, and Brothers fax machine = \$599 from line item 418-5719 Misc. Equipment in the Sheriff's Office budget. A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to approve purchase of equipment for the Sheriff's Department as requested. All voting "Aye".

**13286 AUTHORIZE PURCHASE OF OFFICE EQUIPMENT FOR THE DISTRICT CLERK'S OFFICE FROM COUNTY-WIDE EQUIPMENT BUDGET**

District Clerk W. H. Moore requested funds to purchase an official time/date stamp machine to replace a broken one in his office - purchase would be made from the countywide office equipment line budgeted as unspecified equipment - purchase is requested due to unforeseen circumstances. A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to authorize purchase of office equipment for the District Clerk's office - not to exceed \$500 - from county-wide equipment budget. All voting "Aye".

**13287 AUTHORIZE PAYMENT OF UTILITY RELOCATIONS OUT OF RIGHT-OF-WAY FUNDS**

The Texas Dept. of Transportation submitted copies of PEC's relocation costs for RM2770 and RM12 as follows:

|                                                           |             |
|-----------------------------------------------------------|-------------|
| FM 2770 - 3 poles across the street from Hays High School | \$ 2,154.03 |
| RR 12 - 1 pole in front of Dripping Springs Elementary    | \$ 1,296.29 |

A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to authorize payment of utility relocations out of county right-of-way funds as requested by the Texas Department of Transportation. All voting "Aye".

**13288 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO CAPCO FOR USED OIL RECYCLING FOR UP TO \$16,908 AND AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A CONTRACT, IF GRANT IS AWARDED**

This is a non-competitive pass-through grant from CAPCO. CAPCO received additional funds from the Texas Natural Resources Conservation Commission to expand existing used oil programs in the state. Grant funds will be used to purchase signage for the four existing sites, establish one additional used oil collection site in either Buda or Kyle and to implement an 8 month outreach program for residents of Kyle, Dripping Springs, and the "Green Pastures subdivisions". No matching funds are required and the County will receive \$1,500 in administration funds. TNRCC has to concur with CAPCO's approval of the grant. A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to authorize the County to submit a grant application to CAPCO for used oil recycling for up to \$16,908 and authorize the County Judge to enter into a contract, if grant is awarded. All voting "Aye".

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**13289 AUTHORIZE THE REHIRE OF AN EMPLOYEE AT THE L.E.C. FOR SALARY ABOVE MINIMUM**

Sheriff Paul Hastings requested authorization to rehire Paul McDaniel at Grade 8 Step 4 as he was previously employed by the County from May 17, 1988 to November 12, 1993 (5 years of service). George Aitken of Human Resources concurs with this recommendation. A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to authorize the rehire of an employee at the Law Enforcement Center (Paul McDaniel) at Grade 8 Step 4. All voting "Aye".

**13290 AMEND BUDGETS OF LAW LIBRARY FUND, ADULT PROBATION FACILITIES, CONSTABLE PCT. 1, DISTRICT COURT, GRANTS/WORKERS COMP, TCADA DARE (DA) GRANT, AND TJPC/EMERGENCY DIVERSION GRANT**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to amend budgets of the Law Library Fund, Adult Probation Facilities, Constable Pct. 1, District Court, Grants/Workers Compensation, TCADA/DARE (DA) Grant, and TJPC/Emergency Diversion Grant as presented in Budget Amendment No. 95-002 by the County Auditor. All voting "Aye".

| LINE ITEM - EXPENDITURES                                                                    | INCREASES    | DECREASES    |
|---------------------------------------------------------------------------------------------|--------------|--------------|
| *Transfer Worker Comp Insurance Costs where budgeted to lines where actually expensed:      |              |              |
| CJD/CHILD ABUSE INV GRANT                                                                   |              |              |
| 01-492-5346 Worker Comp Insur                                                               | \$ 800.00    |              |
| CJD/CRIME PREVENTION OFFICER                                                                |              |              |
| 01-493-5346 Worker Comp Insur                                                               | \$ 800.00    |              |
| CJD/DARE PROJECT OFFICER-HCSO                                                               |              |              |
| 01-704-5346 Worker Comp Insur                                                               | \$ 800.00    |              |
| TCADA/DARE (DA) GRANT                                                                       |              |              |
| 01-723-5346 Worker Comp Insur                                                               | \$ 700.00    |              |
| COUNTY-WIDE OPERATIONS                                                                      |              |              |
| 01-414-5340 Insurance                                                                       |              | \$ 3,100.00  |
| *Transfer equipment installation cost (new vehicle) from other line items                   |              |              |
| CONSTABLE 1                                                                                 |              |              |
| 01-431-5717 Law Enf Equip                                                                   | \$ 1,000.00  |              |
| 01-431-5413 Veh Maint                                                                       |              | \$ 700.00    |
| 01-431-5271 Fuel & Lubes                                                                    |              | \$ 300.00    |
| *Transfer for additional professional expense                                               |              |              |
| DISTRICT COURT REPORTER                                                                     |              |              |
| 01-482-5321 Dues & Bonds                                                                    | \$ 50.00     |              |
| 01-482-5211 Office Sply                                                                     |              | \$ 50.00     |
| *Budget new grant as authorized - balance of Hays County portion was expensed in Sept. 1994 |              |              |
| TCADA/DARE (DA) GRANT                                                                       |              |              |
| 01-723-5021 Staff                                                                           | \$ 25,000.00 |              |
| 01-723-5110 FICA                                                                            | \$ 1,913.00  |              |
| 01-723-5121 Retirement                                                                      | \$ 1,887.00  |              |
| 01-723-5160 County Insurance                                                                | \$ 2,263.00  |              |
| 01-723-5311 Travel                                                                          | \$ 3,708.00  |              |
| 01-723-5391 Other expense                                                                   | \$ 3,915.00  |              |
| 01-723-5219 Supplies                                                                        | \$ 2,775.00  |              |
| 01-723-5448 Contractual                                                                     | \$ 1,300.00  |              |
| 01-723-5719 Equipment                                                                       | \$ 2,750.00  |              |
| REVENUE                                                                                     |              |              |
| 01-381-2723 TCADA/DARE Grant                                                                |              | \$ 45,511.00 |
| *Budget new grant as authorized                                                             |              |              |
| TJPC/EMERGENCY DIVERSION GRANT                                                              |              |              |
| 01-729-5448 Non-residential exp                                                             | \$ 2,915.00  |              |
| 01-729-5497 Residential                                                                     | \$ 57,600.00 |              |
| *transfer as authorized to enable County Bar Association to assume operation per agreement  |              |              |
| LAW LIBRARY                                                                                 |              |              |
| 12-447-5213 Books                                                                           |              | \$ 300.00    |
| 12-447-5441 Library Maint                                                                   | \$ 300.00    |              |
| *transfer for repairs and other expenses as approved                                        |              |              |
| ADULT PROBATION FACILITIES                                                                  |              |              |
| 35-487-5219 Sply & Operating                                                                | \$ 3,000.00  |              |
| 35-487-5719 Misc Equipment                                                                  |              | \$ 3,000.00  |

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13291 ACCEPT COUNTY TREASURER'S REPORT FOR SEPTEMBER 1994

A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippey to accept the County Treasurer's Report for the Period of September 1994 as presented. All voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
SEPTEMBER 30, 1994

|                    | General        | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Notes<br>Series 1994 | Courthouse<br>Ren. & Road<br>Bond 1994 |
|--------------------|----------------|----------------------------|-----------------------|-------------|----------------------------|----------------------|-----------------------------|--------------------------------------|----------------------------------------|
| <b>CHECKING</b>    |                |                            |                       |             |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | \$64,733.93    | \$12,303.92                | \$1,205.35            | \$10,106.45 | \$1,841.28                 | \$898,308.51         | \$1,590.09                  | \$1,567.30                           | \$6,341.13                             |
| M/M Int.           | \$319.08       | \$49.23                    |                       | \$25.92     | \$155.80                   | \$2,214.70           | \$7.22                      | \$5.47                               | \$9.98                                 |
| Deposits           | \$1,437,337.74 | \$354,047.26               | \$1,427.32            | \$1,290.00  | \$292,827.44               |                      | \$2,184.91                  | \$8,000.00                           | \$16,000.00                            |
| Disbursements      | \$1,472,888.21 | \$358,432.96               | \$2,464.61            | \$77.75     | \$292,824.78               | \$1,598.95           |                             | \$6,900.00                           | \$20,780.46                            |
| Ending Bal.        | \$29,502.54    | \$7,967.45                 | \$168.06              | \$11,344.62 | \$1,999.74                 | \$898,924.26         | \$3,782.22                  | \$2,672.77                           | \$1,570.65                             |
| <b>INVESTMENTS</b> |                |                            |                       |             |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | \$4,899,506.46 | \$1,085,577.43             | \$0.00                | \$0.00      | \$487,166.26               | \$0.00               | \$10,115.73                 | \$221,136.39                         | \$5,704,270.37                         |
| M/M Int.           | \$17,861.66    | \$3,514.93                 |                       |             | \$1,791.67                 |                      | \$36.66                     | \$783.77                             | \$20,657.99                            |
| Deposits           | \$345,000.00   | \$55,000.00                |                       |             | \$90,000.00                |                      |                             | \$8,000.00                           | \$16,000.00                            |
| Disbursements      | \$810,000.00   | \$295,000.00               |                       |             | \$97,000.00                |                      |                             | \$8,000.00                           | \$16,000.00                            |
| Ending Bal.        | \$4,452,368.12 | \$849,092.36               | \$0.00                | \$0.00      | \$481,957.93               | \$0.00               | \$10,152.39                 | \$213,920.16                         | \$5,708,928.36                         |

|                    | Courthouse<br>Road Bond I&S | Jail<br>I&S  | Jail<br>Addition<br>I&S | Hays County<br>I&S | Public<br>Works I&S | Springlake<br>I&S | Pioneer<br>Trails<br>I&S | Burnett<br>Road<br>I&S | Anticipation<br>Notes<br>I&S |
|--------------------|-----------------------------|--------------|-------------------------|--------------------|---------------------|-------------------|--------------------------|------------------------|------------------------------|
| <b>CHECKING</b>    |                             |              |                         |                    |                     |                   |                          |                        |                              |
| Begin. Bal.        | \$1,577.22                  | \$1,648.54   | \$1,539.08              | \$1,564.79         | \$1,571.60          | \$72,060.37       | \$1,678.97               | \$128.40               | \$4,305.07                   |
| M/M Int.           | \$3.89                      | \$7.40       | \$5.48                  | \$7.23             | \$5.66              | \$9.92            | \$4.10                   |                        | \$10.61                      |
| Deposits           |                             | \$1,845.91   | \$906.01                | \$8,818.80         | \$985.80            | \$302.14          | \$29.86                  | \$5.91                 |                              |
| Disbursements      |                             |              | \$906.01                | \$8,818.80         | \$985.80            | \$70,853.83       | \$29.86                  | \$80.59                | \$4,315.68                   |
| Ending Bal.        | \$1,581.11                  | \$3,501.85   | \$2,470.57              | \$1,531.58         | \$2,563.06          | \$1,518.60        | \$1,653.21               | \$53.72                |                              |
| <b>INVESTMENTS</b> |                             |              |                         |                    |                     |                   |                          |                        |                              |
| Begin. Bal.        | \$30,605.76                 | \$129,618.10 | \$155,699.66            | \$114,722.24       | \$135,872.68        | \$16,707.53       | \$11,011.17              | \$0.00                 | \$0.00                       |
| M/M Int.           | \$110.89                    | \$469.62     | \$564.13                | \$408.53           | \$492.30            | \$60.56           | \$39.91                  |                        |                              |
| Deposits           |                             |              |                         | \$7,300.00         |                     |                   |                          |                        |                              |
| Disbursements      |                             |              |                         | \$107,830.77       | \$136,364.98        | \$16,768.09       | \$11,051.08              | \$0.00                 | \$0.00                       |
| Ending Bal.        | \$30,716.65                 | \$130,087.72 | \$156,263.79            | \$107,830.77       | \$136,364.98        | \$16,768.09       | \$11,051.08              | \$0.00                 | \$0.00                       |

TEMPORARY TRANSFERS:

15-94 General to Foster Care \$2,600.00  
16-94 Adult Probation Operating to Adult Probation Facilities \$4,000.00

*Corothy P. Sims*  
Corothy P. Sims

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
SEPTEMBER 30, 1994

|                    | Adult<br>Probation<br>Operating | Adult<br>Probation<br>Facilities | Courthouse<br>Security | Records<br>Management | Records<br>Preservation | Animal<br>Control | Sheriff's<br>Drug<br>Forfeiture | District<br>Attorney Drug<br>Forfeiture | District<br>Attorney<br>Reimburs. |
|--------------------|---------------------------------|----------------------------------|------------------------|-----------------------|-------------------------|-------------------|---------------------------------|-----------------------------------------|-----------------------------------|
| <b>CHECKING</b>    |                                 |                                  |                        |                       |                         |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$7,462.69                      | \$2,398.85                       | \$20,476.58            | \$10,786.42           | \$6,998.00              | \$4,308.55        | \$1,544.42                      | \$5,140.08                              | \$23,146.68                       |
| M/M Int.           | \$176.07                        |                                  |                        | \$26.95               |                         |                   | \$3.55                          |                                         | \$48.55                           |
| Deposits           | \$447,093.98                    | \$4,000.00                       | \$2,722.00             | \$10,825.00           | \$1,080.00              | \$10.00           |                                 | \$291.00                                | \$10,341.57                       |
| Disbursements      | \$451,660.05                    | \$3,391.24                       | \$108.45               | \$14,400.90           |                         | \$1,997.47        |                                 | \$1,408.42                              | \$26,058.10                       |
| Ending Bal.        | \$3,072.69                      | \$3,007.61                       | \$23,090.13            | \$7,217.47            | \$8,078.00              | \$2,321.08        | \$1,547.97                      | \$4,022.66                              | \$7,478.70                        |
| <b>INVESTMENTS</b> |                                 |                                  |                        |                       |                         |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$304,558.49                    |                                  |                        | \$41,713.10           |                         |                   |                                 |                                         | \$85,353.66                       |
| M/M Int.           | \$1,320.90                      |                                  |                        | \$151.23              |                         |                   |                                 |                                         | \$311.08                          |
| Deposits           | \$275,000.00                    |                                  |                        |                       |                         |                   |                                 |                                         | \$15,000.00                       |
| Disbursements      | \$55,000.00                     |                                  |                        |                       |                         |                   |                                 |                                         |                                   |
| Ending Bal.        | \$525,879.39                    | \$0.00                           | \$0.00                 | \$41,864.23           | \$0.00                  | \$0.00            | \$0.00                          | \$0.00                                  | \$100,664.74                      |

|                    | Historical<br>Commission<br>Trust Fund | Foster<br>Care | Health<br>Services<br>Grants | Inwood<br>Water<br>System | Texas Capital<br>Fund/<br>New Canaan |
|--------------------|----------------------------------------|----------------|------------------------------|---------------------------|--------------------------------------|
| <b>CHECKING</b>    |                                        |                |                              |                           |                                      |
| Begin. Bal.        | \$7,971.82                             | \$11,643.81    | \$11,505.67                  | \$1.00                    | \$0.00                               |
| M/M Int.           | \$18.02                                |                | \$39.71                      |                           |                                      |
| Deposits           |                                        | \$18,867.75    | \$56,950.09                  |                           |                                      |
| Disbursements      |                                        | \$14,209.70    | \$65,187.48                  |                           |                                      |
| Ending Bal.        | \$7,989.84                             | \$16,301.86    | \$3,307.99                   | \$1.00                    | \$0.00                               |
| <b>INVESTMENTS</b> |                                        |                |                              |                           |                                      |
| Begin. Bal.        | \$0.00                                 | \$0.00         | \$74,607.40                  | \$0.00                    | \$0.00                               |
| M/M Int.           |                                        |                | \$261.30                     |                           |                                      |
| Deposits           |                                        |                |                              |                           |                                      |
| Disbursements      |                                        |                | \$37,000.00                  |                           |                                      |
| Ending Bal.        | \$0.00                                 | \$0.00         | \$37,868.70                  | \$0.00                    | \$0.00                               |

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**13292 JUVENILE SERVICES CENTER - REJECT ALL BIDS AND RE-BID WITH MODIFICATIONS**

Commissioner Jeff Barton spoke of bids received being higher than expected - spoke of fiscal responsibility of the Court - the juvenile problem is real, however, we need to try and bring the project back on budget perhaps by rewriting the specifications and re-bidding - suggested putting together modified specs with bids to be submitted by December 19th and to allow bids that do not meeting specs (alternate bids) - request bids for 16 and 24 bed facility - spoke of previously received proposals (i.e. RECOR) and other innovative ideas - a re-design could save on operational costs by reducing the number of staff needed - the architect estimated bids to come in at \$35,360.41 instead of the \$55,000.00 per bed bids received. Judge Etheredge stated that its worth our effort to take our time to see if we can get the bids down - this is not an attempt to stall this project - we need to get in line with the funds that are available. Commissioner Payne stated that he is skeptical that any bids will come down and suspects they will continue to go up the longer you put it off. Commissioner Barton advised that he does not know where the additional funds would come from. Judge Etheredge spoke of it not being fair to the current bidders if we consider other bids while theirs are still on the table - new bidders could submit new bids on current plans or submit their own proposals. Nina Wright spoke of her disappointment in they delay of this project - it has been ongoing since 1987 - spoke of the court using some of the bond money to retire a portion of the original debt - we need to find a way to fund this project. Judge Etheredge explained that the original Certificates of Obligation earmarked \$700,000.00 for juvenile detention - this amount has increased to \$900,000. Commissioner Rippey explained that the Court expected the bids to come in closer to the \$900,000 budgeted - we are trying to get the best deal for the taxpayers money. Nick Retana spoke of need for a realistic time line - spoke of juveniles that he deals with as Principal of the San Marcos High School - you should not disregard the fiscal issues but let the people know it will be addressed soon. Judge Etheredge spoke of recent election showing that juvenile crime is a major issue to the citizens - bidders indicated that it would take from 6 to 8 months to complete the project. Commissioner Barton spoke of reserve funds not being readily available - we still need to sell additional bonds to complete the road projects and courthouse renovation. Commissioner Payne stated that reserves funds are to be used for emergency items and he considers this project to be an emergency. Don Rains (former County Judge and Chairman of the Juvenile Advisory Council) spoke of the original project being estimated to cost \$500-700,000 - costs continue to increase - we appreciate fiscal responsibility - the juvenile problem is getting worse and the juvenile offenders know we are not capable of dealing with them properly - they need to be in a controlled environment and we need to force-feed them education - we need assurance that we will have a facility. Tom Ash spoke of holding the consultants/architects accountable for their estimates - spoke in support of the facility. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to reject all bids received and re-bid the Juvenile Services Center with modified specifications. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Rippey voting "Aye". Commissioner Payne voting "No". A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to request the County Purchasing Agent to report back on November 28, 1994 with new specifications for submission on December 19, 1994 and to allow alternate bids (16 & 24 bed facility). All voting "Aye".

**13293 3-G RANCH SECTION 4 (LOTS 1 & 2) - FIRST READING APPROVAL**

These are the back two lots (large acreage) located off the cul-de-sac created in Section 3. Fern Howze, Niederwald Mayor, stated that their planning commission has not yet seen this plat - the prospective buyer came by her house and advised that he plans to build a dam to create a lake on his property. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "3-G Ranch Section 4" subdivision on first reading. All voting "Aye".

**13294 HERITAGE COUNTRY (LOTS 1-53) - FIRST & SECOND READING APPROVAL**

This subdivision was previously discussed - lot sizes are acceptable - Road Dept. has inspected Trail Driver Road and they are in need of base and subgrade repairs - rescal of road (Trail Driver) will allow use as proposed - a petition was submitted by the residents of Big Country subdivision requesting improvements to Trail Driver which will be the access road to the Heritage Country subdivision. Mr. Bill Cummings spoke of the condition of Trail Driver road (18' width) - there are no shoulders on the roadway - felt like the residents of Big Country subdivision are the underdogs in this matter and the land developer is not interested in their welfare - requested protection by the Court - spoke of most people being distrustful of government - the road needs to be adequate for the amount of traffic - spoke of need to pursue alternate access to this property. Commissioner Rippey spoke of the Commissioners' Court efforts to prevent the closing of access through the Heritage Oaks subdivision, however, the higher Court overruled our decision and closed the access road. Judge Etheredge advised that the Court will direct the road department to come up with a plan to improve the roads to handle additional traffic - felt like the residents concerns are legitimate. A motion was made by Commissioner Rippey, seconded by Commissioner Barton to approve "Heritage Country" subdivision on first and second readings. All voting "Aye".

**NOVEMBER 21, 1994**

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**13295 BEAR CREEK OAKS SECTION 2 RESUB LOTS 1-A, 1-B, & 2-A - FIRST READING AND CALL FOR PUBLIC HEARING**

Allen Walther, Environmental Health Director, advised that the resub did meet minimum lot requirements - property lines need to be pulled from centerline of the roadway. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Bear Creek Oaks Section 2 Resub Lots 1-A, 1-B, & 2-A" on first reading with 25' of r-o-w needed for the roadway and call for a public hearing to be held December 5, 1994 at 9:00 A.M. All voting "Ayc".

**THE RIDGE RESUB OF TRACT 5 - PUBLIC HEARING HELD**

Judge Etheredge called the public hearing open regarding the resubdivision of Tract 5 of The Ridge Subdivision - no public input was received - public hearing was closed. No action taken this date.

**VARIANCE DISCUSSION - 25 ACRE TRACT BETWEEN MCCARTY OAKS & WILLOW CREEK SUBDIVISIONS**

Allen Walther advised that this tract is over the recharge zone - located on Great Oaks Drive - will recommend approval of the variance. No action taken this date.

**VARIANCE DISCUSSION - 5.601 ACRE TRACT OUT OF A 10.906 ACRE TRACT ON WAYSIDE DRIVE NEAR THOMPSON RANCH**

Royce Henderson owns 10.906 acres on Wayside Drive near Thompson Ranch - Representative Kenneth Munson was present. Commissioner Payne spoke of need to bring the property line back from the centerline of the roadway and dedicate 30 feet to the county road. No action taken this date.

**VARIANCE DISCUSSION - 5 ACRE TRACT AT FLITE ACRES ROAD AND LITTLE RANCHES ROAD**

Property Owner Ernest Kimbro is donating 5 acres to a church and is requesting a variance from platting - 15' along the Flite Acres Road and 10' along County Road 288 will be dedicated to the County. No action taken this date.

**13296 OAK RUN WEST RESUB OF LOTS 34 & 35 - PUBLIC HEARING - SECOND AND THIRD READING APPROVAL**

Judge Etheredge called the public hearing open. Jim Gallegos (Engineering Co.) stated that they will be going through the City of Austin and Travis County for approval also. Judge Etheredge called the public hearing closed. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Oak Run West Resub of Lots 34 & 35 (Lots 34-A, 35-A, & 35-B)" on second and third reading. All voting "Aye".

**13297 WHISPERING CREEK LOTS 1-4 - SECOND READING APPROVAL**

Allen Walther, Environmental Health Director, advised that no final plat has been received. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve "Whispering Creek" subdivision on second reading. All voting "Aye".

**13298 ACTION REGARDING A FLOOD PLAIN VIOLATION AT 205 MESQUITE TRAIL (WIMBERLEY)**

Commissioner Payne spoke of a house built in the floodplain (on the fringe of the boundary line) - property owner could receive administrative approval (Section 1316). Environmental Health Director Allen Walther spoke of building that is going on throughout the county without permits - spoke of effects of Section 1316 would be non-availability of flood insurance, possible reduction of market value, risk of damage with no compensation, and possible mortgage foreclosure - this particular home is 2.3 feet below the FPE - recommended that a berm be required around the residence. Mr. Crick, property owner, requested Section 1316 approval - would prefer not to build a berm - felt like a berm would create more water problems for him. Commissioner Payne recommended

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that the court wait until the FEMA survey is complete before requiring a berm. A motion was made Judge Etheredge, seconded by Commissioner Rodriguez to authorize issuance of a septic permit at 205 Mesquite Trail in Wimberley, Texas with filing under Section 1316 and require a berm to be built around the residence. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

**DISCUSSION REGARDING ROOF AT THE BUDA SENIOR CITIZENS BUILDING**

Commissioner Jeff Barton spoke of continuing roof leak at the Buda Senior Citizens Building - the new Justice of the Peace will be housed in this building - they have discovered wet insulation in the ceiling. Judge Etheredge recommended going out for bids and possibly declaring an emergency for funding.

**DISCUSSION - RECOMMENDATIONS TO TXDOT REGARDING RURAL ROADS AND SUB-STANDARD BRIDGES**

County Road Director Darrel Brown presented a priority list of Hays County Roads for repair and reconstruction. Commissioner Rippy gave his top priority bridges: Crystal Creek Drive at FM1826 (Goldenwood Subd), CR191 at Onion Creek, CR187 at Barton Creek, and CR184 at Triple Creek Ranch. Commissioner Barton gave his top priority bridges: FM1626 bridge over Little Bear Creek, CR102 over Little Bear Creek, CR190 over Onion Creek, CR210 bridge is a historical structure that must remain in place, however, another bridge could be built to accommodate one-way traffic at that location. Commissioner Rodriguez gave his top priority bridges: CR266 at the San Marcos River and CR295 at the Blanco River. Commissioner Payne gave his top priority bridges: Purgatory road, Hidden Valley Road, Burnett Ranches, and Cypress Creek at Jacobs Well. Commissioner Payne stated that the best chance for funding will be with those roads/bridges already under consideration (OSB Numbered) by the State. Court advised the Road Director to use Doucet & Associates matrix rating to determine priority on county roads and the use traffic counts.

**DISCUSSION REGARDING REMOVAL OF DEBRIS AT THE OLD HOSPITAL SITE**

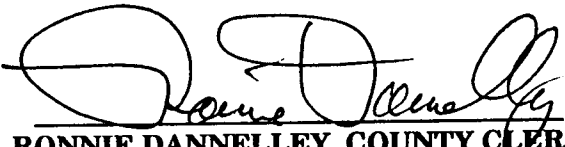
Cindy Casparis, Purchasing Agent, spoke of bids for removal of debris at the old hospital site. the basement is filled with debris - TNNRC advises that we cannot cover up the debris without a dump permit - asked the court for direction on whether they want the floor and walls dug out and fill up the hole with soil available on site. The Court concurred with that suggestion. Judge Etheredge spoke of the drainage easement and stated that the contractor must use certified clean fill.

**EXECUTIVE SESSION - ACQUISITION OF REAL ESTATE**

The Court convened into Executive Session to discuss acquisition of right-of-way for road construction. No action was taken.

MINUTES APPROVED IN OPEN COURT ON THE 19<sup>th</sup> DAY OF December, 1994.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

NOVEMBER 28, 1994

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 28TH DAY OF NOVEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY       | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13299 RE-CANVASS ELECTION RETURNS FOR THE NOVEMBER 8, 1994 ELECTION

Elections Administrator Joyce Cowan spoke of an early voting error that was found - Voting Precinct #335 early voting had not been counted and Precinct #337 early voting had been counted twice - the recount came up with no changes in the outcome of any one particular race - there was a 38 vote difference. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to accept the re-canvassed Election Returns from the November 8, 1994 Election. All voting "Aye".

13300 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 54,913.77 as presented by the County Auditor. All voting "Aye".

|                    |             |                  |             |                    |              |
|--------------------|-------------|------------------|-------------|--------------------|--------------|
| Election Admin     | \$ 420.00   | Auditors Ofc     | \$ 93.00    | Treasurers Ofc     | \$ 93.00     |
| Extension Ofc      | \$ 132.18   | Grants Admin     | \$ 18.76    | Election Admin     | \$ 875.20    |
| Indigent Care      | \$ 2,615.48 | Transfer Station | \$ 53.74    | Bldg. Maint        | \$ 6,207.99  |
| Environ Health     | \$ 1,875.83 | Personal Health  | \$ 8.66     | Civic Center       | \$ 1,808.43  |
| Countywide Oper    | \$ 5,330.56 | Tax A/C          | \$ 2,303.69 | District Clerk     | \$ 489.61    |
| County Clerk       | \$ 1,327.22 | Sheriff's Office | \$ 2,850.91 | Jail Operations    | \$ 12,831.04 |
| County Judge       | \$ 81.00    | Co Cr1 @ Law 1   | \$ 152.35   | District Attorney  | \$ 44.11     |
| J.P. 1-2           | \$ 9.19     | J.P. 3           | \$ 51.63    | J.P. 4             | \$ 108.92    |
| J.P. 5             | \$ 95.44    | D.P.S.           | \$ 965.54   | Constable 3        | \$ 36.51     |
| Constable 4        | \$ 272.12   | Constable 5      | \$ 154.21   | Dist Court Oper    | \$ 2,915.67  |
| Co & JP Cr1 Oper   | \$ 1,342.04 | Veterans Admin   | \$ 10.88    | Computer Svcs      | \$ 1,342.86  |
| Road & Bridge Oper | \$ 1,309.22 | Precinct 1       | \$ 180.00   | Precinct 2         | \$ 685.57    |
| Precinct 3         | \$ 72.01    | Precinct 4       | \$ 58.93    | Health Svcs Grants | \$ 550.75    |
| Courthouse Renov   | \$ 177.39   | Adult Prob Oper  | \$ 3,081.60 | Adult Prob Fac     | \$ 558.84    |
| New Canaan Grant   | \$ 1,321.69 |                  |             |                    |              |

13301 AMEND THE BUDGETS OF TNRCC/FILTER CRUSHER GRANT, CAPCO TRAILERS GRANTS, ELECTION ADMIN., ENVIRONMENTAL HEALTH, AND ROAD & BRIDGE PCT. 2

The following budget amendments were proposed by the County Auditor:

TNRCC/Filter Crusher Grant & CAPCO/Trailers Grants - \$2,600/\$8,000 balanced by grant revenue - budget new grants as authorized - no county match.

Elections Administration - Transfer for election clerk's travel to satellite early voting.

Environmental Health - \$5,240 transfer for Atlas printing and needed software for GIS from DP supplies.

Road & Bridge General Precinct 2 - \$2,000 - transfer part of budgeted copier purchase cost from County-wide equipment to Precinct 2 - rebudget for copier lease.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendments as proposed by the County Auditor. All voting "Aye".

| LINE ITEM - EXPENDITURE          | INCREASES   | DECREASES   |
|----------------------------------|-------------|-------------|
| TNRCC/FILTER CRUSHER GRANT       |             |             |
| 01-830-5719 Equipment            | \$ 2,600.00 |             |
| REVENUE                          |             |             |
| 01-384-4730 TNRCC/Filter Crusher |             | \$ 2,600.00 |
| CAPCO/TRAILERS GRANT             |             |             |
| 01-731-5499 General Admin Svcs   | \$ 500.00   |             |
| 01-731-5719 Equipment            | \$ 7,500.00 |             |
| REVENUE                          |             |             |
| 01-384-4731 CAPCO/Trailers       |             | \$ 8,000.00 |

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| <u>LINE ITEM - EXPENDITURE</u> | <u>INCREASES</u> | <u>DECREASES</u> |
|--------------------------------|------------------|------------------|
| ELECTION ADMINISTRATION        |                  |                  |
| 01-406-5311 Election Travel    | \$ 200.00        |                  |
| 01-406-5446 Election Supply    |                  | \$ 200.00        |
| ENVIRONMENTAL HEALTH           |                  |                  |
| 01-411-5160 Atlas Printing     | \$ 2,040.00      |                  |
| 01-411-5718 Software           | \$ 3,200.00      |                  |
| 01-411-5221 Data Proc Sply     |                  | \$ 5,240.00      |
| COUNTY-WIDE OPERATION          |                  |                  |
| 01-414-5711 Ofc Eqpt           |                  | \$ 2,000.00      |
| R&B PRECINCT 2                 |                  |                  |
| 03-440-5473 Eqpt Lease         | \$ 2,000.00      |                  |

**13302 APPROVE REQUEST FOR PROPOSAL FOR HISTORICAL SURVEY OF PRECINCT 1**

Lila Knight, Hays County Historical Commission Chairperson, advised that the completion of the Precinct 1 survey will make Hays County only the second in the state to complete a historical survey - Ellis County was the first using supercollidor funds. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve request for proposal for historical survey of Precinct 1 - part of the certified local government grant. All voting "Aye".

**13303 APPOINT SHARON CONNER OF MT. GAINOR TO THE HAYS COUNTY HISTORICAL COMMISSION**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve appointment of Sharon Conner of Mt. Gainor to the Hays County Historical Commission. All voting "Aye".

**13304 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN THE SUBDIVISIONS OF "THE SETTLEMENT" AND "FOX RIDGE" (SPEED LIMITS)**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to establish traffic regulations (Speed Limits) in the subdivisions of "The Settlement" and "Fox Ridge" to be held December 12, 1994 at 9:00 A.M. All voting "Aye".

**13305 SUNSET CANYON SECTION 2 REPLAT OF LOTS 507, 508, & 509 - FIRST READING AND CALL FOR PUBLIC HEARING**

Allen Walther, Environmental Health Director, advised that this resub is a re-alignment of adjoining lot lines. A motion was made by Commissioner Rippy, seconded by Commissioner Barton to approve "Sunset Canyon Section 2 Replat of Lots 507, 508, & 509 (Lots 507-A, 508-A, & 509-A)" on first reading and to call for a public hearing to be held December 12, 1994 at 9:00a.m. All voting "Aye".

**VARIANCE DISCUSSION RE: 2.5 ACRES ON SPOKE HOLLOW ROAD (GARY BLYTHE)**

No one appeared regarding the variance request for 2.5 acres on Spoke Hollow Road - no discussion was held - no action taken.

**13306 VARIANCE TO PLATTING REQUIREMENT GRANTED TO ERNEST KIMBRO FOR FIVE ACRES AT FLITE ACRES ROAD & LITTLE RANCHES ROAD**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to grant a platting variance to Ernest Kimbro on a 5 acre tract at Flite Acres Road & Little Ranches Road. All voting "Aye".



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**13307 VARIANCE TO PLATTING REQUIREMENT GRANTED TO JIM PICKETT FOR 25 ACRE TRACT LOCATED AT 2800 GREAT OAKS DRIVE**

A variance request was received from Jim Pickett - he purchased 25 acres of land from Handler Smith out of a larger tract of 765 acres - he is currently building a home at this location . A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant a platting variance to Jim Pickett for a 25 acre tract located at 2800 Great Oaks Drive (between McCarty Oaks & Willow Creek subdivisions). All voting "Aye".

**VARIANCE REQUEST ON 5.601 ACRES ON WAYSIDE ROAD NEAR THOMPSON RANCH**

Allen Walther, Environmental Health Director, advised that staff will recommend approval, however, no revised survey has been filed - requested postponement for final survey - property owner needed to recompute acreage deleting ROW and dedicate the ROW to the County.

**13308 RIVER OAKS RANCH RESUB OF LOT 17 - PUBLIC HEARING, SECOND AND THIRD READING APPROVAL**

Judge Etheredge called the public hearing open - no public input was received - staff recommends approval. A motion was made by Commissioner Rippy, seconded by Commissioner Payne to approve "River Oaks Ranch Resub of Lot 17 (Lots 17-A & 17-B) on second and third readings. All voting "Aye".

**13309 HAYS COUNTRY OAKS BLOCK F RESUB OF LOT 3 - THIRD READING APPROVAL**

Commissioner Barton advised that the City of Hays has approved this resubdivision - a petition was submitted from citizens in the area objecting to the resubdivision - they now feel comfortable with the resubdivision because of a note being added to the plat - this resub meets all requirements of the county. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Hays Country Oaks Block F Resub of Lot 3 (Lots 3-A & 3-B) on third reading. All voting "Aye".


**REQUEST FOR PROPOSALS FOR DESIGN AND CONSTRUCTION OF JUVENILE SERVICES CENTER**

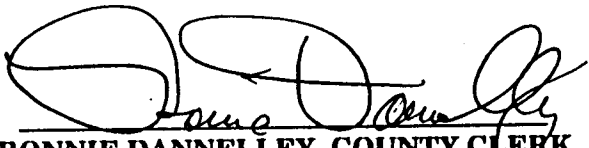
Cindy Casparis, Purchasing Agent, advised that the RFP's are not ready this date - she has been checking on procurement methods. Judge Etheredge advised that a legal opinion has been obtained from Bickerstaff, Heath, & Smiley regarding this issue. No action this date.

**13310 AUTHORIZE THE COUNTY JUDGE AND COMMISSIONER PRECINCT #1 TO NEGOTIATE A CONTRACT WITH THE HAYS COUNTY BAR ASSOCIATION FOR CERTAIN LEGAL AID SERVICES AND CREATE A LEGAL AIDE ASSISTANT POSITION FOR HAYS COUNTY**

Judge Etheredge and Commissioner Rodriguez meet with the Local Bar Association and Central Texas Legal Aide - CTLA have indicated that they will provide services without funding from the county- \$25,600 has been budgeted for legal aid this fiscal year - Human Resources has graded the legal assistant position at Grade 4 - this position would assist the Bar Association in their Pro-Bono legal services. A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to authorize the County Judge and Commissioner Precinct #1 to negotiate a contract with the Hays County Bar Association for certain legal aid services and create a county position for legal aid. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF December, 1994.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 5TH DAY OF DECEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
CRAIG D. PAYNE  
ORAN H. RIPPY  
LINDA C. FRITSCHÉ

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 3  
COMMISSIONER, PCT. 4  
DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13311 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to approve payment of invoices in the amount of \$ 212,965.32 as presented by the County Auditor. All voting "Aye".

|                    |              |                   |              |                   |              |
|--------------------|--------------|-------------------|--------------|-------------------|--------------|
| Fin Admin Svcs     | \$ 150.00    | Fines             | \$ 100.00    | Auditors Office   | \$ 514.12    |
| Treasurers Office  | \$ 64.95     | Extension Office  | \$ 366.55    | Grants Admin      | \$ 158.20    |
| Juvenile Prob      | \$ 1,488.70  | Election Admin    | \$ 1,369.20  | Indigent Care     | \$ 1,472.37  |
| Bldg. Maintenance  | \$ 534.88    | Environ Health    | \$ 360.64    | Personal Health   | \$ 288.61    |
| Civic Center       | \$ 42.09     | Countywide Oper   | \$ 90,781.83 | Tax A/C           | \$ 296.16    |
| District Clerk     | \$ 502.95    | County Clerk      | \$ 164.62    | Sheriffs Ofc      | \$ 31,397.51 |
| Jail Operations    | \$ 17,116.86 | County Judge      | \$ 259.20    | Human Resources   | \$ 39.45     |
| Co Crt @ Law 1     | \$ 41.88     | District Attorney | \$ 190.78    | J.P. 1-1          | \$ 210.52    |
| J.P. 1-2           | \$ 110.77    | J.P. 2            | \$ 94.58     | J.P. 5            | \$ 125.00    |
| D.P.S.             | \$ 370.28    | Constable 1       | \$ 274.62    | Constable 2       | \$ 84.51     |
| Constable 5        | \$ 14.99     | District Cr Oper  | \$ 7,156.10  | Co & JP Cr Oper   | \$ 144.00    |
| Veterans Admin     | \$ 75.02     | Computer Svcs     | \$ 1,110.70  | Co Crt @ Law 2    | \$ 21.98     |
| Juv Svcs Grant     | \$ 400.00    | Fire Marshal/EMC  | \$ 59.64     | TABC              | \$ 21.68     |
| Dist Court Reprtr  | \$ 63.49     | TJPC CCAP Grant   | \$ 5,548.40  | Historical Comm   | \$ 440.00    |
| TDA Corridor Grant | \$ 203.72    | R&B Operations    | \$ 18,806.46 | Precinct 1        | \$ 180.00    |
| Precinct 2         | \$ 465.61    | Pre4cinct 3       | \$ 28.70     | Rec Mng/Co Clk    | \$ 2,607.18  |
| Health Svcs Grants | \$ 1,011.82  | Law Library Fund  | \$ 670.70    | Juv Detention Fac | \$ 4,619.76  |
| Road Construction  | \$ 15,002.86 | Courthouse Renov  | \$ 197.89    | Adult Prob Oper   | \$ 3,031.60  |
| Adult Prob Fac     | \$ 2,110.29  | Animal Control    | \$ 10.90     |                   |              |

13312 AUTHORIZE PURCHASE OF COMPUTER EQUIPMENT AND SOFTWARE OUT COUNTY CLERK RECORDS MANAGEMENT FUNDS

A request for purchase of computer equipment and software was submitted by County Clerk Ronnie Dannelley - equipment to be purchased is 5 Pentium 60Mhz computer systems with software and one 11X17 laser printer (3 for Courts division and 2 for Records division). A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to authorize purchase of computer equipment and software out of County Clerk Records Management Funds. All voting "Aye".

13313 AMEND THE BUDGETS OF TDA/CORRIDOR INCUBATOR GRANT, CONSTABLE PCT. #1, MEADOWS FOUNDATION/DUNBAR GRANT, RECORDS MANAGEMENT AND ADULT PROBATION OPERATING

The County Auditor proposed the following budget amendments:

TDA/Corridor Incubator Grant - rebudget grant balance unspent from FY94 - transfer salary/fringe to contract services as approved by TDA.

Constable Pct. 1 - transfer \$125 for speaker replacement for new vehicle.

Meadows Foundation/Dunbar Grant - budget private foundation grant as Hays County will administrate.

Adult Probation Operating - budget additional revenue as approved by CJAD (\$17,920 funded by increased revenue)

Records Management Fund - transfer \$1,340 to complete purchase of computer systems, software, and a printer.

A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to approve budget amendments (Amendment No. 95-004) as proposed by the County Auditor. All voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES

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FY 95 BUDGET  
12/05/94

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES                  | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|-------------------------------------------|---------------|-----------|-----------|---------------|
|                                           | BEFORE        | INCREASES | DECREASES | AS AMENDED    |
| <b>IDA/CORRIDOR INCUBATOR GRANT (720)</b> |               |           |           |               |
| 01-720-5021 Staff                         | 18,666        |           | (18,666)  | 0             |
| 01-720-5110 FICA                          | 1,462         |           | (1,462)   | 0             |
| 01-720-5121 Retirement                    | 1,443         |           | (1,443)   | 0             |
| 01-720-5160 Insurances                    | 2,166         |           | (2,166)   | 0             |
| 01-720-5219 Misc Sply                     | 230           | 265       |           | 495           |
| 01-720-5311 Travel                        | 790           | 390       |           | 1,180         |
| 01-720-5391 Other Exp                     | 0             | 2         |           | 2             |
| 01-720-5448 Contract Svcs                 | 0             | 33,479    |           | 33,479        |
| 01-720-5712 Data Proc Eqpt                | 0             | 2,505     |           | 2,505         |

| REVENUE                                      | DECREASES     | INCREASES     |        |
|----------------------------------------------|---------------|---------------|--------|
| 01-384-7720 TDA/Corr Incubator Grant         | 21,166        | 4,834         | 26,000 |
| 01-367-7720 GSM Economic Dev Council         | 6,500         | 1,000         | 7,500  |
| 01-414-5399 County Match Rollover from FY 94 |               | 7,070         |        |
|                                              | <u>36,641</u> | <u>16,641</u> |        |

REBUDGET GRANT BALANCE LEFT FROM FY 94, ROLLED OVER TO FY 95; AMEND AS APPROVED FROM SALARY/FRINGES TO CONTRACT SERVICES. GRANT YEAR IS 5/1-12/31

**CONSTABLE 1 OFFICE (431)**

|                          |       |     |       |       |
|--------------------------|-------|-----|-------|-------|
| 01-431-5717 Law Enf Eqpt | 1,000 | 125 |       | 1,125 |
| 01-431-5391 Misc         | 500   |     | (125) | 375   |

TRANSFER FOR SPEAKER REPLACEMENT FOR NEW VEHICLE LITE BAR

**MEADOWS FOUNDATION/DUNBAR GRANT (722)**

|                          |   |        |  |        |
|--------------------------|---|--------|--|--------|
| 01-722-5611 Construction | 0 | 93,200 |  | 93,200 |
|--------------------------|---|--------|--|--------|

| REVENUE                                  | DECREASES | INCREASES |        |
|------------------------------------------|-----------|-----------|--------|
| 01-386-3722 Meadows/Dunbar Private Grant | 0         | 93,200    | 93,200 |

BUDGET PRIVATE FOUNDATION GRANT FOR COUNTY ADMINISTRATION

AMENDMENT  
NO. 95-004  
FY 95 BUDGET  
12/05/94  
Page 2

FUND NO. 08

FUND TITLE RECORDS MANAGEMENT

| LINE ITEM - EXPENDITURES        | APPROPRIATION | AMENDMENT    |                | APPROPRIATION |
|---------------------------------|---------------|--------------|----------------|---------------|
|                                 | BEFORE        | INCREASES    | DECREASES      | AS AMENDED    |
| <b>RECORDS MANAGEMENT (445)</b> |               |              |                |               |
| 08-445-5712 Data Proc Eqpt      | 12,460        |              | (610)          | 11,850        |
| 08-445-5718 Software            | 2,000         | 1,950        |                | 3,950         |
| 08-445-5211 Ofc Sply            | 5,425         |              | (640)          | 4,785         |
| 08-445-5215 Perm Record Sply    | 25,000        |              | (700)          | 24,300        |
|                                 |               | <u>1,950</u> | <u>(1,950)</u> |               |

TRANSFER TO COMPLETE PURCHASE OF (5) COMPUTER SYSTEMS, SOFTWARE AND ONE PRINTER FOR COUNTY CLERK OFFICE FROM SUPPLIES.

FUND NO. 34

FUND TITLE ADULT PROBATION OPERATING

**OPERATING/SUPERVISION (486)**

|                               |         |        |  |         |
|-------------------------------|---------|--------|--|---------|
| 34-486-5121 Retirement        | 103,747 | 7,241  |  | 110,988 |
| 34-486-5499 Facil, Util, Eqpt | 67,080  | 10,679 |  | 77,759  |

| REVENUE                       | DECREASES     | INCREASES     |         |
|-------------------------------|---------------|---------------|---------|
| 34-334-3344 State Aid         | 712,396       | 10,800        | 723,196 |
| 34-369-3691 Pre-sentence fees | 45,000        | 7,120         | 52,120  |
|                               | <u>17,920</u> | <u>17,920</u> |         |

BUDGET ADDITIONAL REVENUE AS APPROVED BY CJAD

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**13314 AMEND COUNTY PERSONNEL MANUAL REGARDING OUT-OF-TOWN TRAVEL FOR HOURLY PAID EMPLOYEES**

George Aitken, Human Resources Director, requested amending the county personnel manual to clarify "hours worked" regarding out-of-town travel for county hourly paid employees - amendment meets the fair labor standards act (FLSA). A motion was made by Commissioner Rippey, seconded by Commissioner Rodriguez to amend the County Personnel Manual regarding out-of-town travel for hourly paid employees as recommended by Human Resources. All voting "Aye".

**17.08 OUT-OF-TOWN TRAVEL.** If an employee who is subject to the overtime provisions of FLSA travels overnight on business (more than one day), they must be paid for time spent traveling (except for meal periods) during their "normal working hours" on their non working days, such as Saturdays, holidays, as well as time spent during their normal working hours on their regular working days. Travel time spent as a passenger on an airplane, train, bus or car "outside of regular working hours" is not considered worktime.  
 If the employee is sent out of town for one day, (does not spend overnight away from home) the employees does not receive compensation for travel to the local bus or plane terminal, but does receive compensation for all other travel time, except for meal periods.

**13315 CALL FOR A PUBLIC HEARING TO BE HELD DECEMBER 19, 1994 TO ESTABLISH TRAFFIC REGULATIONS: 3-WAY STOP AT INTERSECTION OF SHETLAND ROAD AND POST OAK ROAD (PCT. 4)**

A motion was made by Commissioner Rippey, seconded by Commissioner Rodriguez to call for a public hearing to be held December 19, 1994 at 9:00 A.M. to establish traffic regulation: 3-Way Stop at the intersection of Shetland Road and Post Oak Road in Precinct 4. All voting "Aye".

**13316 AUTHORIZE PURCHASE OF A COMPUTER WORKSTATION FROM COUNTY CLERK'S RECORD MANAGEMENT FUNDS**

A motion was made by Commissioner Rippey, seconded by Commissioner Rodriguez to authorize purchase of a computer workstation from County Clerk's Record Management Funds. All voting "Aye".

**13317 APPROVE ROAD & BRIDGE EQUIPMENT EXPENDITURE BUDGETED AS UNSPECIFIED EQUIPMENT**

Darrel Brown requested approval for expenditure of \$776 for 30GPM diesel pump and meter from unspecified equipment. A motion was made by Commissioner Rippey, seconded by Commissioner Rodriguez to approve Road & Bridge equipment expenditure budgeted as unspecified equipment. All voting "Aye".

**PRESENTATION BY CHUCK MCKINNEY REGARDING THE SUSTAINABLE DEVELOPMENT WORKSHOP**

Chuck McKinney appeared before the Court and spoke of sustainable development workshops that were held November 18 & 19, 1994 - his report was as follows:

REPORT: The workshop began with presentation from five panelist. Dorothy Kerbow discussed the history of Hays County. J. L. Howze discussed water treatment and availability problems in Hays County. J. David Bamberger presented a slide show that chronicled his restoration of 5,500 acres of the worst land in Blanco County (with absolutely no water on it, primarily covered with second growth Ashe Juniper {cedar} and very little grass) to a showplace with springs, streams, ponds, native-grass covered pasture, diverse plant and animal life (including the first known golden-cheeked warbler and black-capped vireo populations ever on the ranch) - all on a shoe-string budget. He also gave some amazing incentive for rangers to make these improvements. Ted Eubanks carried Mr. Bamberger's premise for incentives further with his presentation about the extraordinary nature-tourism industry and it's possibilities in the hill country. Roy Mann concluded the panel presentation with his account of what the citizens of Collin County, Texas accomplished with their county - starting with coming together and planning together as a team and culminating with an Open Space Plan and Open Space Commission.

Mr. McKinney went over the goals for Hays County that were discussed at the meetings which would improve the qualities of life and the actions acceptable for achieving and maintaining those qualities of life. The participants identified what they believed to be the weak links in achieving these goals: (1) communication, (2) lack of cooperation, (3) no plan, and (4) lack of accountability. They agreed that the road to achieving the goal required strengthening the weak links first. It is also recommending that the county develop a monitoring plan to insure that we are moving toward the goal in a manner that is sound economically, environmentally and socially. The participants all learned from the process. Each of them heard perspectives they had not previously been exposed to, realized that most issues and problems were a little more complicated than they had previously thought and saw the value of working as a team with people that have different viewpoints. The consensus opinion was this workshop was a great start, but let's not stop here. Many expressed high interest in participating in the NEXT STEP, they're looking to the County Judge and Commissioners for guidance and opportunity to be involved.

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**VARIANCE REQUEST - C. R. GILSTRAP 2 ACRE TRACT ON CR123 (MATHIAS ROAD)**

A request for platting variance was submitted by C. R. Gilstrap, owner of a 7.28 acre tract in the Samuel Little Survey located off County Road 123 (Mathias Road). No action taken this date.

**VARIANCE REQUEST/GARY BLYTHE 2.5 ACRE TRACT ON SPOKE HOLLOW ROAD**

No final survey plat has been submitted. No action taken this date.

**13318 BEAR CREEK OAKS SECTION 2 RESUB OF LOTS 1-A & 1-B AND LOT 2 - PUBLIC HEARING - SECOND AND THIRD READINGS**

Owner of Lots 1-A & 1-B, Resub of Lot 1, Bear Creek Oaks Section 2 Ann Christopher Beggs and owner of Lot 2 Bear Creek Oaks Section 2 Isam Ahmad Kussad submitted for approval the resubdivision of their lots (creating Lots 1-A-1, 1-B-1, and 2-A.). Judge Etheredge called the public hearing open - 25 feet of r-o-w was dedicated to the county for Madrone Trail (0.593 acres) - public hearing was closed. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve "Bear Creek Oaks Section 2 of Lot 2, Bear Creek Oaks Section 2 and Lots 1-A and 1-B, resubdivision of Lot 1, Bear Creek Oaks Section 2" on second and third reading. All voting "Aye".

**13319 THE RIDGE RESUB OF TRACT 5 (TRACTS 5-A & 5-B) - SECOND AND THIRD READING**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "The Ridge Resub of Tract 5 (Tracts 5-A & 5-B)" subdivision on second and third readings. All voting "Aye".

**13320 ACTION TO TERMINATE ARCHITECTURAL CONTRACT WITH PHILLIPS SWAGER & ASSOCIATES REGARDING THE JUVENILE SERVICES CENTER**

Commissioner Barton advised that the contract with PSA must be terminated prior to accepting RFP for design and construction of the Juvenile Services Center. Commissioner Payne stated that he felt like we have not exhausted all options regarding this matter. Cindy Casparis, Purchasing Agent, stated that PSA could redesign the facility. Judge Etheredge stated that PSA had the opportunity to design a facility for funds available. A motion was made by Commissioner Barton, seconded by Commissioner Rippy to terminate the Architectural contract with Phillips Swager & Associates regarding the Juvenile Services Center. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippy and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

**13321 ACTION TO ESTABLISH A HAYS COUNTY INFRASTRUCTURE COMMITTEE TO ACT AS AN ADVISORY COMMITTEE TO THE COMMISSIONERS' COURT**

Judge Etheredge spoke of his having appointed his own advisory infrastructure committee with representatives from each of the nine incorporated cities in Hays County - SWTSU supports this committee - stated that he would like to sanction the group as an official county committee and would like to also appoint a member from each of the four school districts and from each commissioners' precinct. The committee would primarily discuss roads and water issues - the county needs to be closely involved in future growth throughout the county. Commissioner Payne spoke of his desire to appoint his own representatives from Precinct 3 - is not in favor of some of the individuals already appointed. Winton Porterfield, County Judge Administrative Asst., stated that the various entities appointed their own representatives. Judge Etheredge spoke of his appointments and meeting already held by this group - felt like consensus building is important. A motion was made by Commissioner Payne to table action this date until the commissioners are ready to submit their appointments. Motion died for lack of a second. A motion was made by Judge Etheredge, seconded by Commissioner Rippy to establish a Hays County Infrastructure Advisory Committee consisting of appointed representatives from the nine incorporated cities(current committee), the four school districts in the county, SWTSU, each Commissioner to make an appointment and the County Judge to make an appointment at large - the first meeting to be held will be to discuss reaching out to neighborhood organizations. Commissioner Rodriguez, Commissioner Barton, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Payne abstained.

| INFRASTRUCTURE COMMITTEE LIST (current committee)              |
|----------------------------------------------------------------|
| Laura Huffman - City of San Marcos, 630 E. Hopkins, San Marcos |
| Dan T. Sorrels, City of Umland, 13 Cotton Gin Road, Umland, Tx |
| Daniel Davis - City of Mountain City, 213 Ash Drive, Buda, Tx  |
| Kent Broddrick - City of Buda, P. O. box 1218, Buda, Tx        |
| Merle Wilkins - City of Kyle, P. O. Box 40, Kyle, Tx           |
| Lee G. Waller - City of Neiderwald, Rt. 1 Box 148F, Kyle, Tx   |
| Bill Couch - City of Hays, 12633 Red Bud Trail, Buda, Tx       |

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**13322 APPROVE AMENDING THE ANIMAL CONTROL ORDINANCE**

The Court has already discussed amending the ordinance to allow citations to be issued to people who do not neuter pets picked up from the PAWS shelter. District Attorney Marcos Hernandez is drafting the language for the amendment. PAWS would like action on this matter as soon as possible - this is their busiest time of year for pet adoptions. Sheriff Paul Hastings spoke of New Braunfels Animal Shelter workers that are deputized to enforce the ordinance - he prefers to have enforcement through the Sheriff's Dept. Animal Control Officer. Commissioner Payne suggested that no action be taken this date because we have no amendment to approve. A motion was made by Commissioner Rippy, seconded by Judge Etheredge to approve amending the Hays County Animal Control Ordinance to include requirement that dogs and cats adopted from the animal shelter shall be spayed or neutered contingent on the District Attorney and Hays County Sheriff working out the proper language. Commissioner Barton, Commissioner Rippy, and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Payne voting "No".

**DISCUSS REVISED INTERLOCAL AGREEMENT WITH THE CITY OF DRIPPING SPRINGS FOR ROAD MAINTENANCE**

The court has already approved one agreement for Dripping Springs road maintenance , however, the City has asked to revise the contract. District Attorney Marcos Hernandez is reviewing the updated agreement and advised that several changes are needed: (1) need to change county contact person to the Road Director Darrel Brown, (2) need to clarify that roads must meet county specs, and (3) agreement is annually renewable with negotiating of funding amount. Commissioner Rippy stated that the City of Dripping Springs has 10 miles of roads - the City Attorney has re-written the agreement to benefit the City of Dripping Springs. Darrel Brown stated that he will be meeting with representatives of the City of Dripping Springs. No action taken.

**13323 AWARD CONTRACT FOR CLEANUP OF OLD HOSPITAL PROPERTY**

Cindy Casparis, Purchasing Agent, presented bid tabulation on clean up of old hospital site:

|                             |                      |
|-----------------------------|----------------------|
| <b>Saucedo Construction</b> | <b>\$ 138,087.57</b> |
| Southwest Constructors      | \$ 144,440.00        |
| Hogan Demolition            | \$ 159,340.00        |
| Stokes                      | \$ 172,922.00        |
| Rodgers Construction        | \$ 181,500.00        |

Low bidder is Saucedo Construction and they can begin in 10 days with completion to take approximately 60 days. Cindy advised that TNRCC is requiring the cleanup or the county will be penalized \$10,000.00 per day (this site has been classified as an unauthorized solid waste site) - the high cost is due to the high fees charged to dispose of solid waste in landfills. Discussion was had regarding documents that were never filed and are unavailable (asbestos abatement & manifest) - discussed possibly re-bidding the project and separate dump fees from the rest of the work. Commissioner Rippy stated that he would like to meet with TNRCC and address alternatives. Commissioner Barton suggested looking at other options. A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to award the contract for clean up of the old hospital property to Saucedo Construction. Commissioner Rodriguez, Judge Etheredge, and Commissioner Payne voting "Aye". Commissioner Barton and Commissioner Rippy voting "No".

**OLSON POLICY CONSULTING - FED UP PLAN**

Commissioner Barton introduce Todd Olson, Olson Policy Consulting, who will be holding meetings today and tomorrow in Hays County. Todd Olson (a Real Estate Attorney in California) spoke of his dealings with conservation issues - he has helped to develop market based techniques - their approach is to reward and not penalize the property owners for land conservation - we need to convince the federal government that local government can take care of its own environment. Commissioner Barton stated that there is no specific plan - Mr. Olson will be generating a proposal - he will meet with people who have an interest in the issue. Judge Etheredge stated that we knew the Endangered Species Act is the law and must be dealt with and we have a short time frame to address this issue. Mr. Olson stated that he should be able to complete his work by the end of January and he will submit a paper at that time. Judge Etheredge stated that it is important for us to stay focused on our intentions and put into place a mechanism to provide for protection of endangered species/water resources and to allow growth in our county without the day to day bureaucracy with the federal government. Commissioner Barton stated that the US Fish & Wildlife Dept. will work with us on a local plan - a lot of local people need to be involved in the process to provide their input - Mr. Olson brings in to this issue no preconceptions. Mr. Olson spoke of his basic ideas: High, Medium, and Low Conservation Zones are designated - values are established for each zone - credits are given to property owners for conservation - these credits can be traded or bought - work must be done to establish the values - key goals are needed for the county.

DECEMBER 5, 1994

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**WORKSHOP DISCUSSION REGARDING THE ELECTION PROCESS**

Joyce Cowan, Elections Administrator, appeared before the Court to discuss improvements that could be made to make the election process work better - additional space is needed for counting the ballots - more signage is needed to make it easier for voters to locate their polling places - her office has only two telephone lines (1 main line and 1 for Judges) - spoke of reports being requested from her office. Judge Etheredge stated that we might consider moving the counting to the H.E.B. building and utilize the courtrooms and conference rooms - spoke of early voting problems (wrong ballot frames put in the booths). Miss Cowan stated that voters need to know who should be on their ballots and advise the Judges if they think something is wrong on their ballot - spoke of a software program that is available that will give cumulative totals. Judge Etheredge stated that the Court needs to make a commitment to better signage and early voting outside of San Marcos needs to be increased.

**13324 ADOPT ORDER AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE AND ISSUE A REQUEST FOR PROPOSAL FOR DESIGN AND CONSTRUCTION ON A JUVENILE DETENTION FACILITY**

Purchasing Agent Cindy Casparis spoke of issues that need to be addressed - do we need a full kitchen in this facility when the LEC will be preparing the meals? Judge Etheredge stated that the City of San Marcos would not approve the plans without a commercial kitchen - laundry will be done at the LEC. Commissioner Payne spoke of the bid process - he would like a legal opinion from the District Attorney allowing RFP's for this project. District Attorney Marcos Hernandez stated that he has not had an opportunity to look at the document - would like to research AG's opinions before giving his opinion - stated that he is confident that there will be no conflicts. Judge Etheredge stated that he is comfortable with Bickerstaff, Heath, & Smiley's recommendation - he is not in favor of delaying this project - the Court needs to consider another site that would not require relocation of utilities. Cindy Casparis stated that the cost estimate to relocate the utilities is \$172,000.00. Judge Etheredge advised that there is a location in front of the old jail (green area). Commissioner Payne stated that this site was not initially recommended because of possibility of drive-by shootings. Mrs. Casparis stated that site preparation is part of the bid and site selection is needed as soon as possible. Marsha Dunn (Wimberley resident) stated that she has looked at the existing plans - it is possible to change these plans without an architect - she would like to be involved in seeing this project proceed. Commissioner Barton spoke of certification that is required for this project. Judge Etheredge stated that you must be able to interpret juvenile jail standards and communicate with other officials - the major concerns with the existing plans is that the design creates high cost in construction and operation. Cindy Casparis stated that part of the RFP's is stringent on bidders - they need to follow all criteria - architect would have to have experience. Court agreed that design should include minimal kitchen area, laundry area, and site to be in front of the old jail- proposals to be submitted the first of February 1995. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt Order Authorizing Request for Proposals for design and construction of a juvenile detention facility, and making findings of fact. All voting "Aye".

**ORDER AUTHORIZING REQUEST FOR PROPOSALS FOR DESIGN AND CONSTRUCTION OF A JUVENILE DETENTION FACILITY AND MAKING FINDS OF FACT**

**WHEREAS**, the Commissioners Court of Hays County (the "Commissioners Court") is interested in the design and construction of a juvenile detention facility;

**WHEREAS** Hays County (the "County") does not have a suitable building available for use as a secure, residential juvenile detention facility which is of sufficient size to serve the needs of the County; and

**WHEREAS**, the Commissioners Court has determined that a twenty-four (24) bed secure, residential juvenile detention facility (the "Facility") is essential and necessary for the County and the County Juvenile Probation Department to perform their duties and responsibilities and for the protection of the public safety and health of the citizens and juveniles of the County;

**WHEREAS**, the Commissioners Court has determined that it is in the best interest of the County to solicit proposals for the design and construction of a juvenile detention facility on a design-build or turn-key basis;

**WHEREAS**, the Commissioners Court has determined that juvenile crime is an increasing problem in the State and in the County;

**WHEREAS**, the Commissioners Court has determined the design and construction of a juvenile detention facility is necessary to preserve or protect the public safety and health of the residents of the county; and

**WHEREAS**, the Commissioners Court has determined that the County Purchasing Agent should provide oversight for and assist the Commissioners Court with the advertisement, solicitation and assessment of proposals for the design and construction;

\*\*\*\*\*

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, THAT:

1. That the foregoing recitals are found to be true and correct and are incorporated herein as findings of fact by the Commissioners Court.
2. That the request for proposals for the design and construction of a juvenile detention facility is necessary to preserve and protect the public health and safety of the residents of Hays County, and therefore, the contract for the design and construction of the juvenile detention facility shall be exempt from the requirements of Section 262.023 of the Texas Local Government Code.
3. That in lieu of the requirements of Section 262.023 of the Texas Local Government Code, the Commissioners Court has established certain requirements for advertising and conducting and evaluating responses to, the Request for Proposals attached to and authorized by this order.
4. The County Auditor is hereby directed to cause the attached notice of a Request for Proposal to be advertised in the San Marcos Daily Record, a local newspaper having general circulation within the county, on the 11th and 18th day of December, 1994, providing for proposals in response thereto to be submitted to the County Purchasing Agent on or before Tuesday, January 31, 1995.
5. The Request for Proposal package attached hereto as Exhibit A is hereby adopted.

ADOPTED this 5th day of December, 1994.

HAYS COUNTY, TEXAS


s/ Eddy A. Etheredge  
Eddy Etheredge, County Judge

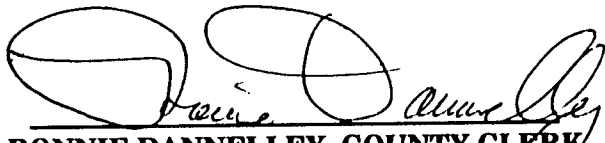
ATTEST:

s/ Ronnie Dannelley  
Ronnie Dannelley, County Clerk

Court adjourned this the 5th day of December, 1994.

MINUTES APPROVED IN OPEN COURT ON THE 23rd DAY OF January, 1994<sup>5</sup>

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 12th DAY OF DECEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- | | |
|---------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13325 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 394,470.47 as presented by the County Auditor. All present voting "Aye".

| | | | | | |
|-------------------|---------------|-------------------|--------------|--------------------|-------------|
| Financial Adm | \$ 3,592.92 | Fines | \$ 10.00 | Auditor's Ofc | \$ 680.00 |
| Juvenile Prob | \$ 249.08 | Election Admin | \$ 477.80 | Comm & Soc Svcs | \$11,760.00 |
| Indigent Care | \$ 40.38 | Transfer Station | \$ 102.68 | Bldg. Maintenance | \$ 1,657.83 |
| Environ Health | \$ 1,548.48 | Civic Center | \$ 9.30 | Countywide Oper | \$ 5,656.43 |
| Tax A/C | \$ 1,170.79 | District Clerk | \$ 231.12 | County Clerk | \$ 80.18 |
| Sheriff's Ofc | \$167,918.40 | Jail Operations | \$ 16,723.02 | County Judge | \$ 467.64 |
| District Attorney | \$ 340.28 | J.P. 1-2 | \$ 23.01 | J.P. 2 | \$ 5.26 |
| J.P. 3 | \$ 58.88 | D.P.S. | \$ 592.75 | Constable 1 | \$ 54.19 |
| Constable 3 | \$ 50.00 | Constable 4 | \$ 583.17 | Constable 5 | \$ 776.48 |
| Dist Court Oper | \$ 4,732.81 | Veterans Admin | \$ 361.22 | Computer Svcs | \$ 1,265.46 |
| TABC | \$ 66.08 | TJPC CCAP Grant | \$ 49.00 | TCADA/DARE DA | \$ 368.84 |
| Gen Fund Credit | * \$ 290.00 * | R&B Operations | \$123,023.78 | Precinct 1 | \$ 186.00 |
| Precinct 2 | \$ 16.75 | Precinct 3 | \$ 6.00 | Precinct 4 | \$ 6.00 |
| Right of Way | \$ 45.73 | Rec Mng/Co Clk | \$ 118.49 | Health Svcs Grants | \$ 3,608.12 |
| Road Construction | \$ 61,933.94 | Courthouse Renov | \$ 503.04 | Adult Prob Oper | \$ 3,193.84 |
| Adult Prob Fac | \$ 404.59 | Inwood Water Syst | \$ 1.00 | Nighthawk Grant | \$ 1.00 |

13326 AMEND BUDGETS OF THE ELECTION ADMINISTRATOR, TCADA/DARE(DA) GRANT, HUMAN RESOURCES, CONSTABLE 4 & 5/COUNTYWIDE OPERATIONS

Budget amendments were proposed as follows:

Election Administration - Transfer \$1,000 for balance of required license/maintenance agreement on computer election equipment from election supplies - remainder of \$200 budgeted for office equipment maintenance.

TDACA/DARE (DA) Grant - Transfer \$1,750 for single audit requirements into contract services from other and equipment as approved by agency.

Human Resources Dept - Create new line and transfer for employee recognition program as authorized for plaques, pins and certificates from other lines (\$750).

Constable 4 & 5 / Countywide - Constable 4 requests transfer to fund actual telephone line installation and related costs in new office location for full year (budgeted only 9 monthly charge) - Constable 5 requests transfer to fund increased cost of radio/light bar installation in new vehicle (\$6,818)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend budget of the Election Administrator, TCADA/DARE (DA) Grant, Human Resources, Constables 4 & 5/Countywide Operations as presented by the County Auditor. All present voting "Aye".

AMENDMENT
NO. 95-005
FY 95 BUDGET
12/12/94

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS |
| | AMENDMENT | | | AMENDED |

| | | | | |
|---------------------------------------|-------|-------|---------|-------|
| ELECTIONS ADMINISTRATION (406) | | | | |
| 01-406-5411 Eqpt Maint | 1,500 | 1,200 | | 2,700 |
| 01-406-5219 Election Sply | 8,000 | | (1,200) | 6,800 |

TRANSFER FOR P.C. LICENSE/MAINTENANCE AGREEMENT AS REQUIRED ON ELECTION EQUIPMENT

| | | | | |
|------------------------------------|-------|--------------|----------------|-------|
| TCADA/DARE (DA) GRANT (723) | | | | |
| 01-723-5448 Contractual Svcs | 1,300 | 1,70 | | 3,050 |
| 01-723-5391 Other Expense | 3,915 | | (1,000) | 2,915 |
| 01-723-5719 Equipment | 2,750 | | (750) | 2,000 |
| | | <u>1,750</u> | <u>(1,750)</u> | |

TRANSFER FOR SINGLE AUDIT REQUIREMENTS AS APPROVED BY AGENCY

| | | | | |
|----------------------------------|-------|------------|--------------|-------|
| HUMAN RESOURCES (421) | | | | |
| 01-421-5334 Employee Recognition | 0 | 750 | | 750 |
| 01-421-5462 Empl/Public Notices | 9,500 | | (500) | 9,000 |
| 01-421-5489 Telephone | 2,400 | | (250) | 2,150 |
| | | <u>750</u> | <u>(750)</u> | |

CREATE AND TRANSFER AUTHORIZED EXPENDITURE ITEM FROM OTHER LINE ITEMS

| | | | | |
|--------------------------|-----|-----|--|-----|
| CONSTABLE 4 (434) | | | | |
| 01-434-5489 Telephone | 350 | 500 | | 850 |

| | | | | |
|--------------------------|-------|-----|--|-------|
| CONSTABLE 5 (435) | | | | |
| 01-435-5713 Vehicle | 6,500 | 318 | | 6,818 |

| | | | | |
|-------------------------------------|--------|------------|--------------|--------|
| COUNTY-WIDE OPERATIONS (414) | | | | |
| 01-414-5711 Off Equip | 43,000 | | (818) | 42,182 |
| | | <u>818</u> | <u>(818)</u> | |

13327 APPROVE CHANGES IN CONTRACTS WITH SOCIAL SERVICES AND APPROVE A STANDARD FINANCIAL REPORT FORM

County Auditor Bill Herzog requested the following changes in the contracts with Social Services:

Change deadlines for quarterly reports:

SECTION V. REPORTS

The Contractor shall submit to the Hays County Auditor on the following days during the contract period on the enclosed County-provided report form the financial status rendered by Contractor under this contract.

February 1, for the quarter ending December 31
 May 1, for the quarter ending March 31
 August 1, for the quarter ending June 30
 November 1, for the quarter ending September 30

Delete the phrase which limits the time period the County can perform an audit:

SECTION XVI. AUDIT

At its sole discretion, the County may arrange for an independent audit by the County audit staff, a certified public accountant, or an audit firm of all funds received under this contract.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve changes in contracts with Social Services and approve a standard financial report form as proposed by the County Auditor. All present voting "Aye".

13328 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS - HOME OWNER OCCUPIED ASSISTANCE PROGRAM

This is a \$400,000.00 grant with matching funds of \$12,500 to be provided by local residents. Hays County currently has a grant pending with the Texas Department of Housing and Community Affairs to rebuild the "Dan Roberts" two inch water system located between Wimberley and Woodcreek and then to connect to the Wimberley Water Supply Corporation. Local subdivision of approximately thirty-eight residents, primarily retirees, will provide matching funds which have to be routed through the County. For that application to receive approximately 10 points in the regional competition a HOME grant application has to be applied for. To meet that requirement, Hays County will be a co-applicant with Community Action in an application to the Texas HOME Partnership Program - Owner Occupied Rehabilitation Program To put it in more simple terms we are doing this HOME application to the state to get the ten (10) additional points for the grant to rehab the Dan Roberts water system.

RESOLUTION OF HAYS COUNTY AUTHORIZING THE SUBMISSION OF A HOME INVESTMENT PARTNERSHIP PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE OWNER OCCUPIED HOUSING ASSISTANCE; AND, AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE HOME PROGRAM.

WHEREAS, the County desires to develop a viable community for all citizens;

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of the County to apply for funding under the 1994 HOME program;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. THAT, a HOME Program application is hereby authorized to be filed on behalf of the County with the Texas Department of Housing and Community Affairs and be placed in competition for funding under the Owner Occupied Housing assistance,

Section 2. THAT, the application shall be for \$400,000.00 of grant funds to carry out the HOME program,

Section 3. THAT, the Commissioner's Court directs and designates the County Judge as the County's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the county's participation in the HOME Program; and

Section 4. THAT, Hays County, if funded, is committing \$250,000.00 in grant funds with a local match of \$12,500.00 from their 1994 Community Development Block grant application towards the infrastructure in the target area.

PASSED AND APPROVED this 12th day of December, 1994.

13329 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS - TENANT BASED RENTAL ASSISTANCE PROGRAM FOR \$400,000.

This grant application to the Texas Department of Housing and Community Affairs - Tenant-Based Rental Assistance Program will provide funds targeted to low and moderate income single parents in the unincorporated areas of Hays County with primary emphasis on "Green Pastures Subd.". The grant provides 4% for county administrative costs. Community Action Inc. and the San Marcos Housing Authority have agreed to provide technical assistance or contact with the county. No matching funds required. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County to submit a grant application to Texas Department of Housing and Community Affairs - Tenant-Bases Rental Assistance Program for \$400,000.00. All present voting "Aye".

RESOLUTION OF HAYS COUNTY AUTHORIZING THE SUBMISSION OF A HOME INVESTMENT PARTNERSHIP PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE TENANT-BASED RENTAL ASSISTANCE; AND, AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE HOME PROGRAM.

WHEREAS, the County desires to develop a viable community for all citizens;

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of the County to apply for funding under the 1994 HOME program;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. THAT, a HOME Program application is hereby authorized to be filed on behalf of the County with the Texas Department of Housing and Community Affairs and be placed in competition for funding under the Tenant-Based Rental Assistance,

Section 2. THAT, the application shall be for \$400,000.00 of grant funds to carry out the HOME program,

Section 3. THAT, the Commissioner's Court directs and designates the County Judge as the County's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the county's participation in the HOME Program; and

PASSED AND APPROVED this 12th day of December, 1994.

13330 APPROVE CHANGE TO COUNTY PERSONNEL POLICY REGARDING HOLIDAY PAY

Human Resources and the County Treasurer request the following change to the county personnel policy:

Para. 6.08 and 9.01 states all regular employees receive holiday pay. Regular part-time employees over 20 hours are receiving holiday pay. Need to change these paragraphs to read only "full-time" regular employees (those who work between 35 to 40 hours per week) receive holiday pay.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve change to the county personnel policy regarding holiday pay (Para 6.08 & 9.01) - only "full time" regular employees (those working 35 to 40 hours per week) receive holiday pay. All present voting "Aye".

13331 APPROVE CHANGE IN GRADE FOR BAILIFFS FROM GRADE 6 TO GRADE 8

George Aitken, Human Resources, recommended reclassification of Bailiff's positions from Grade 6 to Grade 8 to be effective December 1, 1994 - Charles Gordon to be promoted to Grade 8 Step 5 and Charles Fritsche to Grade 8 Step 0 - this action has been coordinated with Judge Ramsay and Judge Warner. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve change in Grade for Bailiffs from Grade 6 to Grade 8 and to furthermore promote Bailiffs Charles Gordon to Grade 8 Step 5 and Charles Fritsche to Grade 8 Step 0 effective December 1, 1994. All present voting "Aye".

13332 APPROVE LATERAL TRANSFER OF EVELYN POSTON FROM J.P. PCT. 4 OFFICE TO COUNTY TREASURER'S OFFICE TO FILL VACANCY (GRADE 6)

J.P. John Burke and the Hays County Treasurer both support lateral transfer of county employee Evelyn Poston to the vacant County Treasurer "Criminal Justice Clerk" position effective January 1, 1995. Employee's pay will remain the same (Grade 6 Step 4). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve lateral transfer of Evelyn Poston from J.P. Pct. 4 office to the County Treasurer's Office to fill vacancy at Grade 6 Step 4 effective January 1, 1995. All present voting "Aye".

13333 APPROVE THREE YEAR CONTRACT WITH VAUGHAN & ASSOC., P.C. TO PERFORM INDEPENDENT AUDIT OF THE COUNTY'S FINANCIAL RECORDS FOR FY95,96,97

A proposal was received from Armstrong, Vaughan & Assoc., P.C. to serve as the independent accountant for Hays County. The purpose is to examine the county's financial presentation of the statements in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding period for the years ending September 30, 1995, 1996, and 1997. They will review the system of internal control and tests of transactions to the extent believed necessary - it will not include a detailed audit of transactions to the extent which would be required if intended to disclose defalcations or other irregularities, although their discovery may result. They will submit a letter advising of opportunities they have observed for economies in, or improved internal controls over, the county's operations. The fees are based on the amount of time required, plus out-of-pocket expenses, payable upon presentation of invoices - fees are projected to be between \$17,000 and \$19,000 (not to exceed \$19,000). Additional fees will be charged for work required by special one-time federal assistance programs based on time required and as agreed to by the County Auditor. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve three year contract with Vaughan & Assoc., P.C., to perform independent audit of the County's financial records for FY95, 96, & 97. All present voting "Aye".

13334 AUTHORIZE THE EARLY PAYMENT OF THE 2ND QUARTERLY PAYMENT TO THE YOUTH SERVICES BUREAU BY THE COUNTY AUDITOR

A letter was received from Mo Cannistra, Executive Director of the San Marcos Youth Services Bureau, requesting early payment of their 2nd quarterly allocation - the TEA has not released their grant funds and this puts the YSB in a bind in terms of cash flow and making payroll for the last two pay periods of the year. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize early payment of the 2nd quarterly payment to the San Marcos Youth Services Bureau. All present voting "Aye".

VARIANCE DISCUSSION - REQUEST FROM DOUGLAS BARCLAY TO DIVIDE THE MOODY RANCH (1,636.86 AC) INTO SEVEN TRACTS WITHOUT PLATTING

A written variance request was submitted by Douglas J. Barclay to allow the property known as the "Moody Ranch", containing approximately 1,636.86 acres to be partitioned without the necessity of an impact study regarding the affect such partitioning would have on the Edwards Aquifer - the variance is requested since each ranch will contain a minimum of 75 acres and the property being partitioned shall not have new road construction over the Aquifer, and as a result would have no adverse effect on the aquifer. Allen Walther, Environmental Health Director, requested that the survey identify the recharge zone and platting of the tracts. Mr. Barclay also requested a variance to road standards - there will be a 60' dedicated easement - there will be relocation of portions of the existing roadway and upgrading - Deed restrictions will address resubdivision of the tracts. No action this date.

13335 ROCK'N ROLL RIDGE SUBDIVISION - FIRST READING AND CALL FOR A PUBLIC HEARING

Owner/Developer is Patricia T. Hicks-Chovan - creating two lots (Lot 1 = 1.5 ac Lot 2 = 3.5 ac) - a portion of Tract 7-B of Hurlbut Ranch West subdivision. Allen Walther, Environmental Health Director, stated that he has some concerns about the floodplain. Commissioner Payne suggested changing the subdivision name to reflect the original subdivision. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Rock'N Roll Ridge Subdivision" on first reading and call for a public hearing to be held January 3, 1995 at 9:00 A.M. All present voting "Aye".

WHISPERING OAKS SUBDIVISION

Tom Weismann appeared before the Court - stated that he would like to put up a Letter of Credit on which he can draw to pay contractor and would have 10% left upon completion to provide surety. He was advised that this would be acceptable as long as the 10% remaining would be an adequate amount. No action this date.

13336 PLATTING VARIANCE GRANTED TO C. R. GILSTRAP FOR 2 ACRE TRACT ON MATHIAS ROAD

A discussion was had on December 5, 1994 regarding the division of a 7.28 acre tract of land owned by C. R. Gilstrap - a 30 ft. easement is provided for access to the 2.00 acre tract. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to grant a platting variance to C. R. Gilstrap for a 2.00 acre tract out of a 7.28 acre tract with access off CR123/Mathias Road. All present voting "Aye".

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13337 SUNSET CANYON SECTION 2 REPLAT OF LOTS 507, 508, & 509 - PUBLIC HEARING SECOND AND THIRD READINGS

Judge Etheredge called the public hearing open - no public input was received - the public hearing was closed. This resub is for the purpose of re-aligning the lot lines. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve "Sunset Canyon Section 2 Replat of Lots 507, 508, & 509" on second and third readings. All present voting "Aye".

13338 VARIANCE GRANTED TO ROYCE HENDERSON FOR 5.601 ACRES OUT OF A 10.906 ACRE TRACT ON WAYSIDE ROAD NEAR THOMPSON RANCH

Allen Walther, Environmental Health Director, recommended approval of variance. Patsy Greiner, Admin. Coord., stated that the roadway has been deeded. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to grant a platting variance to Royce Henderson for 5.601 acres out of a 10.906 acre tract on Wayside Road near Thompson Ranch. All present voting "Aye".

13339 ENGELKE SUBDIVISION - SECOND & THIRD READINGS

Staff recommends approval - City of Neiderwald has given their approval. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Engelke Subdivision" on second and third readings. All present voting "Aye".

13340 ADOPT RESOLUTION ENDORSING THE PRIORITY LIST OF THE CITY OF SAN MARCOS AND URGE THE TEXAS TRANSPORTATION TO INCLUDE THESE PROJECTS IN THE TRANSPORTATION IMPROVEMENT PROGRAM

A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to adopt a resolution endorsing the priority list of the City of San Marcos and urge the Texas Transportation to include these projects in the Transportation Improvement Program. All present voting "Aye".

RESOLUTION

STATE OF TEXAS
COUNTY OF HAYS

WHEREAS, The Texas Department of Transportation (TXDOT) receives federal assistance under the Intermodal Surface Transportation Efficiency Act (ISTEA); and

WHEREAS, TXDOT has developed a 1995-97 Rural Transportation Improvement Program for the Austin District which outlines the federally funded projects tentatively scheduled for construction between October 1, 1994 and September 30, 1994; and

WHEREAS, One of the ISTEA requirements is that TXDOT provided affected public agencies the opportunity to comment on the proposed Transportation Improvement Program; and

WHEREAS, The City of San Marcos has passed a resolution submitting the following projects as priorities in the City of San Marcos: 1) Railroad Overpass, 2) Centerpoint Overpass Widening, 3) Hwy. 123/FM 621 Intersection Realignment, 4) Hunter Road widening to five lanes; and

WHEREAS, The Hays County Commissioners' Court supports the City of San Marcos' priorities for projects within the city;

NOW, THEREFORE, WE the Hays County Commissioners' Court, do hereby resolve that We endorse the priority list of the City of San Marcos and urge the Texas Transportation to include these projects in the Transportation Improvement Program.

WITNESS OUR HANDS AND SEAL THIS THE 12 DAY OF DECEMBER , 1994.

s/ Eddy A. Etheredge
Eddy A. Etheredge
Hays County Judge

s/ Pedro Rodriguez
Pete Rodriguez
Commissioner Pct. 1

s/ Jeff Barton
Jeff Barton
Commissioner Pct. 2

s/ Craig Payne
Craig Payne
Commissioner Pct. 3

Oran "Pug" Rippy
Commissioner Pct. 4

ATTEST:
s/ By Linda C. Fritsche, Deputy
Ronnie Dannelley
Hays County Clerk

13341 APPROVE REVISED INTERLOCAL AGREEMENT WITH THE CITY OF DRIPPING SPRINGS FOR ROAD MAINTENANCE

District Attorney Marcos Hernandez spoke of changes made to the agreement: [1] agreement is between the County of Hays and Dripping Springs (not the Commissioner), [2] Agent for the County is the Road Administrator Darrel Brown (not the Commissioner), [3] Regular maintenance will include re-surfacing of street but no drainage work, [4] Service shall be performed to the same standard and using the same quality of materials as specified in the county's subdivision ordinance - the City of Dripping Springs will pay for projects based on county estimates. Commissioner Payne spoke of his concerns about automatic renewal of the agreement. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve the Street and Street Traffic Sign Maintenance Agreement between the City of Dripping Springs and Hays County with additional change (I. Term of Agreement) that sets out expiration date of September 30, 1995. All present voting "Aye".

STREET AND STREET TRAFFIC SIGN MAINTENANCE AGREEMENT

**STATE OF TEXAS
COUNTY OF HAYS**

This Agreement is made and entered into by the City of Dripping Springs, Texas, a municipal corporation with its offices located at 204-G Mercer St., Dripping Springs, Texas 78620, hereafter referred to as the "City", and Hays County, Texas a political subdivision of the State of Texas having a mailing address of 111 E. San Antonio St., San Marcos, Texas 78666, hereinafter referred to as the "County", each acting by and through its duly elected officials:

WITNESSETH:

WHEREAS, the City is desirous of obtaining the improvement of its streets; and

WHEREAS, the City and the County have determined that it would be in the best interest of the citizens of the City and the County for the county to perform the improvements in behalf of the City and for the City to reimburse the County for the cost of performing the improvements; and

WHEREAS, the City and the County intend to conform this agreement in all respects with TEX. REV. CIV. STAT. ANN. ART. 4412(32c), as amended, more commonly known as the "The Interlocal Cooperation Act".

NOW, THEREFORE, it is mutually agreed as follows:

**I.
TERM OF AGREEMENT**

The term of this agreement shall commence on the date of execution of this agreement by the County and the City, whichever is later, and shall continue in full force and effect until the 30th day of September, 1995, unless earlier terminated by sixty (60) days written notice from either party to the other.

**II.
SERVICES TO BE PERFORMED**

It is agreed by both parties that:

- 1). Hays County shall maintain all streets and roadways owned by the City of Dripping Springs in the same manner as Hays County maintains its county roads;
- 2) Hays County may request that the City of Dripping Springs submit a list of streets that are to be maintained by the county;
- 3) Any major maintenance expense or repairs to city roads and streets shall be the responsibility of the City of Dripping Springs. Major maintenance expenses and/or repairs include, but are not limited to, the construction of curbs, gutters, construction or reconstruction of streets, or construction of temporary or permanent drainage structures.
- 4) If a city street is in need of maintenance and the County is failing to maintain it, the City of Dripping Springs shall notify the County Road Administrator in writing, stating the name of the street and maintenance that is required.
- 5) The County reserves the right to increase the maintenance fee on a yearly basis if the City adds additional streets for maintenance. Any such increase will be determined by mutual agreement between the County of Hays and the City of Dripping Springs in writing.

**III.
CITY REPRESENTATIVES**

The Council of the City hereby designates Mr. Terry Garnett, City's Mayor, hereinafter called "City's Agent", to serve as the representative and agent for the City. The designated City's Agent shall be authorized to request performance of service as set forth in this contract, and any such request made by the designated City's Agent shall bind the City as fully as if such request had been made by specific action of a majority of the council of the City.

**IV.
COUNTY REPRESENTATIVE**

The Hays County Road Administrator, Darrel Brown or his successor, hereinafter called "County Agent" is hereby designated as the agent of the County for the performance of services pursuant to this contract.

**V.
REQUESTS FOR SERVICE**

The City's Agent may request Hays County's Agent to perform repair or maintenance services on any city street or streets or portions thereof. Said request may be made orally or in writing. At the time of making said request, the City's Agent shall specify in detail the nature of the service requested, the extent of the service requested, the city street or streets or portions thereof upon which the service is to be performed, and the time within which the City desires the service requested to be commenced and to be completed.

**VI.
AGREEMENT TO PERFORM SERVICE**

Upon receipt of a request for service in conformance with Paragraph V hereof, the County's Agent shall perform the requested service. If the County's Agent agrees to perform the service, the Agent shall cause to be prepared a written work order setting forth in detail the nature of the service requested, the City street or streets or portions thereof upon which the service is to be performed, and time within which the service are to be commenced and to be completed. The County shall not be obligated to perform any service under this agreement unless and until the written work order described in this paragraph has been signed by the City's Agent. However, the performance of any service requested pursuant to this agreement, prior to or without the signing of a written work order, shall not relieve the City of the obligation to pay for said service as provided in this agreement. The terms of a written work order signed by the City's Agent shall control over any oral or prior written request for service.

**VII.
PERFORMANCE OF SERVICE**

Upon execution of a written work order prepared by the County's Agent, as described in Paragraph VI hereof, County shall perform the service set forth in such work order. Such service shall be performed to the same standard and using the same quality of materials as specified in the County's subdivision ordinance. County shall furnish all personnel, equipment, and materials necessary to perform the services set forth in each work order, except when otherwise provided herein.

**VIII.
CLOSING STREETS**

Should it become necessary, in the sole discretion of Hays County's Agent, to deny public access to any City street or streets or portions thereof during the performance of any service requested pursuant to this contract, County's Agent shall so notify the designated City's Agent in writing. Such written notification may be contained in the written work order, or may be by separate writing, and may be submitted at any time during the performance of any service requested hereunder. Upon giving the City of Dripping Springs written notice, the County shall promptly act to close the said City street or streets, or portions thereof. In the event any such closure results in the denial of public access by any third party to private property, the City, at its sole cost and expense shall provide such alternative public access as may be required by law. The County shall have no obligation to provide alternative public access in the event of any such closure.

IX.

For the services herein agreed to be performed, the City shall pay the County the actual cost to the County for all personnel employed in the performance of the maintenance or repair, and all equipment and materials incorporated into the maintenance or repair not to exceed \$8,000.00 during the term of this agreement. The actual cost of personnel for each person performing services under this contract shall be the actual hourly wage paid by the County to each employee, plus all "fringe benefits" ordinarily paid by the County to such person at the time the work is performed, including but not limited to insurance and retirement, on the day of performance, multiplied by the number of hours elapsing from the time an employee is dispatched to the job site hereunder until his return to his customary job station or other work site, provided, however, that any fractional portion of an hour during time elapsed shall be counted as a full hour for purpose of calculating the time elapsed and provided further that in no event shall the calculation of time elapsed include any period of time during which or for which Hays County is not obligated to pay the employee.

The actual costs of materials shall be the price per unit of materials set forth in the most recent contract of Hays County for the acquisition of such materials and equipment, multiplied by the total units of materials or measurable fractional portions thereof actually incorporated into or expended during the performance of services pursuant to this agreement.

Upon the completion of the service detailed in each work order, the County will send to the City a statement showing the amount of compensation due it for service performance pursuant to such work order. The amount of compensation on each statement shall be due in full within thirty (30) days after the date of the statement.

**X.
NO OBLIGATION**

Nothing herein shall be construed to require the County to accept a request from the City to perform service. The County is free, at its option, to contract with any third party for all or part of the services outlined in this agreement. Nothing herein shall be construed to require the County to accept or reject any request to perform services hereunder, provided, however, that upon execution by the City's Agent of a work order prepared by the County's Agent, the County shall be obligated to perform the work detailed in such work order and shall not be excused from the performance of such work without the written agreement of the City's Agent excusing the work order, except as otherwise provided herein, or as provided by law.

XI.

In the event that the performance by the County of any of its obligations or undertakings hereunder shall be interrupted or delayed by any occurrence not occasioned by its own conduct, whether such occurrence be an act of God or the common enemy or the result of war, riot, civil commotion, sovereign conduct, or the act or conduct of any person or persons not a party or privy hereto, then it shall be excused from such performance for such period of time as is reasonable necessary after such occurrence to remedy the effects thereof.

**XII.
VENUE AND CHOICE OF LAW**

The obligations and undertakings of each of the parties to this agreement shall be performable in Hays County, Texas, and this agreement shall be governed by and construed in accordance with the laws of the State of Texas.

XIII.

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any prior agreements, promises, negotiations, or representations not expressly set forth in this agreement are of no force or effect. Any oral representations or modifications concerning this agreement shall be of no force or effect, excepting a subsequent modification in writing signed by the party to be charged and expressly authorized by the governing body of such party. No official, representative, employee, or agent of the County has any authority to modify or amend this contract except pursuant to specific authority to do so granted by the Commissioners Court of the County.

**XIV.
NON-ASSIGNMENT OF RIGHTS**

No assignment of this agreement or of any right accruing hereunder shall be made in whole or in part by the City without the prior written consent of the County.

**XV.
SUCCESSORS AND ASSIGNS**

This agreement shall be binding upon and inure to the benefit of the successors, successor in office, and assigns of the respective parties hereto.

**XVI.
NOTICE**

Any notice to be given hereunder by either part to the other shall be in writing and may be effected by personal delivery in writing or registered or certified mail, return receipt requested when mailed to the property party, at the following addresses:

CITY: Terry Garnett, Mayor
City of Dripping Springs
204-G Mercer Street
Dripping Springs, Texas 78620

COUNTY: Honorable Eddy Etheredge
Hays County Judge
Hays County Courthouse
San Marcos, Texas 78666

Each party may change the address for notice to it by giving notice of such change in accordance with the provisions of this paragraph.

**XVII.
COMPUTATION OF TIME**

When any period of time is referred to in this agreement or in any work order prepared and executed hereunder, it shall be computed to exclude the first and include the last day of such period. If the last day of any such period falls on a Saturday, Sunday, or a day made a legal holiday by the County or the City, such day shall be omitted from the computation.

XVIII.
HEADINGS

The headings at the beginning of the various provisions of this agreement have been included only in order to make it easier to locate the subject covered by each provision and are not to be used in construing this agreement.

XIX.
NUMBER AND GENDER DEFINED

As used in the agreement, whenever the context so indicates the masculine, feminine, or neuter gender and the singular or plural number shall be deemed to include the others.

Dated this 12th day of December, 1994.

13342 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A CONTRACT WITH THE DOWNTOWNERS ASSOC. OF SAN MARCOS FOR MAINTENANCE OF THE COURTHOUSE LAWN AND SQUARE FOR A PERIOD OF SIX MONTHS

Lupe Carbajal, President of the Downtowners Association of San Marcos, appeared before the Court with a proposal for maintenance of the Courthouse lawn and square - spoke of building renovations taking place around the square - the City of San Marcos has provided additional lighting and will provide a person to help maintain the downtown area - requested participation by the County. Randy Chipman spoke in support of proposal by Man-A-Cure Home Maintenance - for a fee of \$250.00 per month the following services would be provided on a weekly basis: mowing, trimming, edging, scalping, hedging, weed control on pavement, weed control in flowerbeds, tree pruning, ant control, pine bank mulching, windblown trash pickup (on Mondays), and necessary replanting of plants and flowers. Discussion was had regarding renovation to take place at the courthouse and use of county personnel for this work. Judge Etheredge suggested trying this service for six months to show intent of cooperation - would prefer to contract with the Downtowners Association. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to enter into a contract with the Downtowners Association of San Marcos for maintenance of the Courthouse lawn and square for a period of six months at the rate of \$250.00 per month. All present voting "Aye".

13343 RECOMMENDATIONS TO THE CENTRAL APPRAISAL DISTRICT FOR NEW MEMBERS TO THE APPRAISAL REVIEW BOARD

A motion was made by Commissioner Barton, seconded by Commissioner Payne to nominate Daniel Heideman and Bob Kirkpatrick to the C.A.D. Appraisal Review Board - with additional nominees possible at a later date. All present voting "Aye".

13344 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS IN FITZHUGH CORNERS SUBDIVISION: SPEED LIMITS

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. Road Director Darrel Brown recommended speed limit of 30 MPH with 20 MPH on curves. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to establish traffic regulations in the Fitzhugh Corners subdivision of 30 MPH Speed Limit - with 20 MPH speed limit on curves. All present voting "Aye".

13345 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS IN THE SETTLEMENT AND FOX RIDGE SUBDIVISIONS: 30 MPH SPEED LIMIT

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. A motion was made by Commissioner Payne, seconded by Judge Etheredge to establish traffic regulations in the Settlement and Fox Ridge Subdivisions - 30 MPH Speed Limit. All present voting "Aye".

EXECUTIVE SESSION

The Court convened into closed executive session to discuss personnel matters and lease of real estate. Upon completion of executive session, the court reconvened into open meeting.

13346 APPROVE SALARY ADJUSTMENT FOR ASSISTANT DISTRICT ATTORNEY

This item was discussed in executive session prior to action - District Attorney Marcos Hernandez advises that Assistant District Attorney Mike Wenk's job experience warrants recognition by the county - he may be paid "one" pay group higher than his current grade - Pursuant to Paragraph 5.19 RANK-IN-PERSON:

5.19 RANK-IN-PERSON: In highly unique circumstances the county may want to recognize or hire an employee whose (a) breadth and depth of job related experience or (b) outside employment salary is above the pay group established for his/her position within the county. In these rare circumstances the employee may receive pay at "one grade higher" than the established pay group classification. This is not position dependent, but "person" dependent. Significant justification is required. When the incumbent leaves, the position automatically reverts to the original pay group classification.


A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve salary adjustment for Assistance District Attorney Mike Wenk from Grade 19 to Grade 20 Step 14, to be effective December 1, 1994 pursuant to 5.19 of the Hays County Personnel Policy. All present voting "Aye".

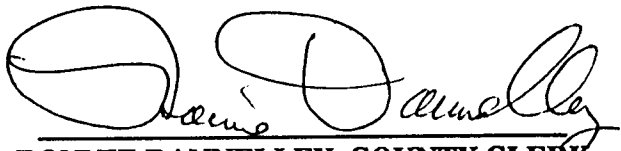
13347 AUTHORIZE THE COUNTY PURCHASING AGENT TO ADVERTISE FOR RENTAL PROPERTY AND TO NEGOTIATE A MONTH TO MONTH LEASE FOR ADULT PROBATION DEPARTMENT

The Adult Probation Office lease was discussed at the last meeting - the lease is up on December 15th. Linda Turley, Chief Adult Probation Officer, spoke of moving the computers (will take a month). A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the County Purchasing Agent to advertise for rental property for the Adult Probation Department. All present voting "Aye". Commissioner Barton made a motion, seconded by Commissioner Payne, to authorize the County Purchasing Agent to negotiate a month to month lease with the current Lessor, present the negotiated lease to the County Judge, and to furthermore authorize the County Judge to enter into a lease on behalf of Hays County. All present voting "Aye".

Court was adjourned until Monday December 19, 1994.

MINUTES APPROVED IN OPEN COURT ON THE 23rd DAY OF January, 1995.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

DECEMBER 19, 1994

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STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 19TH DAY OF DECEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

INTRODUCTION OF NEW EMPLOYEES - The following new county employees were introduced to the Commissioners' Court: Antonio Chavez (Road Dept.), Bobby Brown, Jr. (Road Dept.), Betty "Gay" Helmly (RN/Personal Health), Deborah Mahan (RN/Personal Health), and Victoria St. John (Legal Aid).

13348 ADOPT PROCLAMATION IN RECOGNITION OF COMMISSIONER PCT. 4 ORAN HILL RIPPY

Judge Etheredge read a Proclamation recognizing Commissioner Pct. 4 Oran Hill Rippy's years of service and designating December 19, 1994 as "Oran Hill Rippy Day". Sheriff Paul Hastings and staff presented Commissioner Rippy with a Certificate of Appreciation from the Sheriff's Department. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to adopt Proclamation in recognition of Commissioner Oran Hill Rippy. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Payne voting "Aye". Commissioner Rippy abstained.

| |
|--|
| STATE OF TEXAS * |
| COUNTY OF HAYS * |
| PROCLAMATION |
| WHEREAS , Oran Hill Rippy has served Hays County for the past nine years as the County Commissioner for Precinct 4, and; |
| WHEREAS , Commissioner Rippy has performed the duties of that office faithfully and with common sense and friendliness, and; |
| WHEREAS , the Commissioners' Court of Hays County, the employees of Hays County and people of Hays County are truly thankful for his service; |
| THEREFORE, BE IT PROCLAIMED by the Commissioners' Court of Hays County, Texas, that December 19, 1994 be recognized as |
| ORAN HILL RIPPY DAY |
| and be it further proclaimed that citizens and officials be encouraged to participate in observance of this special occasion. |
| PROCLAIMED ADOPTED on this 19th day of December, 1994. To certify which witness our signatures below. |

13349 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$515,768.68 as presented by the County Auditor. All voting "Aye".

| | | | | | |
|------------------|---------------|-------------------|-------------|---------------------|---------------|
| Sales Tax/Nov | \$ 251.19 | Fines | \$ 68.00 | Auditor | \$ 386.17 |
| Treasurer | \$ 425.67 | Extension Ofc | \$ 187.14 | Grants Admin | \$ 399.35 |
| Juvenile Prob | \$ 1,526.25 | Election Admin | \$ 3,527.12 | Indigent Care | \$ 5,597.03 |
| Transfer Station | \$ 6,521.74 | Bldg. Maint. | \$ 1,630.11 | Environ Health | \$ 583.56 |
| Personal Health | \$ 361.14 | Civic Center | \$ 1,043.57 | Countywide Oper | \$ 217,730.95 |
| Tax A/C | \$ 1,419.42 | District Clerk | \$ 373.10 | County Clerk | \$ 1,354.58 |
| Sheriff's Ofc | \$ 4,553.84 | Jail Operations | \$31,000.80 | County Judge | \$ 136.98 |
| Human Resources | \$ 207.12 | Co Crt @ Law 1 | \$ 74.38 | District Atty. | \$ 485.57 |
| J.P. 1-1 | \$ 86.95 | J.P. 1-2 | \$ 7.24 | J.P. 2 | \$ 122.40 |
| J.P. 5 | \$ 134.88 | D.P.S. | \$ 279.65 | Constable 1 | \$ 151.37 |
| Constable 2 | \$ 27.40 | Constable 3 | \$ 70.25 | Constable 5 | \$ 159.26 |
| District Cr Oper | \$ 6,296.43 | Co & JP Cr Oper | \$ 9,080.81 | Veterans Admin | \$ 4.58 |
| Computer Svcs | \$ 108,315.90 | Co Crt @ Law 2 | \$ 5.83 | CJD Juv Svcs | \$ 40.00 |
| Fire Marshal/EMC | \$ 311.42 | TABC | \$ 53.35 | Dist Cr Reprtr | \$ 55.20 |
| TJPC CCAP Grant | \$ 6,655.46 | TCADA/DARE(DA) | \$ 225.68 | General Fund Credit | \$ 193.27* |
| R&B Operations | \$ 45,049.12 | Precinct 1 | \$ 150.00 | Precinct 2 | \$ 1,078.83 |
| Precinct 3 | \$ 100.00 | Precinct 4 | \$ 55.00 | Right of Way | \$ 1,296.29 |
| Rec Mng/Co Clk | \$ 0.41 | Health Svcs Grant | \$ 3,033.31 | Road Construction | \$ 23,596.35 |
| Courthouse Renov | \$ 208.81 | Foster Care | \$ 9,640.62 | Adult Prob Oper | \$ 7,878.21 |
| Adult Prob Fac | \$ 603.47 | D.A. Reimb | \$ 6,542.59 | Anticip Notes | \$ 4,800.00 |

13350 AMEND BUDGET TO RECORD TXDOT/STEP GRANT AND AMEND BUDGET OF COUNTY-WIDE OPERATIONS

TXDOT/STEP Grant - Budget TXDOT/STEP Grant from Agency Revenues and transfer for County match.

County-Wide Operations - Transfer \$14,000 of \$75,000 previously budgeted for Juvenile Center Operations in Contingencies to Capital Improvements - Buda Office roof renovations.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendment No. 95-006 to record TXDOT/STEP Grant and amend County-wide Operations as proposed by the County Auditor. All voting "Aye".

AMENDMENT
NO. 95-006
FY 95 BUDGET
12/19/94

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS |
| | AMENDMENT | | | AMENDED |

TXDOT/SPEED STEP GRANT (728)

| | | | | |
|-----------------------------|---|--------|--|--------|
| 01-728-5021 Staff Sal | 0 | 3,739 | | 3,739 |
| 01-728-5031 Overtime | 0 | 57,685 | | 57,685 |
| 01-728-5110 FICA | 0 | 4,700 | | 4,700 |
| 01-728-5121 Retirement | 0 | 4,600 | | 4,600 |
| 01-728-5219 Misc Supply | 0 | 629 | | 629 |
| 01-728-5346 Worker Comp Ins | 0 | 1,740 | | 1,740 |
| 01-728-5391 Other Misc Exp | 0 | 1,207 | | 1,207 |
| 01-728-5719 Equipment | 0 | 3,700 | | 3,700 |

COUNTY-WIDE OPERATIONS (414)

| | | | | |
|------------------------------|---------|--|---------|---------|
| 01-414-5340 Insurance - W.C. | 546,900 | | (1,740) | 545,160 |
|------------------------------|---------|--|---------|---------|

SHERIFF (418)

| | | | | |
|--------------------------|-----------|--|---------|-----------|
| 01-418-5021 Staff | 1,305,216 | | (3,741) | 1,301,475 |
| 01-418-5031 O/T | 102,535 | | (9,400) | 93,135 |
| 01-418-5110 FICA | 110,434 | | (1,119) | 109,315 |
| 01-418-5121 Retirement | 109,065 | | (1,050) | 108,015 |
| 01-418-5160 Insurance | 125,074 | | (2,250) | 122,824 |
| 01-418-5717 Law Enf Eqpt | 18,305 | | (3,700) | 14,605 |

REVENUE

| | | DECREASE | INCREASE | |
|------------------------------|---|---------------|---------------|--------|
| 01-381-2728 TXDOT/STEP GRANT | 0 | | 55,000 | 55,000 |
| TOTALS FOR GRANT | | <u>78,000</u> | <u>78,000</u> | |

BUDGET AUTHORIZED GRANT & TRANSFER COUNTY MATCHING PORTION

COUNTY-WIDE OPERATIONS (414)

| | | | | |
|-----------------------------|---------|--------|----------|---------|
| 01-414-5741 Misc Cap Improv | 355,000 | 14,000 | | 369,000 |
| 01-414-5399 Contingencies | 113,912 | | (14,000) | 99,912 |

TRANSFER \$14,000 OF \$75,000 EARMARKED FOR JUVENILE SERVICE CENTER OPERATION'S EXPENSE INTO IMPROVEMENTS - BUDA OFFICES' ROOF

DECEMBER 19, 1994

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13351 CANCEL DECEMBER 26, 1994 COMMISSIONERS' COURT MEETING AND SCHEDULE NEXT MEETING FOR TUESDAY - JANUARY 3, 1995

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to cancel the December 26, 1994 Commissioners' Court Meeting and schedule the next meeting for Tuesday January 3, 1995. All voting "Aye".

13352 APPROVE COMMISSIONERS' COURT MINUTES OF NOVEMBER 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioners' Court Minutes of November 1994 as presented by the County Clerk. All voting "Aye".

13353 AWARD ANNUAL CONTRACT FOR HAULING OF ROAD MATERIALS

Cindy Casparis, Purchasing Agent, presented bid tabulations for hauling road materials - bidders were Thomas Trucking Company and Odeen Hibbs Trucking Company - low bid on trailer dump is Odeen Hibbs Trucking Co. and low bid on tandem dump is Thomas Trucking. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award annual contract for hauling of road materials to Odeen Hibbs Trucking Company for trailer dump and Thomas Trucking Company for tandem dump. All voting "Aye".

13354 AUTHORIZE COMPUTER SERVICES TO REPLACE IRREPARABLE EQUIPMENT WITH EXCESS FUNDS REMAINING FROM PURCHASE OF BUDGETED EQUIPMENT

Summary: Computer Services did not include any funds for current equipment which may become irreparable during the year. However, some budgeted equipment is being purchased for less than the amount originally budgeted. Request that this excess money be authorized to be used to replace irreparable equipment. Auditors office will monitor the amount of money available for such purposes if approved by Commissioners' Court. This need was determined when the computer backup system being shared by the County Judge and the County Auditor could not be repaired and no funds were budgeted to handle these items. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize Computer Services to replace irreparable equipment with excess funds remaining from purchase of budgeted equipment. All voting "Aye".

13355 APPROVE PURCHASE OF A COMPUTER WORKSTATION OUT OF COUNTYWIDE EQUIPMENT FOR INDIGENT HEALTH CARE

Eva Cruz, Indigent Health Care Coordinator, requested authorization to purchase of computer workstation out of county-wide equipment(\$120) - the original workstation was broken and needs to be replaced. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of a computer workstation out of county-wide equipment for Indigent Health Care. All voting "Aye".

13356 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS DEPT. OF TRANSPORTATION - ISTE A ENHANCEMENT GRANTS PROGRAM FOR THE LANDSCAPING PROJECT IN DRIPPING SPRINGS AND TO EXECUTE A CONTRACT

This is a grant from the Texas Department of Transportation - ISTE A Enhancement Grant Program (\$16,000) to landscape and build an unmanned information center at the "Triangle" in Dripping Springs. The property is owned by the County, but matching funds and maintenance will be provided by the local chamber of commerce. The County's Grants Dept. in conjunction with the County Purchasing Office will be responsible for procurement of professional services, but construction bidding and letting will be done by the Texas Department of Transportation in Austin. The County will not receive any admin. funds in this project. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to accept Grant Award from the Texas Department of Transportation - ISTE A Enhancement Grants Program for the landscaping project in Dripping Springs and to execute a contract. All voting "Aye".

13357 APPROVE INTERLOCAL AGREEMENT WITH THE DRIPPING SPRINGS CHAMBER OF COMMERCE TO ADMINISTER THE TEXAS DEPT. OF TRANSPORTATION - ISTE A ENHANCEMENT GRANT TO LANDSCAPE THE "TRIANGLE"

This is a grant from TXDOT - ISTE A Enhancement Grant Program to landscape the "Triangle" and build an unmanned information center at the site in Dripping Springs. The property is owned by the County, but matching funds and maintenance will be provided by the local chamber of commerce. The County's Grants Dept., in conjunction with the County Purchasing Office, will be responsible for procurement of professional services, but construction bidding and letting will be done by the Texas Dept. of Transportation in Austin. The County will no receive any administrative funds in this project. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to Approve Interlocal Agreement with the Dripping Springs Chamber of Commerce to administer the Texas Dept. of Transportation - ISTE A Enhancement Grant to landscape the "Triangle". All voting "Aye".

| Interlocal Agreement | |
|--|--|
| This agreement is made between the County of Hays and the Dripping Springs Chamber of Commerce under the authority of the Interlocal Cooperative Act (Tex. Govt. Code Section 791.001, et seq, 1992 Supp). | |
| 1. This agreement was authorized by the Dripping Springs Chamber of Commerce at a properly scheduled meeting on the _____ of December, 1994. | |
| 2. This agreement was authorized by Hays County at a properly scheduled meeting on the 19th day of December, 1994. | |
| 3. The subject matter of this agreement is the Texas Department of Transportation Enhancement Grant to Hays County to construct a landscaped community garden on the "Triangle" in Dripping Springs, Texas. | |
| 4. As a part of the grant, the Dripping Springs Chamber of Commerce will build an unmanned information center on the "Triangle" site. | |
| 5. The County shall administer the grant until it is closed in accordance with the terms hereof. The Dripping Springs Chamber of Commerce agrees to cooperate with the County as may be required from time to time in order to achieve the goals for which the grant was obtained. | |
| 6. The County shall keep the Dripping Springs Chamber of Commerce informed as to each step in the construction of the community garden and shall provide the Chamber adequate time to review all such construction and documentation requested. | |
| 7. Upon completion of the construction of the improvements the County will provide the Dripping Springs Chamber of Commerce with a set of "as built" plans showing the construction of the completed project. | |
| 8. This is the entire agreement of the parties, signed _____, 1994. | |
| COUNTY OF HAYS | |
| By: <u>s/ Eddy A. Etheredge</u>
Eddy Etheredge, County Judge | Attested: <u>s/ Ronnie Dannelley</u>
Ronnie Dannelley, County Clerk |

13358 AUTHORIZE ROAD DEPARTMENT TO PURCHASE GAS-POWERED HAMMER BREAKER INSTEAD OF BUDGETED AIR COMPRESSOR

Road Department Director Darrel Brown requested authorization to purchase a gas-powered hammer/breaker instead of budgeted air compressor - a Pionjar 120 is available on State contract @ \$4,595.00 with attachments. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the Road Department to purchase a gas-powered hammer/breaker instead of budgeted air compressor. All voting "Aye".

13359 APPROVE PURCHASE OF CHAIRS FOR USE BY COUNTY COURT AT LAW OUT OF UNSPECIFIED COUNTYWIDE EQUIPMENT

County Court at Law Judge Howard Warner advised that with bigger dockets the court needs to have chairs to place around the courthouse on court days - the maintenance department has been moving chairs from the Civic Center to the courthouse for this purpose - requested 50 chairs for the courthouse. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of chairs for use by County Court at Law out of unspecified countywide equipment. All voting "Aye".

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VARIANCE DISCUSSION - REQUEST FROM MARK MCMANUS TO DIVIDE A 10 ACRE TRACT INTO TWO 5 ACRE TRACTS - LOCATED ON HWY. 290

Mark McManus is the owner of a 10 acre tract located on Hwy. 290 - plan is to divide this property into two 5 acre tracts with 5 mobile homes on each tract - this property is inside the Dripping Springs ETJ but exempt from their review due to lot size. Allen Walther, Environmental Health Director, stated that he would like to see it platted to identify the water source or will accept a letter from the State regarding the community water system. Mr. McManus stated that he has met all requirements set out by TNRCC and Austin SOS Ordinance. No action taken this date.

13360 FRIENDSHIP RANCH PHASE I-A LOT 9 - FIRST READING APPROVAL

Lot 9 of Friendship Ranch Phase 1A is 5.05 acres and is located on Friendswood Lane - property owner is Cottonwood Enterprises Inc. A motion was made by Commissioner Rippey, seconded by Commissioner Barton to approve "Friendship Ranch Phase 1-A Lot 9" subdivision on first reading. All voting "Aye".

13361 CYPRESS CREEK ACRES REPLAT OF LOT 41 - FIRST READING AND CALL FOR PUBLIC HEARING

B. L. Mince and Douglas K. Ogden, dba Shalimar Investments, propose to divide Lot 41 of Cypress Creek Acres into two lots. Patsy Greiner, Mapping/Planning, advised that R-O-W on RR12 and E. Summit (CR321) needs to be identified so that we can determine if additional r-o-w is required off of this property, which could create a problem when the 0.5 acre lot is reduced to less than half an acre due to dedication of r-o-w. Lots need to be identified as 41-A and 41-B rather than A and B. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Cypress Creek Acres Replat of Lot 41" subdivision on first reading and call for a public hearing to be held January 3, 1995 at 9:00 A.M. All voting "Aye".

13362 PLATTING VARIANCE GRANTED TO DOUGLAS BARCLAY TO ALLOW DIVISION OF THE MOODY RANCH (1,636.86 ACRES) INTO SEVEN TRACTS

A discussion was had on December 12, 1994 regarding the variance request of Douglas Barclay (Volume P Page 212). A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant a platting variance to Douglas Barclay to allow division of the Moody Ranch (1,636.86 acres) into seven tracts. All voting "Aye".

13363 WHISPERING CREEK SUBDIVISION - THIRD READING APPROVAL

Whispering Creek subdivision is a four lot subdivision located on FM1826 and CR163 (20 acres out of the Richard Hailey Survey)- property owner is Robert E. Peerman, Inc. A motion was made by Commissioner Rippey, seconded by Commissioner Payne to approve "Whispering Creek" subdivision on third reading. All voting "Aye".

13364 MADRONE CANYON RANCH SUBDIVISION

Allen Walther, Environmental Health Director, spoke of three parcels that were previously sold and not included in the subdivision - concerned about the wording on the floodplain note - need to identify floodplain boundaries. Road Director Darrel Brown stated that the private roads are in good shape, however, additional drainage work is needed. A motion was made by Commissioner Rippey, seconded by Commissioner Rodriguez to approve "Madrone Canyon Ranch" subdivision on third reading. Commissioner Rodriguez and Commissioner Rippey voting "Aye". Commissioner Barton, Judge Etheredge, and Commissioner Payne voting "No". MOTION FAILED.

13365 AWARD CONTRACT FOR ROOF REPAIR AT THE BUDA SENIOR CITIZENS CENTER

Roofing Consultant Kent Chatagnier presented bid tabulation for metal roofing replacement at the Buda Senior Citizens Center (500 Jack Hayes Trail, Buda):

| BIDDERS | BASE BID | GUTTERS/DOWNSPOUTS | TOTAL |
|---------------------------------|---------------------|--------------------|---------------------|
| Dan James Inc., Lago Vista | \$ 14,667.00 | \$ 1,200.00 | \$ 15,867.00 |
| A.D. Willis Company, Austin | \$ 10,825.00 | \$ 2,125.00 | \$ 12,950.00 |
| Easley Roofing, Victoria | \$ 10,500.00 | \$ 1,500.00 | \$ 12,000.00 |
| D. & R Sales, Corpus | \$ 11,604.00 | \$ 452.00 | \$ 12,056.00 |
| Stokes Construction, San Marcos | \$ 13,886.00 | \$ 834.00 | \$ 14,720.00 |
| Port Ent., Austin | Declined | due to present | workload |
| SAS, San Antonio | Declined | due to present | workload |

Kent Chatagnier spoke of bids - does not address any possible deterioration of red iron or wood in the structure - recommended awarding contract to low bidder Easley Roofing of Victoria. A motion was made by Commissioner Barton, seconded by Judge Etheredge to award contract for roof repair at the Buda Senior Citizens Center to low bidder Easley Roofing of Victoria - to be paid out of unspecified contingencies. All voting "Aye".

13366 APPROVE ARCHITECTURAL PLAN FOR THE RENOVATION OF THE OLD H.E.B. BUILDING INTO THE HAYS COUNTY JUSTICE CENTER

Architect Ron Balderach presented the final plans for the Hays County Justice Center - estimated cost at this time is \$500,000.00 - spoke of proposed changes to bring the cost down: deleting vestibule (air lock entrance) and not finishing out one of the courtrooms - the City of San Marcos has concerns about the number of Exits (more are needed) - has met extensively with elected officials and department heads who will be located in the new building. A motion was made by Commissioner Barton, seconded by Commissioner Rippey to approve architectural plan for the renovation of the old H.E.B. building into the Hays County Justice Center with changes: Courtroom No. 3 will not be finished out, air lock entrance eliminated, and add a corridor to connect the Justice Center with the Hi-Lo portion of the building. All voting "Aye".

13367 AUTHORIZE LEASE OF A COPIER FOR CONSTABLE PCT. 1

Commissioner Payne spoke in support of replacing the current copier used by Constable Pct. 1 office. Cindy Casparis, Purchasing Agent, recommended leasing a copier at a cost of approximately \$100 per month (basic copier). A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to authorize lease of a copier for Constable Pct. 1 office. All voting "Aye".

DISCUSSION REGARDING ROCK PILLARS TO BE BUILT FOR MYRTLE MC ELVY (PCT 4)

Commissioner Rippey spoke of negotiations in 1993 with Myrtle McElvy - she donated right-of-way on CR169/Bell Springs Road in exchange for services: install a small cattleguard with a rock entry at the entrance to her private road and maintain her roadway once a year for a period of five years (maintenance would consist of grading the roadway) - the rock entrance has not yet been built - estimated cost is \$500.00 with rock to be donated. Commissioner Rippey wants to make sure that this project is completed after the new Commissioner comes into office January 1995. District Attorney Marcos Hernandez spoke of need for a metes and bounds description of property donated - Ms. McElvy signed an agreement with a general description. The Court assured Commissioner Rippey that this work would be done.

13368 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATION: 3-WAY STOP AT THE INTERSECTION OF SHETLAND ROAD & POST OAK ROAD (PCT. 4)

Judge Etheredge called the public hearing open - no public input was received - the public hearing was closed. A motion was made by Commissioner Rippey, seconded by Commissioner Payne to establish traffic regulation: 3-Way Stop at the intersection of Shetland Road & Post Oak Road in Precinct 4. All voting "Aye".

13369 APPROVE APPOINTMENT OF "JIM H. GRIFFIN" AS DEPUTY CONSTABLE PCT. 5

A letter was submitted by Constable 5 Billy H. Reeves requesting appointment of "Jim H. Griffin" as Deputy Constable to fill the newly created position effective Jan 1, 1995. Pursuant to Local Government Code 86.011. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve appointment of "Jim H. Griffin" as Deputy Constable Pct. 5 effective Jan. 1, 1995. All voting "Aye".

EXECUTIVE SESSION

The Commissioners' Court convened into Executive Session to discuss contemplated litigation. Upon completion of executive session, the court convened into open session.

DISCUSS SPITE EASEMENT AND ACCESS TO NEW SUBDIVISION BETWEEN HERITAGE OAKS AND BIG COUNTRY SUBDIVISIONS

District Attorney Marcos Hernandez recommended that he be allowed to discuss this matter with Bickerstaff, Heath, & Smiley and seek alternatives - see if there is a possibility that we can reopen the argument. Court advised him to proceed with discussions.

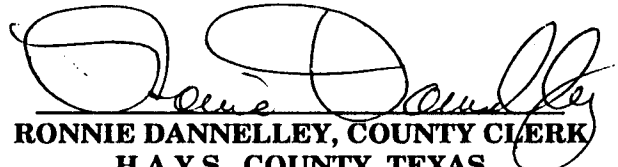
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Court was adjourned this the 19th day of December, 1994.

MINUTES APPROVED IN OPEN COURT ON THE 23rd DAY OF January, 1995.


EDDY A. ETHEREDGE, COUNTY JUDGE
 HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
 HAYS COUNTY, TEXAS

00

STATE OF TEXAS
 COUNTY OF HAYS

ON THIS THE 27TH DAY OF DECEMBER A.D., 1994, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| ORAN H. RIPPY | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY | COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Barton was not present when meeting began

13489 MADRONE CANYON RANCH - THIRD READING APPROVAL

Judge Etheredge spoke of request by Allen Walther to include three lots previously sold into this subdivision plat - one of the owners contacted him and stated that he did not want to be included in this subdivision. A motion was made by Commissioner Rippy, seconded by Commissioner Rodriguez to approve "Madrone Canyon Ranch" subdivision on third reading. All present voting "Aye".

13490 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Rodriguez, seconded by Commissioner Rippy to approve payment of county invoices in the amount of \$ 102,571.70 as presented by the County Auditor. All present voting "Aye".

| | | | | | |
|--------------------|--------------|------------------|--------------|-------------------|-------------|
| Extension Ofc | \$ 142.78 | Transfer Station | \$ 289.57 | Bldg. Maintenance | \$ 6,399.12 |
| Environ Health | \$ 50.34 | Personal Health | \$ 87.00 | Civic Center | \$ 1,667.82 |
| Countywide Oper | \$ 41,773.88 | District Clerk | \$ 279.71 | County Clerk | \$ 142.60 |
| Sheriff Ofc | \$ 2,590.99 | Jail Operations | \$ 9,515.83 | County Judge | \$ 50.00 |
| Co Crt @ Law #1 | \$ 154.78 | Human Resources | \$ 189.00 | District Attorney | \$ 146.16 |
| J.P. 1-2 | \$ 108.00 | J.P. 3 | \$ 48.20 | J.P. 4 | \$ 149.53 |
| J.P. 5 | \$ 113.98 | D.P.S. | \$ 5.02 | Constable 1 | \$ 1,147.00 |
| Constable 2 | \$ 139.05 | Constable 3 | \$ 41.19 | District Cr Oper | \$ 3,277.20 |
| Co & JP Cr Oper | \$ 3,505.49 | Veterans Admin | \$ 38.56 | Computer Svcs | \$ 56.00 |
| Dist Court Reprtr | \$ 174.31 | R&B Operations | \$ 21,509.09 | Precinct 1 | \$ 150.00 |
| Precinct 2 | \$ 43.50 | Precinct 3 | \$ 200.62 | Precinct 4 | \$ 51.58 |
| Health Svcs Grants | \$ 1,576.08 | Foster Care | \$ 951.00 | Adult Prob Oper | \$ 5,491.25 |
| Adult Prob Fac | \$ 315.47 | | | | |

Commissioner Barton came to the meeting at this time

13491 AMEND FY94 FINAL BUDGET FOR ACCRUALS TO VARIOUS FUNDS

County Auditor Bill Herzog presented Budget Amendment No. 94-69 to amend various funds for budgeting FYE 9/30/94 to account for accrued expenditures. A motion was made by Judge Etheredge, seconded by Commissioner Rippy to amend FY94 Final Budget for accruals to various funds. All present voting "Aye".

AMENDMENT
NO. 94-69
FY 94 BUDGET
12/27/94

| FUND NO. 01 | | FUND TITLE GENERAL | | |
|--|---------------|--------------------|-----------|---------------|
| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
| | BEFORE | INCREASES | DECREASES | AS |
| | AMENDMENT | | | AMENDED |
| AUDITOR (401) | | | | |
| 01-401-5221 Data Proc Sply | 1,950 | 123 | | 2,073 |
| 01-401-5211 Off Sply | 2,350 | | (123) | 2,227 |
| TREASURER (402) | | | | |
| 01-402-5213 Books | 200 | 11 | | 211 |
| 01-402-5211 Off Sply | 1,410 | | (11) | 1,399 |
| EXTENSION SERVICES (403) | | | | |
| 01-403-5191 Travel | 4,000 | 125 | | 4,125 |
| 01-403-5489 Telephone | 2,250 | 66 | | 2,316 |
| 01-403-5221 Data Proc Sply | 500 | | (125) | 375 |
| 01-403-5489 Utilities | 2,000 | | (66) | 1,934 |
| | | 191 | (191) | |
| GRANT ADMINISTRATION (404) | | | | |
| 01-404-5211 Off Sply | 1,425 | 10 | | 1,435 |
| 01-404-5212 Postage | 180 | | (10) | 170 |
| JUVENILE PROBATION (405) | | | | |
| 01-405-5211 Off Sply | 1,300 | 158 | | 1,458 |
| 01-405-5331 Cont Ed | 3,100 | 3 | | 3,103 |
| 01-405-5434 Psychol Exams | 3,195 | 401 | | 3,596 |
| 01-405-5491 Juv Detention | 61,350 | | (562) | 60,788 |
| | | 562 | (562) | |
| COMMUNITY & SOCIAL SERVICES (407) | | | | |
| 01-407-5850 Hays Co Eco Dev | 12,000 | | (12,000) | 0 |
| TRANSFER TO INDIGENT CARE | | | | |
| INDIGENT CARE (408) | | | | |
| 01-408-5431 Medical Svcs | 165,000 | 15,064 | | 180,064 |
| 01-408-5433 Special Assist | 10,000 | 662 | | 10,662 |
| 01-408-5231 Medical Sply | 40,000 | | (1,726) | 38,274 |
| | | 15,726 | (15,726) | |

AMENDMENT
NO. 94-69
FY 94 BUDGET
12/27/94
Page 2

| FUND NO. 01 | | FUND TITLE GENERAL | | |
|-----------------------------------|---------------|--------------------|-----------|---------------|
| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
| | BEFORE | INCREASES | DECREASES | AS |
| | AMENDMENT | | | AMENDED |
| TRANSFER STATION (409) | | | | |
| 01-409-5391 Misc | 300 | 146 | | 446 |
| 01-409-5480 Utilities | 750 | 65 | | 815 |
| 01-409-5452 Trash Haul | 70,000 | | (211) | 69,789 |
| | | 211 | (211) | |
| BUILDING MAINTENANCE (410) | | | | |
| 01-410-5413 Vehicle Maint | 1,000 | 5 | | 1,005 |
| 01-410-5490 Stokes Utilities | 6,000 | 1,375 | | 7,375 |
| 01-410-5487 Records Utilities | 10,925 | | (1,380) | 9,545 |
| | | 1,380 | (1,380) | |
| ENVIRONMENTAL HEALTH (411) | | | | |
| 01-411-5211 Off Sply | 2,000 | 200 | | 2,200 |
| 01-411-5271 Fuel & Lubes | 5,800 | 475 | | 6,275 |
| 01-411-5321 Dues & Bonds | 150 | 21 | | 171 |
| 01-411-5461 Printing | 2,650 | 1,475 | | 4,125 |
| 01-411-5711 Off Eqpt | 11,054 | 75 | | 11,129 |
| 01-411-5221 Data Proc Sply | 2,050 | | (1,146) | 904 |
| 01-411-5713 Vehicles | 26,000 | | (1,100) | 24,900 |
| | | 2,246 | (2,246) | |
| PERSONAL HEALTH (412) | | | | |
| 01-412-5212 Postage | 1,500 | 50 | | 1,550 |
| 01-412-5489 Telephone | 4,200 | 150 | | 4,350 |
| 01-412-5231 Medical Sply | 6,000 | 2,605 | | 8,605 |
| 01-412-5732 Remodeling | 2,500 | | (1,230) | 1,270 |
| 01-412-5349 Malpractice Ins | 8,000 | | (1,575) | 6,425 |
| | | 2,805 | (2,805) | |
| CIVIC CENTER (413) | | | | |
| 01-413 5459 Misc Contract | 10,000 | 2,300 | | 12,300 |
| 01-413-5480 Utilities | 28,300 | | (2,300) | 26,000 |

HAYS COUNTY COMMISSIONERS' COURT MINUTES

DECEMBER 27, 1994

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AMENDMENT
NO. 94-69
FY 94 BUDGET
12/27/94
Page 3

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|---|---------------|---------------|-----------------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |
| | AMENDMENT | | | |
| COUNTY-WIDE OPERATIONS (414) | | | | |
| 01-414-5212 Postage | 0 | 1,810 | | 1,810 |
| 01-414-5432 Autopsy/Inquest | 28,000 | 4,070 | | 32,070 |
| 01-414-5333 Sustainable Develop
Workshop | 0 | 500 | | 500 |
| 01-414-5442 Independent Audit | 16,000 | 580 | | 16,580 |
| 01-414-5443 Consultants | 60,000 | 5,325 | | 65,325 |
| 01-414-5091 Salary Increase | 38,713 | | (2,285) | 36,428 |
| 01-414-5399 Contingencies | 136,500 | | (10,000) | 126,500 |
| | | <u>12,285</u> | <u>(12,285)</u> | |
| TAX ASSESSOR/COLLECTOR (415) | | | | |
| 01-415-5488 Data Lines | 1,500 | 115 | | 1,615 |
| 01-415-5711 Off Eqpt | 1,023 | 88 | | 1,111 |
| 01-415-5221 Data Proc Sply | 2,200 | | (201) | 1,997 |
| | | <u>201</u> | <u>(201)</u> | |
| DISTRICT CLERK (416) | | | | |
| 01-416-5211 Off Sply | 6,400 | 275 | | 6,675 |
| 01-416-5212 Postage | 6,880 | 300 | | 7,180 |
| 01-416-5215 Perm Record Sply | 2,552 | | (575) | 1,977 |
| | | <u>575</u> | <u>(575)</u> | |
| COUNTY CLERK (417) | | | | |
| 01-417-5331 Cont Ed | 3,100 | 50 | | 3,150 |
| 01-417-5411 Off Eqpt Maint | 2,715 | 830 | | 3,545 |
| 01-417-5211 Off Sply | 8,700 | | (880) | 7,820 |
| | | <u>880</u> | <u>(880)</u> | |
| SHERIFF (418) | | | | |
| 01-418-5211 Off Sply | 6,000 | 430 | | 6,430 |
| 01-418-5212 Postage | 2,985 | 25 | | 3,010 |
| 01-418-5213 Books | 2,171 | 300 | | 2,471 |
| 01-418-5272 Vehicle Sply | 34,220 | 400 | | 34,620 |
| 01-418-5311 Travel | 2,300 | 380 | | 2,680 |
| 01-418-5364 New Employee | 0 | 2,700 | | 2,700 |
| 01-418-5391 Misc | 400 | 90 | | 490 |
| 01-418-5411 Off Eqpt Maint | 600 | 60 | | 660 |
| 01-418-5413 Vehicle Maint | 10,000 | 425 | | 10,425 |

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FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|---------------------------------|---------------|---------------|-----------------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |
| | AMENDMENT | | | |
| SHERIFF (418) (CONT) | | | | |
| 01-418-5473 Eqpt Lease | 4,140 | 650 | | 4,790 |
| 01-418-5480 Utilities | 3,500 | 220 | | 3,720 |
| 01-418-5488 Data Lines | 900 | 30 | | 930 |
| 01-418-5489 Telephone | 35,000 | 3,081 | | 38,081 |
| 01-418-5719 Misc Equipment | 1,850 | 3,250 | | 5,100 |
| 01-418-5235 Law Enf Sply | 10,400 | | (1,225) | 9,175 |
| 01-418-5271 Fuel/Lubes | 83,200 | | (1,225) | 81,975 |
| 01-418-5362 CID Expense | 3,930 | | (400) | 3,530 |
| 01-418-5415 Commn Eqpt Maint | 6,000 | | (1,375) | 4,625 |
| 01-418-5461 Printing | 4,500 | | (550) | 3,950 |
| 01-418-5474 Uniform Rental | 1,250 | | (750) | 500 |
| 01-418-5717 Law Enf Eqpt | 18,159 | | (300) | 17,859 |
| 01-418-5021 Staff | 1,124,836 | | (900) | 1,123,936 |
| 01-418-5031 O/T | 100,500 | | (316) | 100,184 |
| | | <u>12,041</u> | <u>(7,041)</u> | |
| JAIL OPERATIONS (419) | | | | |
| 01-419-5211 Off Sply | 5,900 | 630 | | 7,530 |
| 01-419-5212 Postage | 25 | 5 | | 30 |
| 01-419-5221 Data Proc Sply | 600 | 135 | | 735 |
| 01-419-5232 Prisoner Meal | 340,000 | 3,700 | | 343,700 |
| 01-419-5281 Janitorial Sply | 35,000 | 12,800 | | 47,800 |
| 01-419-5431 Med/Dental Svcs | 50,000 | 53,050 | | 103,050 |
| 01-419-5489 Telephone | 17,000 | 1,040 | | 18,040 |
| 01-419-5021 Staff | 2,407,162 | | (1,500) | 2,405,662 |
| 01-419-5231 Medical Sply | 60,000 | | (5,000) | 55,000 |
| 01-419-5236 Bedding/Linens | 5,000 | | (450) | 4,550 |
| 01-419-5241 Bldg Maint Sply | 39,000 | | (5,200) | 33,800 |
| 01-419-5324 State Inspection | 1,200 | | (1,000) | 200 |
| 01-419-5363 Prisoner Transfer | 1,300 | | (400) | 900 |
| 01-419-5364 New Employee Exp | 5,100 | | (1,400) | 3,700 |
| 01-419-5391 Misc | 3,500 | | (500) | 3,000 |
| 01-419-5419 Misc Eqpt Maint | 24,800 | | (18,500) | 6,300 |
| 01-419-5451 Bldg Maint Contract | 20,789 | | (15,600) | 5,189 |
| 01-419-5480 Utilities | 180,000 | | (24,000) | 156,000 |
| 01-419-5719 Misc Equipment | 38,996 | | (2,810) | 36,186 |
| | | <u>71,360</u> | <u>(76,360)</u> | |

NET TRANSFER - \$5,000 - JAIL TO SHERIFF'S OFFICE

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|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |

COUNTY JUDGE (420)

| | | | | |
|------------------------------|-------|------------|--------------|-------|
| 01-420-5489 Telephone | 3,700 | 45 | | 3,745 |
| 01-420-5712 Data Proc Equip | 6,720 | 460 | | 7,180 |
| 01-420-5212 Postage | 700 | | 100 | 600 |
| 01-420-5311 Travel | 829 | | 160 | 669 |
| 01-420-5353 Special Projects | 7,100 | | 245 | 6,855 |
| | | <u>505</u> | <u>(505)</u> | |

HUMAN RESOURCES (421)

| | | | | |
|----------------------|-------|----|------|-------|
| 01-421-5211 Off Sply | 2,300 | 60 | | 2,360 |
| 01-421-5311 Travel | 500 | | (60) | 440 |

COUNTY COURT & LAW 1 (422)

| | | | | |
|---------------------------|-------|------------|--------------|-------|
| 01-422-5212 Postage | 1,300 | 130 | | 1,430 |
| 01-422-5213 Books | 662 | 8 | | 670 |
| 01-422-5331 Continuing Ed | 50 | | (40) | 10 |
| 01-422-5489 Telephone | 900 | | (98) | 802 |
| | | <u>138</u> | <u>(138)</u> | |

DISTRICT ATTORNEY (423)

| | | | | |
|-------------------------|-------|------------|--------------|-------|
| 01-423-5211 Off Sply | 4,466 | 74 | | 4,540 |
| 01-423-5311 Travel | 350 | 165 | | 515 |
| 01-423-5443 Witness Exp | 1,400 | | (239) | 1,161 |
| | | <u>239</u> | <u>(239)</u> | |

JUSTICE OF PEACE 1-1 (425)

| | | | | |
|----------------------------|-------|------------|--------------|-------|
| 01-425-5110 FICA | 6,165 | 5 | | 6,170 |
| 01-425-5211 Off Sply | 3,250 | 15 | | 3,265 |
| 01-425-5212 Postage | 800 | 125 | | 925 |
| 01-425-5221 Data Proc Sply | 500 | | (145) | 355 |
| | | <u>145</u> | <u>(145)</u> | |

JUSTICE OF PEACE 5 (429)

| | | | | |
|-----------------------|-------|----|------|-------|
| 01-429-5110 FICA | 4,138 | 20 | | 4,158 |
| 01-429-5213 Books | 200 | 15 | | 215 |
| 01-429-5489 Telephone | 1,000 | | (35) | 965 |

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FUND TITLE GENERAL

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|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |

DEPARTMENT OF PUBLIC SAFETY (430)

| | | | | |
|----------------------------------|-------|-----|-------|-------|
| 01-430-5488 Data Lines | 8,700 | 300 | | 9,000 |
| 01-430-5489 Telephone | 5,300 | 80 | | 5,380 |
| 01-430-5423 Contract Programming | 500 | | (380) | 120 |

CONSTABLE 1 (431)

| | | | | |
|---------------------------|-------|-----|-------|-------|
| 01-431-5391 Misc | 650 | 370 | | 1,020 |
| 01-431-5413 Vehicle Maint | 2,700 | | (370) | 2,330 |

DISTRICT COURT OPERATIONS (436)

| | | | | |
|--------------------------------|---------|--------------|----------------|---------|
| 01-436-5301 Jury Expense | 21,200 | 1,450 | | 22,650 |
| 01-436-5305 Trial Expense | 29,934 | 480 | | 30,414 |
| 01-436-5441 Appointed Attorney | 105,894 | | (1,930) | 103,964 |
| | | <u>1,930</u> | <u>(1,930)</u> | |

COUNTY & JP COURT OPERATIONS (437)

| | | | | |
|-------------------|--------|-----|--|--------|
| 01-437-5021 Staff | 21,189 | 483 | | 21,672 |
| 01-437-5110 FICA | 1,678 | 35 | | 1,713 |

SUBSTITUTE BAILIFF(S) - ADDITIONAL 7 DAYS

| | | | | |
|---------------------------|--------|------------|--------------|--------|
| 01-437-5211 Off Sply | 523 | 27 | | 550 |
| 01-437-5305 Trial Expense | 2,218 | 57 | | 2,275 |
| 01-437-5301 Jury Expense | 12,634 | | (602) | 12,032 |
| | | <u>602</u> | <u>(602)</u> | |

VETERAN'S ADMINISTRATION (455)

| | | | | |
|---------------------------|-------|-----|-------|-------|
| 01-455-5331 Continuing Ed | 1,000 | 190 | | 1,190 |
| 01-455-5271 Fuel/Lubes | 2,510 | | (190) | 2,320 |

COMPUTER SERVICES (456)

| | | | | |
|-----------------------|-------|----|------|-------|
| 01-456-5489 Telephone | 1,500 | 10 | | 1,510 |
| 01-456-5211 Off Sply | 800 | | (10) | 790 |

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FUND TITLE GENERAL

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|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |

COUNTY COURT & LAW 2 (461)

| | | | | |
|----------------------|-----|-----|-------|-----|
| 01-461-5213 Books | 200 | 135 | | 335 |
| 01-461-5211 Off Sply | 500 | | (135) | 365 |

DISTRICT COURT REPORTER (482)

| | | | | |
|-----------------------|-------|-----|-------|-------|
| 01-482-5211 Off Sply | 1,500 | 300 | | 1,800 |
| 01-482-5461 Printing | 130 | | (130) | 0 |
| 01-482-5489 Telephone | 940 | | (170) | 770 |
| | | 300 | (300) | |

HISTORICAL COMMISSION (490)

| | | | | |
|----------------------|-------|-------|--|-------|
| 01-490-5461 Printing | 2,263 | 1,464 | | 3,727 |
|----------------------|-------|-------|--|-------|

SEE REVENUES & THC/WIMBERLEY GRANT (712) FOR BALANCING MATCHES

RENOVATION/SPECIAL PROJECTS (601)

| | | | | |
|--|--------|--------|---------|--------|
| 01-601-5031 Overtime/Holiday | 926 | 288 | | 1,214 |
| 01-601-5444 Health Dept
Emergency Renov | 32,090 | 17,156 | | 49,246 |
| 01-601-5021 Staff | 28,166 | | (1,030) | 27,136 |

COUNTY-WIDE OPERATIONS (414)

| | | | | |
|-----------------------------|---------|--------|----------|---------|
| 01-414-5741 Misc Cap Improv | 204,575 | | (16,414) | 188,161 |
| | | 17,444 | (17,444) | |

TRANSFER FOR HEALTH DEPARTMENT BUILDING RENOVATIONS

TCADA/DARE (DA) GRANT (723)

| | | | | |
|------------------------------|---|-------|--|-------|
| 01-723-5021 Staff | 0 | 1,961 | | 1,961 |
| 01-723-5110 FICA | 0 | 141 | | 141 |
| 01-723-5121 Retirement | 0 | 138 | | 138 |
| 01-723-5160 Insurances | 0 | 188 | | 188 |
| 01-723-5311 Travel | 0 | 95 | | 95 |
| 01-723-5346 Worker Comp Ins. | 0 | 55 | | 55 |

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FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |

DISTRICT ATTORNEY (423)

| | | | | |
|------------------------|---------|-------|---------|---------|
| 01-423-5021 Staff | 314,341 | | (2,012) | 312,329 |
| 01-423-5110 FICA | 23,749 | | (141) | 23,608 |
| 01-423-5121 Retirement | 22,188 | | (240) | 21,948 |
| 01-423-5160 Insurances | 29,398 | | (185) | 29,213 |
| | | 2,578 | (2,578) | |

TRANSFER FOR COUNTY GRANT MATCH IN FY 94; COUNTY PORTION FROM DISTRICT ATTORNEY OFFICE TO GRANT. THIS ACTION WILL COMPLETE THE COUNTY'S REQUIRED MATCH FOR GRANT - GRANT YEAR 9/1 - 8/31.

THC/HISTORIC RESOURCES - WIMBERLEY (712)

| | | | | |
|----------------------|-------|--|-------|-----|
| 01-712-5461 Printing | 1,027 | | (204) | 823 |
|----------------------|-------|--|-------|-----|

TRANSFER TO HISTORICAL COMMISSION (490) - BALANCE IS IN REVENUES

REVENUES:

DECREASES INCREASES

| | | | | |
|--|---|--|-------|-------|
| 01-367-4479 Contributions/
Historical Match | 0 | | 1,260 | 1,260 |
|--|---|--|-------|-------|

TOTALS FOR ALL 01-GENERAL FUND 149,424 149,424

FUND NO. 01

FUND TITLE ROAD AND BRIDGE GENERAL

OPERATIONS (438)

| | | | | |
|---------------------------|---------|-------|---------|---------|
| 03-438-5031 Overtime | 11,792 | 18 | | 11,810 |
| 03-438-5321 Due and Bonds | 150 | 125 | | 275 |
| 03-438-5391 Misc | 0 | 65 | | 65 |
| 03-438-5452 Trash Hauling | 5,600 | 295 | | 5,895 |
| 03-438-5473 Eqpt Lease | 1,500 | 206 | | 1,706 |
| 03-438-5480 Utilities | 6,000 | 142 | | 6,142 |
| 03-438-5489 Telephone | 9,250 | 290 | | 9,540 |
| 03-438-5160 Insurances | 109,426 | | (1,141) | 108,285 |
| | | 1,141 | (1,141) | |

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FUND NO. 01

FUND TITLE ROAD AND BRIDGE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|------------------------------|---------------|------------|--------------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |
| PRECINCT 2 (440) | | | | |
| 03-440-5453 Park Maint | 13,300 | 575 | | 13,875 |
| 03-440-5489 Telephone | 2,504 | 150 | | 2,654 |
| 03-440-5391 Misc | 300 | | (300) | 0 |
| 03-440-5353 Special Projects | 4,046 | | (425) | 3,621 |
| | | <u>725</u> | <u>(725)</u> | |
| PRECINCT 4 (442) | | | | |
| 03-442-5303 Recycling | 500 | 65 | | 565 |
| 03-442-5489 Telephone | 600 | 5 | | 605 |
| 03-442-5211 Off Sply | 500 | | (70) | 430 |
| | | <u>70</u> | <u>(70)</u> | |

FUND NO 08

FUND TITLE RECORDS MANAGEMENT

RECORD MANAGEMENT (445)

| | | | | |
|------------------------|-------|----|------|-------|
| 08-445-5110 FICA | 2,323 | 25 | | 2,348 |
| 08-445-5160 Insurances | 4,363 | | (25) | 4,338 |

FUND NO 10

FUND TITLE HEALTH SERVICES GRANTS

TDH/TR GRANT (465)

| | | | | |
|---------------------------|--------|--------------|--|--------|
| 10-465-5021 Staff | 18,683 | 435 | | 19,118 |
| 10-465-5110 FICA | 1,430 | 35 | | 1,465 |
| 10-465-5121 Retirement | 1,308 | 36 | | 1,344 |
| 10-465-5219 Supplies | 30 | 4 | | 34 |
| 10-465-5311 Travel | 800 | 110 | | 910 |
| 10-465-5448 Contract Svcs | 2,872 | 720 | | 3,592 |
| | | <u>1,340</u> | | |

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FUND NO 10

FUND TITLE HEALTH SERVICES GRANTS

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|---|---------------|---------------|----------------------------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |
| TDH/COMMUNITY & RURAL HEALTH GRANT (466) | | | | |
| 10-466-5160 Insurance | 10,741 | 2 | | 10,743 |
| 10-466-5110 FICA | 8,887 | | (2) | 8,885 |
| TDH/MATERNAL & CHILD HEALTH (469) | | | | |
| 10-469-5011 Dept Head | 50,000 | 13,336 | | 63,336 |
| 10-469-5219 Splys & Operating | 14,843 | 2,488 | | 17,331 |
| 10-469-5391 Other | 12,000 | 676 | | 12,676 |
| 10-469-5021 Staff | 205,999 | | (13,336) | 192,663 |
| 10-469-5311 Travel | 6,000 | | (2,488) | 3,512 |
| 10-469-5448 Contract Svcs | 17,000 | | (676) | 16,324 |
| | | <u>16,500</u> | <u>(16,500)</u> | |
| TDH/IMMUNIZATION (708) | | | | |
| 10-708-5311 Travel | 890 | 7 | | 897 |
| 10-708-5219 Supplies | 360 | | (7) | 353 |
| REVENUE | | | | |
| | | | DECREASES INCREASES | |
| 10-347-3477 TB Fees/PI | 0 | | 1,340 | 1,340 |
| TOTALS FOR FUND 10 | | <u>17,849</u> | <u>17,849</u> | |
| BUDGET PROGRAM INCOME FOR TB GRANT EXPENSE; TRANSFER BETWEEN ALL OTHER EXPENSE CATEGORIES | | | | |

FUND NO 11

FUND TITLE HOT CHECK FEE

HOT CHECK DEPARTMENT (446)

| | | | | |
|---------------------------|-----|------------|--------------|-----|
| 11-446-5321 Dues & Bonds | 200 | 225 | | 425 |
| 11-446-5473 Copier Lease | 0 | 572 | | 572 |
| 11-446-5711 Off Equipment | 900 | | (797) | 103 |
| | | <u>797</u> | <u>(797)</u> | |

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FUND NO 16

FUND TITLE SPRINGLAKE ROAD DISTRICT I & S

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |

SPRINGLAKE ROAD DISTRICT I & S (450)

| | | | | |
|-------------------------|-------|-----|--|-------|
| 16-450-5402 CAD Portion | 1,600 | 509 | | 2,109 |
| 16-450-5571 Fees/Other | 500 | 80 | | 580 |

REVENUES

| | | | | |
|-----------------------------|-------|------------|--------------|-------|
| 16-312-3122 Delinq Tax | 4,000 | | (300) | 4,300 |
| 16-312-3191 Rd Dist Tax P&I | 1,200 | | (282) | 1,489 |
| | | <u>589</u> | <u>(582)</u> | |

FUND NO 20

FUND TITLE COURTHOUSE RENOVATION AND ROAD CONSTRUCTION

ROAD CONSTRUCTION (458)

| | | | | |
|----------------------------|---------|--------------|----------------|---------|
| 20-458-5448 Contract Svcs | 1,600 | 800 | | 2,400 |
| 20-458-5612 Construction | 0 | 2,057 | | 2,057 |
| 20-458-5462 Public Notices | 500 | | (500) | 0 |
| 20-458-5621 Engineering | 200,000 | | (2,357) | 197,643 |
| | | <u>2,857</u> | <u>(2,857)</u> | |

FUND NO 21

FUND TITLE COURTHOUSE RENOVATION AND ROAD SERIES 94 I & S

COURTHOUSE RENOVATION BOND I & S (498)

| | | | | |
|------------------------|---|-----|--|-----|
| 21-498-5571 Fees/Other | 0 | 104 | | 104 |
|------------------------|---|-----|--|-----|

REVENUES

| | | DECREASES | INCREASES | |
|----------------------------|--|-----------|-----------|-----|
| 21-361-3612 Interest/Agent | | | 104 | 104 |

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FUND NO 24

FUND TITLE ANTICIPATION NOTES SERIES 94 I & S

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |

ANTICIPATION NOTES I & S (491)

| | | | | |
|------------------------|---|-----|--|-----|
| 24-491-5571 Fees/Other | 0 | 165 | | 165 |
|------------------------|---|-----|--|-----|

REVENUES

| | | DECREASES | INCREASES | |
|----------------------------|---|-----------|-----------|-----|
| 24-361-3611 Interest/Agent | 0 | | 165 | 165 |

FUND NO 31

FUND TITLE MEDICAL & DENTAL INSURANCE

MEDICAL AND DENTAL INSURANCE (481)

| | | | | |
|------------------------|-----------|---------|----------|-----------|
| 31-481-5123 Admin Fees | 0 | 287,329 | | 287,329 |
| 31-481-5344 Claims | 1,157,500 | | (60,348) | 1,097,152 |

REVENUES

| | | DECREASES | INCREASES | |
|------------------------------------|-----------|----------------|----------------|-----------|
| 31-392-0013 Payroll Fund Deposits | 1,150,000 | | 7,000 | 1,157,000 |
| 31-392-0099 Other Sources Deposits | 0 | | 219,981 | 219,981 |
| | | <u>287,329</u> | <u>287,329</u> | |

FUND NO 34

FUND TITLE ADULT PROBATION OPERATING

OPERATING (486)

| | | | | |
|-------------------------------|-----------|---------|---------|-----------|
| 34-486-5011 Dept Head | 57,000 | 167 | | 57,167 |
| 34-486-5021 Staff | 1,178,047 | 13,465 | | 1,191,512 |
| 34-486-5110 FICA | 94,481 | | (780) | 93,701 |
| 34-486-5121 Retirement | 85,724 | 61 | | 85,785 |
| 34-486-5160 Insurance | 120,170 | | (3,700) | 116,470 |
| 34-486-5219 Supplies | 36,000 | 975 | | 36,975 |
| 34-486-5311 Travel | 29,000 | 2,358 | | 31,358 |
| 34-486-5329 Professional Fees | 14,523 | | (1,750) | 12,773 |
| 34-486-5392 Refund FY93 Bal | 0 | 118,625 | | 118,625 |
| 34-486-5448 Contract Svcs | 38,000 | | (520) | 37,480 |
| 34-486-5499 Facil, Util, Eqpt | 108,500 | 4,166 | | 112,666 |

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FUND NO 14

FUND TITLE ADULT PROBATION OPERATING

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |

| REVENUE | | DECREASES | | INCREASES | |
|-----------------------------|---------|----------------|----------------|-----------|---------|
| 34-334-3344 State Aid | 613,000 | | | 129,265 | 742,265 |
| 34-342-3426 Prob Fees-Comsl | 309,000 | | | 1,802 | 312,802 |
| | | <u>139,817</u> | <u>139,817</u> | | |

GRANT FOR CSR (488)

| | | | | | |
|------------------------------|--------|------------|------------|----------------|--------|
| 34-488-5021 Staff | 59,820 | | 319 | | 60,139 |
| 34-488-5121 Retirement | 3,045 | | 94 | | 3,139 |
| 34-488-5160 Insurances | 4,950 | | | (413) | 4,537 |
| 34-488-5311 Travel | 7,729 | | | (602) | 7,127 |
| 34-488-5392 Refund FY 93 Bal | 0 | | | | 602 |
| | | <u>602</u> | <u>602</u> | <u>(1,015)</u> | |

CCP/DRC GRANT (495)

| | | | | | |
|---------------------------------|--------|--------|-----|-------|--------|
| 34-495-5110 FICA | 10,865 | | | (101) | 10,764 |
| 34-495-5121 Retirement | 7,642 | | 101 | | 7,743 |
| 34-495-5392 Refund FY 93 Bal | 0 | 14,635 | | | 14,635 |
| 34-495-5413 Furn Transportation | 10,300 | | | (549) | 9,751 |
| 34-495-5448 Contract Svcs | 95,680 | | 462 | | 96,142 |
| 34-495-5499 Facil,Util,Eqpt | 2,740 | | 87 | | 2,827 |

| REVENUES | | DECREASES | | INCREASES | |
|--|---------|---------------|---------------|-----------|---------|
| 34-384-2495 CCP/District Resource Center | 305,231 | | | 14,635 | 319,866 |
| | | <u>15,285</u> | <u>15,285</u> | | |

PERFORMANCE REWARD PROGRAM (497)

| | | | | | |
|----------------------------------|---|--|-----|--|-----|
| 34-497-5392 Refund FY 92 Balance | 0 | | 678 | | 678 |
|----------------------------------|---|--|-----|--|-----|

| REVENUES | | DECREASES | | INCREASES | |
|---------------------------------|--------|------------|------------|-----------|--------|
| 34-369-3693 Other/PRP Comal | 0 | | | 172 | 172 |
| 34-369-3611 Depository Interest | 13,000 | | | 506 | 13,506 |
| | | <u>678</u> | <u>678</u> | | |

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NO. 24-62
FY 94 BUDGET
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FUND NO 15

FUND TITLE ADULT PROBATION FACILITIES

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
| | BEFORE | INCREASES | DECREASES | AS AMENDED |

| FACILITIES (487) | | DECREASES | | INCREASES | |
|-------------------------|--------|--------------|--------------|-----------|--------|
| 35-487-5471 Rent & Util | 31,800 | | 1,000 | | 32,800 |
| 35-487-5489 Telephone | 9,500 | | 26 | | 9,526 |
| 35-487-5719 Misc Eqpt | 8,200 | | | (1,026) | 7,174 |
| | | <u>1,026</u> | <u>1,026</u> | | |

FUND NO 16

FUND TITLE MEDICAL & DENTAL RESERVES

MEDICAL & DENTAL RESERVES (602)

| | | | | | |
|----------------------------------|---|--------|--|--|--------|
| 36-602-5931 Perm Transfer to MDF | 0 | 23,277 | | | 23,277 |
|----------------------------------|---|--------|--|--|--------|

FUND NO 31

FUND TITLE MEDICAL & DENTAL INSURANCE

| MEDICAL & DENTAL INSURANCE | | DECREASES | | INCREASES | |
|---|---|---------------|---------------|-----------|--------|
| 31-392-0036 Perm Transfer from Reserves | 0 | | | 23,277 | 23,277 |
| | | <u>23,277</u> | <u>23,277</u> | | |

ALLOW FOR CLOSE OF FUND 36 RESERVES AND TRANSFER TO FUND 31

FUND NO 39

FUND TITLE ANTICIPATION NOTES CONSTRUCTION

| ANTICIPATION NOTES (443) | | DECREASES | | INCREASES | |
|------------------------------|--------|-----------|-------|-----------|--------|
| 39-443-5391 Cost of Issuance | 18,700 | | 4,266 | | 22,966 |
| 39-443-5621 Engineering Svcs | 24,000 | | | (4,266) | 19,734 |

AMENDMENT
NO. 24-62
FY 94 BUDGET
12/27/94
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FUND NO 40
FUND TITLE INWOOD WATER SYSTEM

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT | | APPROPRIATION |
|----------------------------|---------------|------------------|------------------|---------------|
| | BEFORE | INCREASES | DECREASES | AS |
| | AMENDMENT | | | AMENDED |
| INWOOD WATER (454) | | | | |
| 40-454-5499 Gen Admin Svcs | 0 | 1,652 | | 1,652 |
| REVENUES | | | | |
| | | DECREASES | INCREASES | |
| 40-384-2454 State/Inwood | 0 | | 1,652 | 1,652 |
| | | <u>1,652</u> | <u>1,652</u> | |

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FUND NO 41
FUND TITLE TDHCA/NIGHTHAWK GRANT

TDHCA/NIGHTHAWK (702)

| | | | | |
|----------------------------|--------|-----|-------|--------|
| 41-702-5473 Equip Lease | 297 | 299 | | 596 |
| 41-702-5499 Gen Admin Svcs | 11,630 | | (292) | 11,331 |

FUND NO 42
FUND TITLE TDHCA/NEW CANAAN GRANT

TDHCA/NEW CANAAN (701)

| | | | | |
|--|---------|--------------|----------------|---------|
| 42-703-5611 Construction | 130,415 | 5,955 | | 136,370 |
| 42-703-5473 Lease/Purch -New
Canaan/TDHCA | 7,931 | | (2,977) | 4,954 |
| 42-703-5499 Gen Admin Svcs | 11,191 | | (2,978) | 8,213 |
| | | <u>5,955</u> | <u>(5,955)</u> | |

FUND NO 43
FUND TITLE TDHCA/JARDINE GRANT

TDHCA/JARDINE (705)

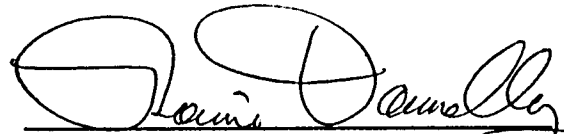
| | | | | |
|------------------------------------|---|------------------|------------------|-------|
| 43-705-5473 Eqpt Lease | 0 | 298 | | 298 |
| 43-705-5499 Gen Admin Svcs | 0 | 2,131 | | 2,131 |
| REVENUES | | | | |
| | | DECREASES | INCREASES | |
| 43-384-7705 TDHCA/Jardine
Grant | 0 | | 2,429 | 2,429 |
| | | <u>2,429</u> | <u>2,429</u> | |

FY 93 ACCRUAL

Court adjourned until 9:00 A.M. January 3, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 23rd DAY OF January, 1995.


EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 3RD DAY OF JANUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

| | |
|----------------------------|-----------------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE |
| PETER RODRIGUEZ | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE | COMMISSIONER, PCT. 3 |
| RUSS MOLENAAR SR. | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCH | DEPUTY COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Note: Commissioner Russ Molenaar did not have his Official Bond on file at the beginning of the meeting, therefore, he did not vote on resolutions prior to its filing and approval.

13492 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount \$ 209,242.77 as presented by the County Auditor. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

13493 APPROVE OFFICIAL BONDS OF NEWLY ELECTED OFFICIALS

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Official Bonds of County Judge Eddy Etheredge, Commissioner Pct. 2 Jefferson W. Barton, Judge County Court at Law #1 Howard S. Warner II, Judge County Court at Law #2 Linda A. Rodriguez, Criminal District Attorney Marcos Hernandez, District Clerk W. H. Moore, County Clerk Ronnie Dannelley, County Treasurer Michele Tuttle, Tax Assessor-Collector Luanne Caraway, County Surveyor Kelly Kilber, J.P.1-1 Becky Y. Sierra, J.P. 2 Albert F. Busse, J.P. 3 James A. Stowe, Jr., J.P. 4 Rex G. Baker III, and J.P. 5 O. Lamont Ramage. . Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

13494 CANCEL THE JANUARY 16, 1995 COMMISSIONERS' COURT MEETING AND RESCHEDULE IT FOR TUESDAY JANUARY 17, 1995

Monday January 16, 1995 is Martin Luther King's Birthday which is observed as a county holiday, therefore, rescheduling of the regular Commissioners' Court meeting is needed. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to cancel the January 16, 1995 Commissioners' Court meeting and reschedule it for Tuesday January 17, 1995. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

13495 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN MEADOW WOODS AND COVES OF CIMARRON SUBDIVISIONS (PCT. 2)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held January 17, 1995 at 9:00 A.M. to establish traffic regulations in Meadow Woods and Coves of Cimarron subdivisions. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

13496 APPROVE TEMPORARY DETAIL OF BRITNEY BOLTON AS ASSISTANT COUNTY TREASURER

The Treasurer plans to realign duties within the department in the near future. Requesting Court approval to temporarily "detail" Ms. Britney Bolton to the vacant Assistant Treasurer position for a period not to exceed 90 days. During this timeframe the Treasurer will realign duties, Human Resources will grade the changed position and then the County Treasurer will present a comprehensive plan for Commissioners' Court approval. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve temporary detail of Britney Bolton as Assistant County Treasurer. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

13497 APPROVE USE OF COURTHOUSE LAWN AND ROTUNDA FOR MARDI GRAS

The San Marcos Hispanic Chamber of Commerce requested approval to use the courthouse lawn for their Mardi Gras celebration - in case of bad weather the courthouse rotunda will be used for an art display. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve use of the Courthouse lawn and rotunda for Mardi Gras. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

13498 APPROVE LANGUAGE FOR AMENDMENT TO THE HAYS COUNTY ANIMAL CONTROL ORDINANCE

The Commissioners' Court approved amending the Animal Control Ordinance to provide enforcement of neutering/spaying requirements for animals adopted at the PAWS animal shelter (Dec 5, 1994 Resolution #13322) - District Attorney Marcos Hernandez has completed the wording to amend the ordinance and it now needs to be formally adopted and made a part of the Ordinance. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve language for Amendment to the Hays County Animal Control Ordinance. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

AMENDMENTS TO ANIMAL CONTROL ORDINANCE NO. 10429
SECTION 5. ANIMAL CARE:

AMEND SECTION 5.2 AS FOLLOWS:

Change: "An offense under the provisions of this section"
To: "An offense under the provisions of Section 5.1"

AMEND SECTION 5 TO ADD THE FOLLOWING:

5.3 Any dog or cat adopted from an animal shelter shall be spayed or neutered within 45 days of the adoption if:

- a) the animal shelter has entered into a contract with the Hays County Commissioners Court pursuant to Section 2.4 of this ordinance; and
- b) at the time of the adoption, the owner of the dog or cat agreed in writing to have the dog or cat spayed or neutered.

5.4 A violation of section 5.3 is a Class C misdemeanor subject to a fine of not less than \$25.00.

13499 APPROVE PURCHASE OF A TYPING STAND FOR THE JUSTICE OF THE PEACE PCT. 5 OFFICE OUT OF COMPUTER EQUIPMENT LINE ITEM - NOT TO EXCEED \$150

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of a typing stand for the Justice of the Peace Pct. 5 office out of computer equipment line item - not to exceed \$150.00. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

13500 APPROVE COUNTY TREASURERS' REPORT FOR OCTOBER 1994

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the County Treasurer's Report for October 1994. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS
OCTOBER 31, 1994

| | General | Road and Bridge
General | Hot Check
Fee Fund | Law Library | Medical and
Dental Fund | Jail
Construction | Limited
Tax
Refunding | Anticipation
Notes
Series 1994 | Courthouse
Ren. & F.
Bond 199 |
|---------------|----------------|----------------------------|-----------------------|-------------|----------------------------|----------------------|-----------------------------|--------------------------------------|-------------------------------------|
| CHECKING | | | | | | | | | |
| Begin. Bal. | \$29,502.54 | \$7,967.45 | \$168.06 | \$11,344.62 | \$1,999.74 | \$898,924.26 | \$3,782.22 | \$2,672.77 | \$1,500.00 |
| M/M Int. | \$765.14 | \$39.99 | | \$28.91 | \$56.69 | \$2,291.38 | \$10.83 | \$6.44 | \$0.00 |
| Deposits | \$1,467,034.06 | \$262,634.24 | \$2,295.06 | \$474.25 | \$224,416.53 | \$2,476.61 | \$1,392.40 | \$5,000.00 | \$62,000.00 |
| Disbursements | \$1,481,419.20 | \$268,479.84 | \$2,394.96 | \$174.54 | \$222,195.75 | | | \$4,800.00 | \$61,774.23 |
| Ending Bal. | \$15,882.54 | \$2,161.84 | \$68.16 | \$11,473.24 | \$4,277.21 | \$903,692.25 | \$5,185.45 | \$2,879.21 | \$1,807.02 |
| INVESTMENTS | TexPool | TexPool | | | TexPool | | TexPool | TexPool | TexPool |
| Begin. Bal. | \$4,452,368.12 | \$849,092.36 | \$0.00 | \$0.00 | \$481,957.93 | \$0.00 | \$10,152.39 | \$213,920.16 | \$5,708,928.36 |
| M/M Int. | \$15,648.30 | \$2,934.20 | | | \$1,562.50 | | \$38.18 | \$795.86 | \$21,313.56 |
| Deposits | | | | | \$105,000.00 | | | | |
| Disbursements | \$700,000.00 | \$155,000.00 | \$0.00 | \$0.00 | \$101,000.00 | \$0.00 | \$10,190.57 | \$5,000.00 | \$62,000.00 |
| Ending Bal. | \$3,768,016.42 | \$697,026.56 | \$0.00 | \$0.00 | \$487,520.43 | \$0.00 | \$10,190.57 | \$209,716.02 | \$5,668,241.92 |

| | Courthouse
Road Bond I&S | Jail
I&S | Jail
Addition I&S | Hays County
I&S | Public
Works I&S | Springlake
I&S | Pioneer
Trails
I&S | Burnett
Road
I&S | Anticipation
Notes
I&S |
|---------------|-----------------------------|--------------|----------------------|--------------------|---------------------|-------------------|--------------------------|------------------------|------------------------------|
| CHECKING | | | | | | | | | |
| Begin. Bal. | \$1,581.11 | \$3,501.85 | \$2,470.57 | \$1,531.58 | \$2,563.06 | \$1,518.60 | \$1,653.21 | \$53.72 | \$4,315.68 |
| M/M Int. | \$4.03 | \$10.76 | \$7.20 | \$10.77 | \$7.53 | \$3.87 | \$4.21 | | \$11.00 |
| Deposits | | \$1,176.36 | \$577.38 | \$26,971.92 | \$638.74 | | | \$181.87 | |
| Disbursements | | | | \$26,337.96 | | | | | |
| Ending Bal. | \$1,585.14 | \$4,688.97 | \$3,055.15 | \$2,176.31 | \$3,209.33 | \$1,522.47 | \$1,657.42 | \$235.59 | \$4,326.68 |
| INVESTMENTS | TexPool | TexPool | TexPool | TexPool | TexPool | TexPool | TexPool | | TexPool |
| Begin. Bal. | \$30,716.65 | \$130,087.72 | \$156,263.79 | \$107,830.77 | \$136,364.98 | \$16,768.09 | \$11,051.08 | \$0.00 | \$0.00 |
| M/M Int. | \$115.49 | \$489.12 | \$587.54 | \$383.36 | \$512.72 | \$63.03 | \$41.56 | | |
| Deposits | | | | | | | | | |
| Disbursements | | | | \$26,000.00 | | | | | |
| Ending Bal. | \$30,832.14 | \$130,576.84 | \$156,851.33 | \$82,214.13 | \$136,877.70 | \$16,831.12 | \$11,092.64 | \$0.00 | \$0.00 |

TEMPORARY TRANSFERS:
1-95 GENERAL TO HEALTH SERVICES GRANTS \$7,500.00
2-95 DISTRICT ATTORNEY DRUG FORFEITURE TO HOT CHECK FEE FUND \$200.00

Dorothy E. Sims
Dorothy E. Sims

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS
OCTOBER 31, 1994

| | Adult
Probation
Operating | Adult
Probation
Facilities | Courthouse
Security | Records
Management | Records
Preservation | Animal
Control | Sheriff's
Drug
Forfeiture | District
Attorney Drug
Forfeiture | District
Attorney
Reimburs. |
|---------------|---------------------------------|----------------------------------|------------------------|-----------------------|-------------------------|-------------------|---------------------------------|---|-----------------------------------|
| CHECKING | | | | | | | | | |
| Begin. Bal. | \$3,072.69 | \$3,007.61 | \$23,090.13 | \$7,217.47 | \$8,078.00 | \$2,321.08 | \$1,547.97 | \$4,022.66 | \$7,478.70 |
| M/M Int. | \$79.13 | | | \$20.93 | | | \$3.69 | | \$14.08 |
| Deposits | \$217,086.68 | \$25,140.00 | \$2,098.00 | \$8,785.00 | \$1,080.00 | \$519.28 | | \$859.00 | \$17,772.58 |
| Disbursements | \$193,037.71 | \$4,508.87 | \$250.00 | \$10,544.54 | | \$2,073.40 | | \$200.00 | \$16,045.95 |
| Ending Bal. | \$27,200.79 | \$23,638.74 | \$24,938.13 | \$5,478.86 | \$9,158.00 | \$766.96 | \$1,551.66 | \$4,681.66 | \$9,219.41 |
| INVESTMENTS | TexPool | | | TexPool | | | | | TexPool |
| Begin. Bal. | \$525,879.39 | | | \$41,864.23 | | | | | \$100,664.74 |
| M/M Int. | \$1,812.16 | | | \$157.41 | | | | | \$356.44 |
| Deposits | | | | | | | | | |
| Disbursements | \$105,000.00 | | | | | | | | \$8,000.00 |
| Ending Bal. | \$422,691.55 | \$0.00 | \$0.00 | \$42,021.64 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$93,021.18 |

| | Historical
Commission
Trust Fund | Foster
Care | Health
Services
Grants | Inwood
Water
System | Texas Capital
Fund/
New Canaan |
|---------------|--|----------------|------------------------------|---------------------------|--------------------------------------|
| CHECKING | | | | | |
| Begin. Bal. | \$7,989.84 | \$16,301.86 | \$3,307.99 | \$1.00 | \$0.00 |
| M/M Int. | \$18.72 | | \$32.02 | | |
| Deposits | \$158.00 | \$10,760.21 | \$64,857.14 | | |
| Disbursements | | \$13,311.57 | \$65,363.43 | | |
| Ending Bal. | \$8,166.56 | \$13,750.50 | \$2,833.72 | \$1.00 | \$0.00 |
| INVESTMENTS | TexPool | | TexPool | | |
| Begin. Bal. | \$0.00 | \$0.00 | \$37,868.70 | \$0.00 | \$0.00 |
| M/M Int. | | | \$125.36 | | |
| Deposits | | | | | |
| Disbursements | | | \$35,000.00 | | |
| Ending Bal. | \$0.00 | \$0.00 | \$2,994.06 | \$0.00 | \$0.00 |

JANUARY 3, 1995

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13501 FOREST WOODS RESUB OF LOT 4 - FIRST READING AND CALL FOR A PUBLIC HEARING

Allen Walther, Environmental Health Director, advised that this is an 11 acre parcel located on Autumn Lane (not county maintained). The plat needs to show proper lot numbers, street names, and signature blocks. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Forest Woods Resub of Lot 4 (Lots 4A & 4B) on first reading and call for a public hearing to be held January 17, 1995. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye"

13502 APPROVE OFFICIAL BOND OF RUSS MOLENAAR AS COUNTY COMMISSIONER PRECINCT #4

Commissioner Molenaar received his bond at this time for filing. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve the Official Bond of Russ Molenaar as County Commissioner Pct. #4. All voting "Aye".

13503 WILDWOOD RESUB OF LOT 13 (LOTS 13-A & 13-B) - FIRST READING AND CALL FOR PUBLIC HEARING

Allen Walther, Environmental Health Director, requested that the access easement be part of Lot 13-B (out parcel was not originally platted). A motion was made by Commissioner Rippey, seconded by Commissioner Payne to approve "Wildwood Resub of Lot 13" subdivision on first reading and call for a public hearing to be held January 17, 1995. All voting "Aye".

13504 OAK RUN COMMUNITY TRACT

Allen Walther, Environmental Health Director, requested that no action be taken on this subdivision - no access is shown to various lots on the plat and no one appeared to represent the subdivision. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to table action on "Oak Run Community Tract" subdivision until a later date. All voting "Aye".

SUNSET CANYON SECTION 5 LOT 790 - REQUEST VARIANCE TO SETBACK LINE

Allen Walther, Environmental Health Director, spoke of home that has been built that encroaches on the property setback line. Mr. Shugere stated that the home builder thought the setback was thirty feet instead of 50 feet - the homeowners association has indicated that they have no legal authority to allow this variance - there are no provisions in the deed restrictions. District Attorney Marcos Hernandez stated that the Commissioners Court cannot overrule the deed restrictions. It was suggested that the Homeowners Association go through the District Court to clear up this matter.

13505 HURLBUT RANCH WEST RESUB TRACT 7-B - PUBLIC HEARING, SECOND AND THIRD READING APPROVAL

This subdivision was heard on first hearing as "Rock N Roll Ridge". Judge Etheredge called the public hearing open - no public input received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hurlbut Ranch West Resub Tract 7-B" on second and third readings. All voting "Aye".

13506 CYPRESS CREEK ACRES REPLAT OF LOT 41 - PUBLIC HEARING, SECOND AND THIRD READING APPROVAL

Judge Etheredge called the public hearing open - no public input - public hearing was closed. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Cypress Creek Acres Replat of Lot 41" subdivision on second and third readings. All voting "Aye".

13507 FRIENDSHIP RANCH PHASE I-A LOT 9 - SECOND AND THIRD READINGS

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Friendship Ranch Phase I-A Lot 9" on second and third readings. All voting "Aye".

13508 PLATTING VARIANCE - MARK MCMANUS ON TWO 5-ACRE TRACTS

These two tracts are located in the ETJ of Dripping Springs but are exempt from their review due to lot sizes - Mark McManus is creating a mobile home park (5 mobile homes on each 5-acre tract). Allen Walther, Environmental Health Director, had requested that this property be platted to show community water supply note - feels like this development needs to meet community water well standards. Discussion was had regarding status of this development - is it residential or commercial. Commissioner Payne stated that 20 feet is not adequate access for this development - a letter from the State Highway Dept. is needed regarding use of sanitary easement in State r-o-w. Mr. Walther stated that this development does not meet our criteria of residential - if Mr. McManus reduces the number of water hookups, he will not fall under State requirements for community water supply (25 or more users)- if you do not know the exact number of users, you take the number of hookups X 3 (10 hookups X 3 = 30). Court agreed that we need to receive a letter from the State allowing use of State r-o-w for the sanitary easement and a letter from TNRCC stating that this development does not fall under the community water well standards, and need to increase road easement (20' not adequate). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to table action on variance request from Mark McManus at this time. All voting "Aye".

13509 ADOPT RESOLUTION IN HONOR OF REPRESENTATIVE J. J. "JAKE" PICKLE

Commissioner Barton presented a resolution for adoption to honor J. J. "Jake" Pickle for representing Hays County in the U.S. Congress for nearly 30 years. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt resolution honoring U.S. Congressional Representative J. J. "Jake" Pickle . All voting "Aye".

*A RESOLUTION
OF THE HAYS COUNTY COMMISSIONERS' COURT*

Whereas, J. J. "Jake" Pickle represented Hays County in the United States Congress for nearly 30 years, until the 10th district was changed following the last census to exclude Hays County; and

Whereas, during that time he achieved a rare status as one of the leading legislators of this nation, supporting the 1964 Civil Rights Act despite bitter opposition at the time in Texas and the South; promoting alternative energy sources and high technology development before it was popular; and earning the unofficial title "Guardian of Social Security" from Congressional Quarterly magazine and others for his tireless work to protect social security and American's other pensions funds; and

Whereas, he was an asset to the State of Texas in countless ways through his seniority on the Ways and Means Committee and through the Oversight Subcommittee; and

Whereas, he used his influence to champion and nourish not only his alma mater, the University of Texas, but also Southwest Texas State University and other colleges in the region, thus enriching life in Central Texas; and

Whereas, over the years he directly helped thousands of citizens of Hays County in their dealings with the federal government, through job training programs, and through his determined efforts to help establish successful flood control projects that literally allow many residents to sleep safely at night; and

Whereas, although Hays county was ably represented the past few years by another Representative in Congress, many people of the county continued to think of Jake Pickle as a second Hays County Congressman until his retirement this year; and

Whereas, he has left his mark on Central Texas and Hays County, and through his association and leadership the citizens of Hays and Travis Counties have accomplished many common goals and been brought closer together;

Now, Therefore, Be It Resolved that the Commissioners' Court of Hays county, acting on behalf of its citizens, joins with the Travis County Commissioners' Court to wish Congressman Jake Pickle a Happy Birthday and satisfying "retirement".

JANUARY 3, 1995

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13510 AWARD CONTRACT FOR PURCHASE OF VAN FOR THE VETERANS OFFICER

Grant has already been awarded and accepted (\$45,000 f/grant + \$11,000 f/county). Cindy Casparis, Purchasing Agent, presented the following bid tabulation:

Hays County Veterans Service Office
 TxDOT Section 16 Procurement-One (1) Type III vehicle

| VENDOR | Base Bid | Option 1 Diesel Engine | Option 20 CNG power | Option D 2-tone paint | Option F LPG power | Option I Added fuel cap CNG power |
|-----------------------------------|-----------|------------------------|---------------------|-----------------------|--------------------|-----------------------------------|
| Texas Bus Sales
Houston, Texas | \$ 39,700 | \$ 4,135 | \$ 6,055 | no bid | \$ 2,370 | \$ 7,025 |
| Texas Bus Sales
Austin, Texas | \$ 47,694 | \$ 3,325 | no bid | no bid | no bid | not bid |

Cindy Casparis recommended that the Court award contract to Texas Bus Sales out of Houston in the amount of \$ 39,700 plus Option 1 diesel engine = \$ 4,135 (Total = \$ 43,835). A motion was made by Judge Etheredge, seconded by Commissioner Barton to award contract for Veterans Officer Van to Texas Bus Sales (Houston) in the amount of \$43,835 as recommended by County Purchasing. All voting "Aye".

13511 APPOINT COMMISSIONER PCT. 2 JEFF BARTON TO THE CAPITAL AREA RURAL TRANSPORTATION SYSTEM BOARD OF DIRECTORS (CARTS)

Former Commissioner of Pct 4 Oran Rippey has been serving on the CARTS Board as the county's representative - his term expired December 31, 1994 and a new appointment is necessary for the next two year term. Commissioner Barton indicated his willingness to serve on the CARTS Board. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to appoint County Commissioner Precinct# 2 Jeff Barton to the Capital Area Rural Transportation System (CARTS) Board of Directors for a two year term of office to begin January 1, 1995 - December 31, 1996. All voting "Aye".

13512 ROAD NAME DESIGNATION: CHANGE NAME OF CR227 (PIT ROAD) TO "COWAN LANE"

Richard Cowan and family request that the county change the road name of "Pit Road" (CR227) to "Cowan Lane" - this road is located off Lime Kiln Road and is primarily used by the Cowan family. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve road name designation of "Cowan Lane" to CR 227 (formerly known as "Pit Road"). All voting "Aye".

EXECUTIVE SESSION TO DISCUSS RIGHT-OF-WAY ACQUISITION AND POSSIBLE LITIGATION ASSOCIATED WITH ROAD BOND PROJECT

The court convened into closed executive session to discuss right-of-way acquisition and possible litigation associated with the County Road Bond Project. Upon completion of this discussion, the Court reconvened into open meeting.

DISCUSSION REGARDING THE PURCHASE OF FURNITURE AND OTHER EQUIPMENT FROM CENTURY TELEPHONE COMPANY


Purchasing Agent Cindy Casparis spoke of Century Telephone Company being willing to sell some furniture at the HEB building as well as a free-standing air/conditioning unit and a UPS electrical backup system - presented a recommended list of furniture the county could purchase = \$ 1,985.00. Also available are two executive desk sets: \$3,750 set includes a round table w/4 chairs, credenza, side table, 2 side chairs and desk \$2,200 set includes a circular desk, credenza w/glass book shelves, side table and chairs - 8 cubes = \$2,500 each - Liebert UPS = \$14,000 and AC = \$ 3,500. Members of the Court went to the HEB building to look over the available furniture and advised Purchasing Agent to negotiate prices on furniture of high quality and make an offer, go with less expensive executive desk set, and have Data Processing Administrator check into prices on UPS & AC systems. Action to be taken next week.

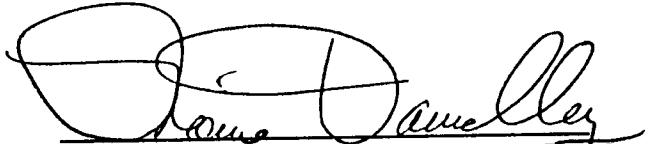
WIMBERLEY FIRE DEPARTMENT BUILDING - DISCUSSION

Judge Etheredge spoke of previous discussion (1992) with the Wimberley Volunteer Fire Department regarding a facility in Wimberley to house the fire department and county offices. A drawing of the proposed facility was submitted - it would house the Volunteer Fire Dept., EMS, Justice of the Peace, Constable, Commissioner, and Sheriff. Commissioner Payne stated that we would own our space and WVFD would maintain the grounds. Judge Etheredge stated that the county would buy a percentage of the land and 1/3 of the cost of the facility (approx. \$90,000+) - we would need to negotiate a "buy out" clause - spoke of other services that have been requested in Wimberley are motor vehicle registration, taxes, and health services. Commissioner Molenaar spoke of it being difficult for Dripping Springs citizens to obtain county services - spoke of community input regarding placement of facilities on "the triangle" for city, county, and chamber of commerce services. Judge Etheredge spoke of need to have workshops to discuss capital improvement projects.

Court was adjourned until 9:00 A.M. January 9, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 6th DAY OF March, 1995.


EDDY A. ETHEREDGE, COUNTY JUDGE
H A Y S COUNTY, TEXAS


RONNIE DANNELLEY, COUNTY CLERK
H A Y S COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 9th DAY OF JANUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**RETIREMENT ANNOUNCEMENT BY CLIFF CASKEY, COUNTY EXTENSION AGENT**

Cliff Caskey, County Extension Agent, appeared before the Court. Mr. Caskey presented his Official Retirement Announcement Letter and stated that he has accepted early retirement offered through the Federal Government Civil Service Retirement Program and his last day as Hays County Agent will be February 28, 1995 - this will complete 18 years of service in Hays County. Mr. Caskey stated that he appreciated the support given to him by the Commissioners' Court during these years.

**13513 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 79,319.90 as presented by the County Auditor. All voting "Aye".



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|                   |              |                |             |                    |              |
|-------------------|--------------|----------------|-------------|--------------------|--------------|
| State Shared Rev  | \$ 373.41    | Auditors Ofc   | \$ 98.26    | Treasurers Ofc     | \$ 652.05    |
| Extension Ofc     | \$ 315.00    | Juvenile Prob  | \$ 1,008.10 | Transfer Station   | \$ 75.17     |
| Bldg. Maintenance | \$ 1,209.45  | Environ Health | \$ 14.14    | Countywide Oper    | \$ 3,603.35  |
| Tax A/C           | \$ 2,210.06  | County Clerk   | \$ 14.14    | Sheriff's Ofc      | \$ 12,307.86 |
| Jail Operations   | \$ 25,337.39 | County Judge   | \$ 370.32   | District Attorney  | \$ 265.17    |
| J.P. 1-2          | \$ 14.14     | J.P. 2         | \$ 97.09    | J.P. 5             | \$ 22.00     |
| DPS               | \$ 163.34    | Constable 1    | \$ 14.96    | Constable 2        | \$ 238.38    |
| Constable 5       | \$ 114.68    | Dist Crt Oper  | \$ 5,962.15 | Co & JP Crt Oper   | \$ 1,255.32  |
| Computer Svcs     | \$ 971.94    | Co Crt @ Law 2 | \$ 14.15    | Prot Hmkr Grant    | \$ 197.89    |
| Fire Marshal/EMC  | \$ 14.14     | TABC           | \$ 68.78    | DARE (DA) Grant    | \$ 28.00     |
| R&B Operations    | \$ 13,935.31 | Precinct 1     | \$ 174.00   | Precinct 2         | \$ 651.04    |
| Precinct 3        | \$ 20.70     | Rec Mng/Co Clk | \$ 118.49   | Health Svcs Grants | \$ 144.79    |
| Adult Prob Oper   | \$ 6,923.42  | Adult Prob Fac | \$ 321.52   |                    |              |

**13514 AMEND BUDGETS OF THE CONSTABLE PCT. 2 & PRECINCT 4 R&B**

The following budget amendments were proposed: Constable 2 - \$178.00 transfer for radio repair from fuel line item - R&B Gen Precinct 4 - \$3,150.00 to create 9 months of travel allowance - allow transfer of truck to R&B Operations - transfer from fuel and special projects. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-007 as presented by the County Auditor. All voting "Aye".

| AMENDMENT<br>NO. <u>95-007</u><br>FY 95 BUDGET                                                                                                                                                                                  |                     |                        |                        |                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|------------------------|------------------------|----------------------------|
| FUND NO. <u>01</u>                                                                                                                                                                                                              |                     |                        |                        |                            |
| FUND TITLE <u>GENERAL</u>                                                                                                                                                                                                       |                     |                        |                        |                            |
| LINE ITEM - EXPENDITURES                                                                                                                                                                                                        | AMENDMENT<br>BEFORE | AMENDMENT<br>INCREASES | AMENDMENT<br>DECREASES | AMENDMENT<br>AS<br>AMENDED |
| <u>CONSTABLE 2 (432)</u>                                                                                                                                                                                                        |                     |                        |                        |                            |
| 01-432-5417 Law Enf Eqpt Maint                                                                                                                                                                                                  | 0                   | 178                    |                        | 178                        |
| 01-432-5271 Fuel                                                                                                                                                                                                                | 2,700               |                        | (178)                  | 2,522                      |
| *Transfer for radio repair                                                                                                                                                                                                      |                     |                        |                        |                            |
| FUND NO. <u>03</u>                                                                                                                                                                                                              |                     |                        |                        |                            |
| FUND TITLE <u>ROAD AND BRIDGE GENERAL</u>                                                                                                                                                                                       |                     |                        |                        |                            |
| <u>PRECINCT 4 (442)</u>                                                                                                                                                                                                         |                     |                        |                        |                            |
| 03-442-5101 Travel Allowance                                                                                                                                                                                                    | 0                   | 3,150                  |                        | 3,150                      |
| 03-442-5271 Fuel & Lubes                                                                                                                                                                                                        | 240                 |                        | (186)                  | 54                         |
| 03-442-5353 Special Projects                                                                                                                                                                                                    | 10,000              |                        | (2,974)                | 7,036                      |
| *Create travel allowance for Commissioner 4 (9 months-FY95), to record transfer of truck to Road & Bridge Operations; transfer remainder of fuel budget and balance from special projects to travel allowance effective 1/1/95. |                     |                        |                        |                            |

**13515 APPROVE TREASURERS REPORT FOR NOVEMBER 1994**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the County Treasurers Report for November 1994. All voting "Aye". (See page 243 for copy of report)

**13516 ADOPT HAYS COUNTY DEVELOPMENT LOMR POLICY**

Allen Walther, Environmental Health Director, presented his recommendation for a LOMR policy - this process will provide timely, thorough review of proposed floodplain construction projects which result in floodplain modifications - this is a necessary function of floodplain management and is essential in public safety projects, such as repairs and elevation of bridges, culverts, and other drainage structures - the review fee is based on actual costs which can vary greatly based on the size and complexity of the construction project. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt the "Hays County Development LOMR Policy" as presented by Environmental Health Director Allen Walther. All voting "Aye".

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Hays County Environmental Health  
401 Broadway Drive  
San Marcos, Texas 78666  
512/353-4351 FAX 512/353-4955

### Hays County Development LOMR Policy

- A Development Application is required for all development in the 100 year floodplain.
  - In lieu of the following process, applicants may choose to obtain a CLOMR, or the Floodplain Administrator may require a CLOMR from FEMA.
  - Designs for development which will necessitate a LOMR will be submitted to the Hays County Floodplain Administrator in digital HEC format, and will include: (1) all of the data used in determining the revised floodplain boundaries, flood profiles, floodway boundaries, etc., (2) all data necessary to demonstrate that the physical modifications to the floodplain have been adequately designed to withstand the impacts of a 100-year flood event and will be adequately maintained, and (3) demonstrate that the revised information (e.g., hydrologic and hydraulic analyses and the resulting floodplain and floodway boundaries) are consistent with the effective FIS information.
  - When development negatively impacts adjacent landowners, necessary easements will be obtained and included with the development application.
  - The Floodplain Administrator will arrange for an independent engineering review of the project design. A minimum initial review fee of \$500 must be submitted with the application. The balance of the review fee (based on actual costs) must be paid before a permit to construct will be issued.
  - Upon favorable review, a Class "B" Floodplain Development Permit will be issued authorizing start of construction.
  - After completion of construction, the developer will submit a completed LOMR application with as-built construction plans and supporting engineering to the Floodplain Administrator for forwarding to FEMA.
- \*Approval of project design by Hays County shall in no way be construed to imply acceptance by FEMA.**

HAYS COUNTY COMMISSIONERS' COURT MINUTES

JANUARY 9, 1995

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COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
NOVEMBER 30, 1994

|               | General        | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Notes<br>Series 1994 | Courthouse<br>Ren. & Road<br>Bond 1994 |
|---------------|----------------|----------------------------|-----------------------|-------------|----------------------------|----------------------|-----------------------------|--------------------------------------|----------------------------------------|
| CHECKING      |                |                            |                       |             |                            |                      |                             |                                      |                                        |
| Begin. Bal.   | \$15,882.54    | \$2,161.84                 | \$68.16               | \$11,473.24 | \$4,277.21                 | \$903,692.25         | \$5,185.45                  | \$2,879.21                           | \$1,807.02                             |
| M/M Int.      | \$303.97       | \$27.09                    |                       | \$28.55     | \$77.60                    | \$2,221.76           | \$12.79                     | \$6.72                               | \$4.88                                 |
| Deposits      | \$1,641,805.73 | \$233,698.09               | \$1,975.54            | \$990.00    | \$188,241.26               | \$2,916.75           | \$527.93                    | \$5,000.00                           | \$98,700.00                            |
| Disbursements | \$1,588,091.47 | \$231,555.66               | \$2,018.91            | \$623.70    | \$190,970.16               | \$2,916.75           | \$5,726.17                  | \$4,800.00                           | \$98,944.88                            |
| Ending Bal.   | \$69,900.77    | \$4,331.36                 | \$24.79               | \$11,868.09 | \$1,625.91                 | \$902,997.26         |                             | \$3,085.93                           | \$1,567.02                             |
| INVESTMENTS   | TexPool        | TexPool                    |                       |             | TexPool                    |                      | TexPool                     | TexPool                              | TexPool                                |
| Begin. Bal.   | \$3,768,016.42 | \$697,026.56               | \$0.00                | \$0.00      | \$487,520.43               | \$0.00               | \$10,190.57                 | \$209,716.02                         | \$5,668,241.92                         |
| M/M Int.      | \$14,354.42    | \$2,283.49                 |                       |             | \$1,868.30                 |                      | \$38.30                     | \$778.40                             | \$21,120.05                            |
| Deposits      | \$250,000.00   |                            |                       |             | \$75,000.00                |                      |                             | \$5,000.00                           | \$98,700.00                            |
| Disbursements | \$852,000.00   | \$200,000.00               | \$0.00                | \$0.00      | \$77,100.00                | \$0.00               | \$10,228.87                 | \$205,494.42                         | \$5,590,661.97                         |
| Ending Bal.   | \$3,180,370.84 | \$499,310.05               | \$0.00                | \$0.00      | \$487,288.73               | \$0.00               |                             |                                      |                                        |

|               | Courthouse<br>Road Bond I&S | Jail<br>I&S  | Jail<br>Addition<br>I&S | Hays County<br>I&S | Public<br>Works I&S | Springlake<br>I&S | Pioneer<br>Trails<br>I&S | Burnett<br>Road<br>I&S | Anticipation<br>Notes<br>I&S |
|---------------|-----------------------------|--------------|-------------------------|--------------------|---------------------|-------------------|--------------------------|------------------------|------------------------------|
| CHECKING      |                             |              |                         |                    |                     |                   |                          |                        |                              |
| Begin. Bal.   | \$1,585.14                  | \$4,688.97   | \$3,055.15              | \$2,176.31         | \$3,209.33          | \$1,522.47        | \$1,657.42               | \$235.59               | \$4,326.68                   |
| M/M Int.      | \$5.04                      | \$12.31      | \$7.70                  | \$7.10             | \$8.20              | \$5.42            | \$4.09                   |                        | \$11.35                      |
| Deposits      | \$548.36                    | \$335.52     | \$74.35                 | \$12,468.05        | \$129.19            | \$750.37          |                          | \$20.63                | \$391.29                     |
| Disbursements | \$37.50                     |              |                         | \$13,127.50        |                     |                   |                          |                        | \$83.00                      |
| Ending Bal.   | \$2,101.04                  | \$5,036.80   | \$3,137.20              | \$1,523.96         | \$3,346.72          | \$2,278.26        | \$1,661.51               | \$256.22               | \$4,646.32                   |
| INVESTMENTS   | TexPool                     | TexPool      | TexPool                 | TexPool            | TexPool             | TexPool           | TexPool                  |                        | TexPool                      |
| Begin. Bal.   | \$30,832.14                 | \$130,576.84 | \$156,851.33            | \$82,214.13        | \$136,877.70        | \$16,831.12       | \$11,092.64              | \$0.00                 | \$0.00                       |
| M/M Int.      | \$115.87                    | \$490.65     | \$589.42                | \$296.48           | \$514.33            | \$63.24           | \$41.67                  |                        |                              |
| Deposits      |                             |              |                         | \$12,100.00        |                     |                   |                          |                        |                              |
| Disbursements |                             |              |                         | \$70,410.61        | \$137,392.03        | \$16,894.36       | \$11,134.31              | \$0.00                 | \$0.00                       |
| Ending Bal.   | \$30,948.01                 | \$131,067.49 | \$157,440.75            | \$70,410.61        | \$137,392.03        | \$16,894.36       | \$11,134.31              | \$0.00                 | \$0.00                       |

ORDINARY TRANSFERS: 3-95 GENERAL TO HEALTH SERVICES GRANTS \$800.00  
 5 GENERAL TO HEALTH SERVICES GRANTS \$5,000.00  
 5 GENERAL TO FOSTER CARE \$1,000.00  
 6-95 GENERAL TO FOSTER CARE \$450.00  
 7-95 GENERAL TO ANIMAL CONTROL \$1,100.00  
 8-95 GENERAL TO HEALTH SERVICES GRANTS \$56,750.00  
 9-95 DISTRICT ATTORNEY DRUG FORFEITURE TO HOT CHECK FEE FUND \$475.00

*Michele Tuttle*  
 Michele Tuttle

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
NOVEMBER 30, 1994

|               | Adult<br>Probation<br>Operating | Adult<br>Probation<br>Facilities | Courthouse<br>Security | Records<br>Management | Records<br>Preservation | Animal<br>Control | Sheriff's<br>Drug<br>Forfeiture | District<br>Attorney Drug<br>Forfeiture | District<br>Attorney<br>Reimburs. |
|---------------|---------------------------------|----------------------------------|------------------------|-----------------------|-------------------------|-------------------|---------------------------------|-----------------------------------------|-----------------------------------|
| CHECKING      |                                 |                                  |                        |                       |                         |                   |                                 |                                         |                                   |
| Begin. Bal.   | \$27,200.79                     | \$23,638.74                      | \$24,938.13            | \$5,478.86            | \$9,158.00              | \$766.96          | \$1,551.66                      | \$4,681.66                              | \$9,219.41                        |
| M/M Int.      | \$109.72                        |                                  |                        | \$17.36               |                         |                   | \$4.08                          |                                         | \$20.51                           |
| Deposits      | \$187,502.84                    | \$12,000.00                      | \$2,205.00             | \$8,750.00            | \$955.00                | \$1,284.26        |                                 | \$10.46                                 | \$7,645.79                        |
| Disbursements | \$195,655.47                    | \$5,073.79                       | \$27,143.13            | \$6,578.24            | \$10,113.00             | \$10.02           | \$1,555.74                      | \$4,217.12                              | \$7,827.23                        |
| Ending Bal.   | \$19,157.88                     | \$30,564.95                      | \$27,143.13            | \$7,667.98            | \$10,113.00             | \$10.02           | \$1,555.74                      | \$4,217.12                              | \$9,058.48                        |
| INVESTMENTS   | TexPool                         |                                  |                        | TexPool               |                         |                   |                                 |                                         | TexPool                           |
| Begin. Bal.   | \$422,691.55                    |                                  |                        | \$42,021.64           |                         |                   |                                 |                                         | \$93,021.18                       |
| M/M Int.      | \$1,468.30                      |                                  |                        | \$157.89              |                         |                   |                                 |                                         | \$349.54                          |
| Deposits      |                                 |                                  |                        |                       |                         |                   |                                 |                                         |                                   |
| Disbursements | \$55,000.00                     | \$0.00                           | \$0.00                 | \$42,179.53           | \$0.00                  | \$0.00            | \$0.00                          | \$0.00                                  | \$93,370.72                       |
| Ending Bal.   | \$369,159.85                    | \$0.00                           | \$0.00                 | \$42,179.53           | \$0.00                  | \$0.00            | \$0.00                          | \$0.00                                  | \$93,370.72                       |

|               | Historical<br>Commission<br>Trust Fund | Foster<br>Care | Health<br>Services<br>Grants | Inwood<br>Water<br>System | Texas Capital<br>Fund/<br>New Canaan |
|---------------|----------------------------------------|----------------|------------------------------|---------------------------|--------------------------------------|
| CHECKING      |                                        |                |                              |                           |                                      |
| Begin. Bal.   | \$8,166.56                             | \$13,750.50    | \$2,833.72                   | \$1.00                    | \$0.00                               |
| M/M Int.      | \$18.46                                |                | \$22.60                      |                           |                                      |
| Deposits      |                                        | \$1,450.00     | \$83,330.40                  |                           | \$3,965.07                           |
| Disbursements |                                        | \$15,189.18    | \$80,413.22                  | \$1.00                    | \$3,965.07                           |
| Ending Bal.   | \$8,185.02                             | \$11.32        | \$5,773.50                   | \$1.00                    | \$0.00                               |
| INVESTMENTS   | TexPool                                | TexPool        | TexPool                      |                           |                                      |
| Begin. Bal.   | \$0.00                                 | \$0.00         | \$2,994.06                   | \$0.00                    | \$0.00                               |
| M/M Int.      |                                        |                | \$11.24                      |                           |                                      |
| Deposits      |                                        |                |                              |                           |                                      |
| Disbursements |                                        |                |                              |                           |                                      |
| Ending Bal.   | \$0.00                                 | \$0.00         | \$3,005.30                   | \$0.00                    | \$0.00                               |

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**13517 APPROVE CHANGES TO THE PERSONNEL MANUAL ON EMERGENCY LEAVE**

George Aitken, Human Resources Director, recommended amending Paragraph 8.10 EMERGENCY LEAVE to allow up to 3 days per fiscal year of emergency leave rather than one. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve changes to the Personnel Manual regarding Emergency Leave as presented by Human Resources Director. All voting "Aye".

**8.10 EMERGENCY LEAVE.** Up to three days per fiscal year of emergency leave with pay may be granted to regular employees by an elected official or department head in the event of (1) a death in an employee's family, or (2) life-threatening illness of a member of the employee's immediate family who requires the employee's personal care and attention if health leave is not available. For purposes of emergency leave, family includes spouse, child, parent, brother, sister, grandparents, or grandchildren of an employee, an employee's spouse, or any person living in the employee's household who is dependent on the employee for care. The length of time granted for a specific emergency leave must be approved by the appropriate elected official or department head in advance and will depend on the circumstances. Note, three days is not automatic. Should more time be needed to cover the emergency situation, that additional time will be charged to: vacation leave, sick leave, or leave without pay. The terms of an reasons for the leave must be documented and filed in the employee's personnel file.

**13518 APPROVE RE-APPOINTMENTS TO WIMBERLEY RURAL FIRE PREVENTION DIST.**

Commissioner Craig Payne recommended by Norman Kudla and Ron Spangenberg be re-appointed as Fire Commissioners for the Wimberley Rural Fire Prevention District. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve re-appointment of Norman Kudla and Ron Spangenberg to the Wimberley Rural Fire Prevention District. All voting "Aye".

**13519 ADOPT RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES FOR TEXPOOL**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt a resolution amending the authorized representatives for TexPool (replacing County Treasurer Dorothy P. Sims with Michele Tuttle). All voting "Aye".

**RESOLUTION  
AMENDING AUTHORIZED REPRESENTATIVES**

**WHEREAS,** The County of Hays (the "Participant") is a political subdivision of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds, to act as a custodian of investments purchased with local investment funds; and

**WHEREAS,** the Treasurer of the State of Texas, acting by and through the Texas Treasury Safekeeping Trust Company (the "Trust Company") has created "TexPool", a public funds investment pool, to effectuate the goals of providing investments at the highest possible yield and maintaining complete safety of the funds of the Participant,

**WHEREAS,** the Participant hereby requests the following changes regarding the individuals authorized to act on behalf of the Participant;

**NOW, THEREFORE,** be it resolved as follows:

**A.** That the County of Hays shall enter into a Participation Agreement to establish an account in its name with the Trust Company's Local Government Investment Pool, TexPool, for the purpose of transmitting local funds for investment by the Trust Company in TexPool.

**B.** That the following individuals, whose signatures appear on page 2 of this Resolution, are officers, employees, or authorized to transmit funds to the Trust Company for investment in TexPool and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds:

(Page 2)

|                                    |                                       |
|------------------------------------|---------------------------------------|
| 1. Name <u>Michele Tuttle</u>      | Title <u>Hays County Treasurer</u>    |
| Signature: <u>s/Michele Tuttle</u> |                                       |
| 2. Name <u>Bill Herzog</u>         | Title <u>Hays County Auditor</u>      |
| Signature: <u>s/Bill Herzog</u>    |                                       |
| 3. Name <u>Paula Pond</u>          | Title <u>Assistant County Auditor</u> |
| Signature: <u>s/Paula Pond</u>     |                                       |

**C.** That this resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until the Trust Company receives a copy of any such amendment or renovation. The Trust Company is entitled to rely on this resolution until such time.

This resolution is hereby introduced and adopted by the Participant at its regular meeting held on the 9th day of January, 1995.

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**13520 HILLS OF TEXAS ESTATES - FIRST READING**

Allen Walther, Environmental Health Director, spoke of access to this subdivision - suggested changing the road placement so that it is out of the floodplain - plat does not address water supply. Darrel Brown, Road Director, stated that the developer is aware of the floodplain problems. Commissioner Payne suggested that the four lots not attached to the others should be designated as Section 2. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Estates" subdivision on first reading with recommended changes. All voting "Aye".

**13521 VARIANCE REQUEST FROM MARK McMANUS (TWO 5-ACRE TRACTS) - TABLED**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to table action on the variance request from Mark McManus regarding two 5-acre tracts on Hwy. 290 East pending submission of letters previously requested by the Court. All voting "Aye".

**13522 ADOPT A RESOLUTION HONORING TED COVINGTON AND JOE HEIDENFELDER FOR THEIR SERVICE ON THE NORTH HAYS COUNTY EMS BOARD OF DIRECTORS**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to adopt a Resolution honoring Ted Covington and Joe Heidenfelder for their service on the North Hays County EMS Board of Directors. All voting "Aye".

STATE OF TEXAS  
COUNTY OF HAYS

RESOLUTION

*WHEREAS, the people of Hays County, Texas depend on the local efforts of their emergency organizations to protect lives, homes and property; and,*

*WHEREAS, the Emergency Medical and fire protection providers in Hays County do an excellent job of looking after the welfare of our County and its people; and*

*WHEREAS, Mr. Ted Covington and Mr. Joe Heidenfelder have exemplified volunteerism and community service during their tenures on the North Hays County EMS Board of Directors; and*

*WHEREAS, the people of Hays County and the Hays County Commissioners' Court are sincerely grateful for their years of service;*

*NOW, THEREFORE, WE the Hays County Commissioners' Court, do hereby recognize Mr. Ted Covington and Mr. Joe Heidenfelder for their service and commitment to the people of Hays County.*

*WITNESS OUR HANDS AND SEAL this 9th day of January, 1995.*

**13523 APPROVE PURCHASE OF FURNITURE AND EQUIPMENT FROM CENTURY TELEPHONE COMPANY**

Members of the Court looked at the available furniture/equipment from Century Telephone Company located at the old HEB building last week. Cindy Casparis, Purchasing Agent, provided a list of the furniture and negotiated prices (see list in file) - the total price for furniture selected is \$7,620.00. Admin. Asst. Winton Porterfield stated that Debbie Polk, DP Admin., has indicated that the air-conditioning unit for the computer system is needed, however, she is not sure about the UPS/backup power system. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve purchase of furniture recommended by Purchasing Agent in the amount of \$ 7,620.00 out of unspecified equipment line item. All voting "Aye".

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**13524 AUTHORIZE THE COUNTY JUDGE AND TAX ASSESSOR-COLLECTOR TO ENTER INTO A CONTRACT WITH THE TEXAS DEPT. OF TRANSPORTATION FOR A REGISTRATION AND TITLE SYSTEM (RTS) COMPUTER**

This computer system is being paid for by the State and is currently operational. Hays County is the first county in Texas to receive this system - the only cost to the county will be to expand the system in the future, perhaps for substations out in the county. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge and Tax Assessor-Collector to enter into a contract with the Texas Department of Transportation for a Registration & Title System (RTS) Computer. All voting "Aye".

STATE OF TEXAS  
COUNTY OF HAYS

AGREEMENT FOR THE USE OF STATE  
OF TEXAS AUTOMATION EQUIPMENT

THIS AGREEMENT, is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State", and the County of Hays, Texas, acting by and through its duly authorized officials, hereinafter called the "County".

WITNESSETH

WHEREAS, the State is statutorily responsible for administering motor vehicle titles and registration pursuant to Texas Civil Statutes, Article 6675a-1 et seq and 6687-1; and

WHEREAS, the County Tax Assessor Collector acts as agent for the State in the processing of motor vehicle titles and registration; and

WHEREAS, the State has designed and will furnish an automated system for the uniform registration and titling of motor vehicles, hereinafter identified as the automated registration and title system (RTS); and

WHEREAS, automation equipment is necessary for the processing of motor vehicle titles and registration; and

WHEREAS, the State and the County desire that automation equipment procured by the State, hereinafter identified as the "Equipment", be installed and operated at the location(s) under the jurisdiction of the County; and

WHEREAS, associated policies and procedures for the County use of the Equipment are codified in Title 43, Texas Administrative Code (TAC), Section 17.53 - 17.55; and

WHEREAS, the State will furnish the Equipment to the County provided the County agrees to adhere to and comply with those policies and procedures and the requirements established in this Agreement; and

WHEREAS, on the 9th day of January, 1995, the Hays County Commissioners Court Order or Resolution No. 13524, attached hereto and identified as "Exhibit A", authorizing the County's execution of this Agreement; and

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises in this Agreement, the parties agree as follows:

1. AGREEMENT TERMS

This Agreement shall become effective on the date of final execution by the State and shall terminate when all Equipment is removed from the County office(s) unless sooner terminated pursuant to Section 16 of this Agreement.

2. EQUIPMENT

The Equipment to be furnished by the State to the County is listed in "Exhibit B", attached hereto and made a part of this Agreement. The State retains full and complete title in the Equipment and nothing in this Agreement shall grant to the County, its officers or employees ownership in the Equipment.

3. EQUIPMENT PROCUREMENT

The State shall purchase all hardware and software that it determines is initially needed to support the RTS in approved County tax office locations.

The State shall purchase all telecommunications cable initially needed to attach the approved County tax office locations to the RTS telecommunications network.

The State shall purchase all telephone lines and equipment initially needed to attach the approved County tax office locations to the RTS network.

4. ADDITIONAL WORKSTATIONS

If a County desires additional workstations (in addition to the Equipment allocated by the State) for the initial implementation of RTS, they may be procured at county expense through the State. The cost of each additional workstation at a site previously designated by the county for initial RTS implementation is listed on the attached schedule (EXHIBIT C, Item 1).

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The cost of the first additional workstation for a County site not previously designated by the County for initial RTS implementation is listed on the attached schedule (EXHIBIT C, Item 2). After the purchase of the first additional workstation for a new county site, the cost of any other workstations for the site is listed on the attached schedule (EXHIBIT C, Item 2).

There will be an ongoing annual cost to the county for installation, maintenance support, RTS software and network charges for each additional workstation purchased by the County and added to the RTS system. The associated costs for the equipment and services are listed on the attached schedule (EXHIBIT C, Item 3).

Workstations purchased by the County are the property of the County. However, the loading of any software other than the RTS application or software expressly approved by the State on any workstation used for RTS may cause system problems or workstation processing failure. Service costs incurred for problems resulting from such software being loaded on the workstations are the responsibility of the County.

#### 5. EQUIPMENT INSTALLATION

The state will pay for the costs incurred for the installation of the Equipment as listed in EXHIBIT B, Part 1 in the approved County tax office locations for the automated registration and title system. This payment does not include, nor will the State pay for any County employee time expended, any physical alterations the County may make to its offices to accommodate the Equipment, or for the installation of additional workstations purchased through the State by the County.

The State will pay for installation costs of telecommunications cable and lines as needed to attach to the automated registration and title system network in the approved County tax office locations.

The State will pay for teleprocessing costs associated with the use of the telecommunications network for the Equipment.

#### 6. PROGRAMMING

The State shall perform all computer programming needed for the development and continued support of the automated registration and title system.

#### 7. SECURITY

The County shall be responsible for the physical security and protection of the Equipment installed in its office(s).

#### 8. MAINTENANCE

The State will pay maintenance costs required for the automated registration and title system for a least five (5) years (one year of warranty coverage and four years of maintenance coverage) from the date of installation. This maintenance contract will provide for the technical maintenance support of the Equipment purchased by the State and placed in the approved County tax office locations.

Provision will be made by the State for timely repair or replacement of the Equipment purchased by the State and placed in the approved County tax office locations. The timeframe for such repair/replacement will be as specified in the maintenance clause of the hardware equipment contract.

The State will provide the County with ongoing basic maintenance support for the automated registration and title system Equipment and software.

The County must purchase ongoing basic maintenance support through the State for the additional workstations purchased by the County. The maintenance support provided under this purchase will be the same as that provided by the State. This purchase cost is included in the figure listed in EXHIBIT C, Item 3.

#### 9. EQUIPMENT REPAIR AND REPLACEMENT

The County shall be responsible for full repair or replacement costs for the Equipment in the event the Equipment under State contract that is placed under County control is damaged or lost. The repair cost shall be determined by the Equipment service vendor under contract to the State to provide maintenance service for the Equipment. The replacement cost shall be determined by the cost of equivalent equipment under State contract at the time the damage or loss occurs. In addition, the County shall be responsible for any service costs resulting from problems caused by unauthorized software or hardware residing on the workstations. The Equipment will be monitored electronically. Any unauthorized software detected on the Equipment will be removed electronically.

The County's payment for repair or replacement costs for damaged or lost Equipment, or service costs resulting from problems caused by unauthorized software residing on the workstations or installation of unauthorized hardware on the State equipment, shall be remitted to the State by the County within 30 days of written request by the State.

#### 10. EQUIPMENT MOVEMENT

The County shall notify the State of its intent to add, move, close, or remodel (if equipment or cabling is affected) any County office in which the Equipment is currently installed, or will need to be installed or removed.

Notification must be in writing and shall be submitted prior to the anticipated date the change will occur. Minimum notification periods:

- 30 days in the case of an office closing or remodeling
- 90 days in the case of an office location change, or
- 180 days in the case of an additional office location.

The County shall notify the State prior to incidental movement of the workstation equipment within the office in which it is currently housed. A telephone call to the State is sufficient notification in this situation. All calls of this type will be documented by the State and kept on file.

Failure to notify and receive instructions from the State for such equipment moves exposes the County to liability if the Equipment is damaged in the move (see 7. SECURITY). The county shall be liable to the State for all such costs in the event the county fails to notify the State and receive instructions concerning movement of the workstation equipment.

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**11. UNAUTHORIZED USE OF STATE EQUIPMENT**

Unauthorized entry into the Equipment for any reason, including but not limited to attempts to repair the hardware, or to load unapproved software, is expressly prohibited.  
 The County usage of the Equipment to access County automated systems is subject to prior approval by the State in writing.  
 The attachment or installation of any unauthorized equipment onto the automated registration and title system network is expressly prohibited.

**12. ELECTRICAL REQUIREMENTS**

The County shall meet and maintain minimum office electrical requirements as specified by the State for operation of the Equipment. The County shall be responsible for the payment of all electrical power costs resulting from the operation of the Equipment. Unless otherwise specified by the State, the Equipment shall remain on 24 hours a day, 7 days a week.

**13. INVENTORY OF EQUIPMENT**

The State is authorized access to the Equipment to perform a physical inventory at the County office locations during regular county business hours. In order to maintain an accurate inventory of the Equipment, the County shall notify the State in writing of any equipment replacement.

**14. TRAINING**

The State shall provide on-site initial training for the County's employees on the automated registration and title system. The training plan must be reviewed and agreed to by the County prior to the implementation of the system. Training of deputies on the RTS after implementation of the automated system in the County will be the responsibility of the County.  
 The State will provide the counties with reference manuals for the automated registration and title system. The State will provide the county with continuing training/advisory support on the automated registration and title system.

**15. SUPPLIES**

The State will provide the County with an adequate supply of continuous form paper to be used solely in conjunction with the automated registration and title system.

**16. TERMINATION**

This Agreement may be terminated by any of the following conditions:

- A. By mutual consent and Agreement of the parties hereto.
- B. By either party, upon thirty (30) days written notice to the other party.
- C. By the State, should it determine that the County, at any time, has failed to comply with the requirements of this Agreement.

Should the Agreement be terminated for any of the above conditions, the County shall allow removal of the Equipment by the State within a period established by the State.

**17. AMENDMENTS**

Any changes in the terms and conditions of this Agreement must be enacted by a written amendment executed by State and the County.

**18. PRIOR AGREEMENTS SUPERSEDED**

This Agreement constitutes the sole and only Agreement of the parties hereto and supersedes any prior understandings and/or written agreements between the State and the County respecting the subject matter described herein.

**EXHIBIT C**

1. If a County desires additional workstations (in addition to the Equipment allocated by the State) for the initial implementation of RTS, they may be procured at County expense through the department. The cost of each additional workstation at a site previously designated by the county for initial RTS implementation is \$ 7,500.
2. The cost of the first additional workstation for a county site not previously designated by the County for initial RTS implementation is \$10,000.  
 After the purchase of the first additional workstation for a new county site, the cost of any other workstations for the site is \$7,500 per workstation.
3. There will be an ongoing annual cost to the County for installation, maintenance support, RTS software and network charges for each additional workstation purchased by the County and added to the RTS system. The cost for these areas is \$1,000 for each workstation.





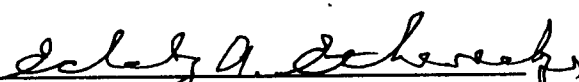
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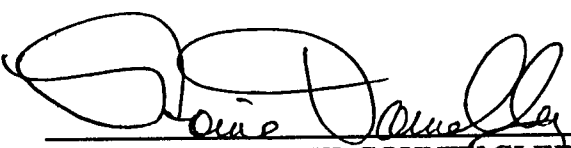
**DISCUSSION WITH PAM GOSNAY REGARDING TRAFFIC SAFETY ISSUES ON HIDDEN HILL ROAD (PCT. 4)**

Pam Gosnay, resident of Sunset Canyon subdivision, appeared before the Court to discuss concerns about commercial subdivision lots used as landfills and being developed for commercial businesses and having access onto Hidden Hills Road - spoke of the City of Dripping Springs approving the construction of a mini-storage complex and one residence on Lot 17 without soil testing requirements and appropriate septic permit in landfill and did not require engineering reports per Hays county regulations for construction of foundations in fill - the City approved a detention system for surface capture and filtration of the 1st 1/2 inch of water run off - the system was never installed - the approved residence and septic system have not been installed, but the site is being prepared - the mini-store warehouse plat submitted to the city for approval on Lot 17 did not include an access to Hidden Hills, but included two DOT permitted access drives on Hwy. 290 - there is a gravel road accessing on Hidden Hills and there is no culvert drain system in place at this location - spoke of commercial vehicles that will be using the subdivision road (moving vans, U-hauls, boat trailers, 5th wheelers, & RVs) - this access is positioned between two blind steep hills on blind curves. Mrs. Gosnay spoke of Lot 18, owned by Terry Jackson, which is also being used as a landfill - Mr. Jackson is currently applying for a resubdivision of this lot into 3 lots - felt like this development will affect water flow and cause flooding on Hidden Hills Drive - Developer plans to place 48 mobile homes on this property - this lot is currently being used for the storage of junk trucks, fuel drums, tires, and landfill refuse - spoke of her concerns about the effect on water wells and the aquifer - there is a question as to who has authority to control this situation - felt like this site should have a junkyard permit - the junkyard storage creates an attractive nuisance to children and endangerment to public health, safety and welfare. Mrs. Gosnay spoke of Lot 14 currently being used as a veterinary clinic - diseased livestock are transported in large stock trailers via Hidden Hills Drive over an access driveway having no drainage culvert or required roadbed - there is no county permit for this access - the natural vegetation required for the septic drain field and required 75% natural ground cover is non existent due to the density of stock kept on the lot - there is a mass amount of sewage coming from the livestock and running off on to Hidden Hills Drive and residential property. Mrs. Gosnay requested that a public hearing be held before any county permits are issued and proper testing of the soil before development is allowed - would also like to determine the legality of any development in landfill per the new TNRCC ruling effective January 1, 1995 - the State provides authority and responsibility for local government to act prudently and orderly in the mattress of public health and safety. Commissioner Molenaar stated that the County driveway permit that was issued has expired - the blind hill does create safety problems. Allen Walther, Environmental Health Director, advised that he has investigated the site and TNRCC has inspected it - some item were removed to a proper landfill, however, there may be some illegal dumping - the septic will have to be an approved system - need to check on minimum set back for runoff. Judge Etheredge stated that County government does not have zoning authority - not aware if a public hearing could be required. Commissioner Barton stated that he felt like we are prohibited from taking action on this issue - we are limited on authority regarding land use. Judge Etheredge asked Commissioner Molenaar to contact the City of Dripping Springs regarding this matter and report back to the Court. Commissioner Molenaar spoke of traffic safety - he has seen inappropriate fill at this site and he would like for the County Health Dept. to check out the runoff.

Court was recessed until 2:00 P.M. Wednesday January 11, 1995 for workshop to discuss computer software system.

MINUTES APPROVED IN OPEN COURT ON THE 6<sup>th</sup> DAY OF March, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS

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\*Note: January 11, 1995 Workshop session was cancelled\*

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 17TH DAY OF JANUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**INTRODUCTION OF NEW EMPLOYEES**

The following new employees were introduced to the Court: **LEC** - Juan Villarreal, Roland Cunningham, and John King, **SHERIFF'S OFFICE** - Herlinda Natal and Lorene Gonzales, **PERSONAL HEALTH** - Linda Soliz, Sophia Garza and Shirley Hargrave. New employees that were not present were: **TAX OFFICE** - Julie Jaimes, and **J.P. 4** - Tammy Crosby.

**13525 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 126,607.63 as presented by the County Auditor. All voting "Aye".

|                        |              |                      |              |                     |              |
|------------------------|--------------|----------------------|--------------|---------------------|--------------|
| Licenses & Permits     | \$ 150.00    | Auditors Ofc         | \$ 1,182.16  | Treasurers Ofc      | \$ 39.40     |
| Junvile Probation      | \$ 1,799.29  | Indigent Care        | \$ 5,003.04  | Transfer Station    | \$ 4,276.21  |
| Building Maint         | \$ 2,707.01  | Environmental Health | \$ 338.82    | Personal Health     | \$ 110.00    |
| Civic Center           | \$ 9.11      | Countywide Oper      | \$ 6,462.12  | Tax A/C             | \$ 71.03     |
| District Clerk         | \$ 875.00    | County Clerk         | \$ 502.33    | Sheriffs Office     | \$ 3,375.28  |
| Jail Operations        | \$ 15,082.95 | County Judge         | \$ 13.00     | Human Resources     | \$ 1,158.08  |
| Co Crt at Law 1        | \$ 25.00     | District Attorney    | \$ 80.32     | J.P. 1-2            | \$ 108.44    |
| J.P. 2                 | \$ 100.33    | J.P. 3               | \$ 233.45    | J.P. 4              | \$ 90.00     |
| J.P. 5                 | \$ 178.00    | D.P.S.               | \$ 427.28    | Constable 1         | \$ 91.92     |
| Constable 3            | \$ 72.05     | Constable 4          | \$ 50.00     | Constable 5         | \$ 24.99     |
| Dist Court Oper        | \$ 2,776.13  | Co & JP Court Oper   | \$ 5,432.43  | Computer Svcs       | \$ 22,599.82 |
| Co Crt at Law 2        | \$ 33.50     | TDA/Corr Incub Grant | \$ 2,500.00  | Meadows Found Grant | \$ 2,590.31  |
| DARE (DA) Grant        | \$ 263.91    | *Gen Fund Credit*    | \$ 94.15     | R&B Operating       | \$ 6,898.61  |
| Precinct 1             | \$ 356.00    | Precinct 2           | \$ 793.91    | Precinct 3          | \$ 129.91    |
| Precinct 4             | \$ 105.00    | Right of Way         | \$ 37.50     | Health Svcs Grants  | \$ 2,232.15  |
| Juvenile Detention Fac | \$ 1,285.68  | Road Construction    | \$ 15,156.06 | Foster Care Fund    | \$ 7,646.05  |
| Adult Probation Oper   | \$ 5,573.01  | Adult Probation Fac  | \$ 2,110.19  | Aniticipation Notes | \$ 3,500.00  |

**13526 AMEND BUDGETS OF THE COUNTY CLERK, LEGAL AID, COMMUNITY & SOCIAL SERVICES, ENVIRONMENTAL HEALTH, IMMUNIZATION GRANT, MATERNAL & CHILD HEALTH GRANT, PPIP GRANT, AND ADULT PROBATION OPERATING**

The following budget amendments were proposed:

County Clerk - Transfer funds = \$ 1,880 to pay for Official Bond and for printing of envelopes.

Legal Aid - Re-budget transfer into new line items for Legal Aid and position from Community and Social Services - transfer the amount originally budgeted into position salary and related line items.

Environmental Health - Transfer \$200 for balance of laminating Atlas from supplies.

Immunization Grant - \$ 5,492 additional funding was provided by TDH for increased part-time hours, supplies, and equipment - budget expense and budget increased revenue.

Health Services Grants & PPIP Grant - Maternal & Child Health Grant - reclassify individual items under \$500 as supplies rather than equipment @ TDH request and transfer \$3,500 from equipment to supplies for PC system. PPIP - TDH is funding and additional amount for balance of PC system of \$2,757, budget expenses and additional revenue.

Adult Probation Operating - CJD is providing additional funding for equipment - budget into expenses and revenues.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendment No. 95-008 as presented by the County Auditor. All voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES

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AMENDMENT  
NO. 25-008  
FY 95 BUDGET  
01/17/95

FUND NO. 01

FUND TITLE GENERAL

APPROPRIATION AMENDMENT APPROPRIATION  
BEFORE AS  
LINE ITEM - EXPENDITURES AMENDMENT INCREASES DECREASES AMENDED

COUNTY CLERK (417)

|                              |        |              |                |        |
|------------------------------|--------|--------------|----------------|--------|
| 01-417-5321 Dues & Bonds     | 70     | 180          |                | 250    |
| 01-417-5461 Printing         | 500    | 1,700        |                | 2,200  |
| 01-417-5211 Off Sply         | 7,000  |              | (500)          | 6,500  |
| 01-417-5215 Perm Record Sply | 20,000 |              | (1,180)        | 18,820 |
|                              |        | <u>1,880</u> | <u>(1,680)</u> |        |

TRANSFER FOR ELECTED OFFICIAL'S BOND AND PRINTING FOR ENVELOPES FROM SUPPLIES

LEGAL AID (607)

|                           |   |        |  |        |
|---------------------------|---|--------|--|--------|
| 01-607-5021 Staff Sal     | 0 | 12,515 |  | 12,515 |
| 01-607-5110 FICA          | 0 | 960    |  | 960    |
| 01-607-5121 Retirement    | 0 | 970    |  | 970    |
| 01-607-5160 Insurance     | 0 | 1,688  |  | 1,688  |
| 01-607-5211 Office Sply   | 0 | 1,000  |  | 1,000  |
| 01-607-5212 Postage       | 0 | 650    |  | 650    |
| 01-607-5311 Travel        | 0 | 150    |  | 150    |
| 01-607-5321 Dues & Bonds  | 0 | 100    |  | 100    |
| 01-607-5448 Contract Svcs | 0 | 5,467  |  | 5,467  |
| 01-607-5461 Printing      | 0 | 100    |  | 100    |
| 01-607-5489 Telephone     | 0 | 2,000  |  | 2,000  |

COMMUNITY & SOCIAL SERVICE (407)

|                       |        |               |                 |   |
|-----------------------|--------|---------------|-----------------|---|
| 01-407-5881 Legal Aid | 25,600 |               | (22,600)        | 0 |
|                       |        | <u>25,600</u> | <u>(22,600)</u> |   |

CREATE LEGAL AID POSITION AS AUTHORIZED AND TRANSFER BUDGETED FUNDS FOR LEGAL AID SERVICES FROM OUTSIDE AGENCY FUNDING

ENVIRONMENTAL HEALTH (411)

|                            |       |     |       |       |
|----------------------------|-------|-----|-------|-------|
| 01-411-5460 Atlas Printing | 3,040 | 200 |       | 3,240 |
| 01-411-5221 Data Proc Sply | 3,260 |     | (200) | 3,060 |

TRANSFER FOR BALANCE OF LAMINATING COST FOR ATLAS

AMENDMENT  
NO. 25-008  
FY 94 BUDGET  
01/17/95  
Page 2

FUND NO. 10

FUND TITLE HEALTH SERVICES GRANTS FUND

APPROPRIATION AMENDMENT APPROPRIATION  
BEFORE AS  
LINE ITEM - EXPENDITURES AMENDMENT INCREASES DECREASES AMENDED

TDH/IMMUNIZATION GRANT (708)

|                        |        |       |  |        |
|------------------------|--------|-------|--|--------|
| 10-708-5021 Staff      | 13,678 | 3,227 |  | 16,905 |
| 10-708-5110 FICA       | 1,047  | 247   |  | 1,294  |
| 10-708-5121 Retirement | 597    | 239   |  | 836    |
| 10-708-5160 Insurances | 1,137  | 369   |  | 1,506  |
| 10-708-5219 Supplies   | 1,000  | 200   |  | 1,200  |
| 10-708-5719 Misc, Eqpt | 0      | 1,210 |  | 1,210  |

|                                    |        |  |                     |              |
|------------------------------------|--------|--|---------------------|--------------|
| REVENUES                           |        |  | DECREASES INCREASES |              |
| 10-384-6708 TDH/IMMUNIZATION GRANT | 15,724 |  | <u>5,492</u>        | 21,216       |
|                                    |        |  | <u>5,492</u>        | <u>5,492</u> |

BUDGET ADDITIONAL GRANT FUNDING PER AGENCY

TDH/MATERNAL & CHILD HEALTH GRANT (469)

|                       |        |       |         |        |
|-----------------------|--------|-------|---------|--------|
| 10-469-5219 Misc Sply | 18,000 | 3,500 |         | 21,500 |
| 10-469-5719 Misc Eqpt | 15,000 |       | (3,500) | 11,500 |

TRANSFER COMPUTER SUPPLIES & ACCESSORIES FROM EQUIPMENT CATEGORY TO BE CONSIDERED SUPPLIES PER AGENCY REQUEST/REGULATIONS AS NONE OVER AGENCY'S LIMIT AMOUNT FOR THEIR SUPPLY LINE

TDH/PEIP GRANT (725)

|                  |   |       |  |       |
|------------------|---|-------|--|-------|
| 10-725-5719 Eqpt | 0 | 1,757 |  | 1,757 |
|------------------|---|-------|--|-------|

|                            |        |  |                     |        |
|----------------------------|--------|--|---------------------|--------|
| REVENUES                   |        |  | DECREASES INCREASES |        |
| 10-384-6725 TDH/PEIP Grant | 57,856 |  | 1,757               | 59,613 |

BUDGET ADDITION GRANT FUND FOR PC SYSTEM AS PER AGENCY

FUND NO. 34

FUND TITLE ADULT PROBATION OPERATING FUND

OPERATIONS (486)

|                                |        |        |  |        |
|--------------------------------|--------|--------|--|--------|
| 34-486-5499 Facil, Util & Eqpt | 77,759 | 10,800 |  | 88,559 |
|--------------------------------|--------|--------|--|--------|

|                                  |         |  |                     |         |
|----------------------------------|---------|--|---------------------|---------|
| REVENUES                         |         |  | DECREASES INCREASES |         |
| 34-334-3344 State Aid/Per Capita | 723,196 |  | 10,800              | 733,996 |

BUDGET INCREASE IN FUNDING FOR SAFFP PER TDCJ AGENCY

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**13527 ROAD NAME DESIGNATION - CHANGE NAME OF CR246 FROM "GREEN HORN TRAIL" TO "LONGHORN TRAIL"**

Patsy Greiner, Mapping/Planning, submitted a copy of a petition signed by residents on CR246 as follows:

RE: Ranch Road 246, Wimberley, Tx, Name Change

We the residents of Hays County who reside on Ranch Road 246, petition that the name chosen for it, "Green Horn Lane" is a derogatory and demeaning name for ranchers, cattlemen, and residents who in the future will use this name as part of their mailing address. We petition the name be changed to one of the following in order of preference:

|                     |                    |
|---------------------|--------------------|
| 1. Long Horn Trail  | 2. Deer Trail      |
| 3. Winding Trail    | 4. White Tail Road |
| 5. Wagon Wheel Road |                    |

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve road name designation: change name of CR 246 from "Green Horn Trail" to "Longhorn Trail". All voting "Aye".

**13528 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN HILL COUNTRY RANCHES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held on January 30, 1995 at 9:00 A.M. to establish traffic regulations in Hill Country Ranches subdivision. All voting "Aye".

**13529 GRANT A VARIANCE TO PARK RULES AT DUDLEY JOHNSON PARK TO ALLOW OVERNIGHT CAMPING MARCH 14, 1995 BY AUSTIN FOUNDERS TRAIL RIDE**

Commissioner Barton submitted a written request from the Austin Founders requesting special permission to use the Dudley Johnson Park as an official campsite for Tuesday March 14, 1995 - one of their sanctioned trail rides that travel to Austin each year to kick off the Austin-Travis County Livestock Show & PRCA Rodeo have been allowed to camp at the park in 1989, 1990, 1991, & 1993. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to grant a variance to park rules at Dudley Johnson Park to allow overnight camping on March 14, 1995 by the Austin Founders Trail Ride. All voting "Aye".

**13530 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON CEDAR SPRINGS AND CHAPARRAL ROAD (PCT. 3)**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held January 30, 1995 at 9:00 A.M. to establish traffic regulations on Cedar Springs and Chaparral Road. All voting "Aye".

**13531 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON CR183 (LONE MAN MT. ROAD) AND CR 221 (DOBIE LANE)**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held January 30, 1995 at 9:00 A.M. to establish traffic regulations on CR183 (Lone Man Mt. Road) and CR221 (Dobie Lane). All voting "Aye".

**13532 APPROVE THREE APPOINTMENTS TO THE NORTH HAYS COUNTY EMS BOARD OF DIRECTORS**

Commissioner Payne is nominating Gene Oldham and Jim Reece to fill the spots held by Ted Covington and Joe Heidenfelder. Commissioner Molenaar would like to reappoint Harrell Robinson as the Pct. 4 representative and Mr. Robinson has agreed to serve again. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve appointment of Gene Oldham, Jim Reece, and Harell Robinson to the North Hays County EMS Board of Directors. All voting "Aye".

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**13533 ADOPT CHANGE IN HAYS COUNTY PERSONNEL POLICY RE: DEPARTMENT HEAD RATING PERIOD**

Human Resources Director George Aitken recommended changing the "rating period" for department heads to April through March rather than May through April - this would allow better spacing intervals between the time we do all other county employees in May of each year. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt change in the Hays County Personnel Policy regarding Department Head "Rating Period" as proposed by Human Resources. All voting "Aye".

**15.05 Performance Appraisal (para. 4 - Page 58)**

Appraisals will be completed on an annual basis for all county employees. Department Heads annual cycle will be April through March each year. Other employees rating cycle will be June thru May each year. To be evaluated each employee must be employed 90 days with his/her current supervisor. Employees who transfer within 60 days of their annual appraisal close-out date will be evaluated by their gaining organization after attaining 90 days of employment. Originals of completed form will be closed out on the anniversary date and forwarded to the Human Resources Department for permanent retention in the employee's personnel file no later than thirty (30) working days following the employee's appraisal close-out date. Evaluations must be neat, complete, signed, and fully justified.

**13534 AUTHORIZE THE COUNTY TO RE-NEW CONTRACT WITH DR. JOHAN GERVAIS, CORRIDOR INCUBATOR MANAGER AND THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR \$20,000.00**

Richard Salmon, Grants Administrator, reports that Hays County is participating in the local Corridor Incubator Project by administering the Texas Dept. of Agriculture - Business Assistance Grant and by injecting \$13,000 over a two year period. Matching funds have been budgeted for this project. The purpose of this grant is to hire and equip an experienced incubator manager. Mr. Johan Gervais was selected through a professional services procurement process completed by the Incubator Advisory Board and monitored by the Hays County Grants Dept. The total grant from TDA is for \$26,000, but this 2nd contract covers the period January 1, 1995 to August 31, 1995. Hays County, as the financial agent, is responsible for contracting with Dr. Gervais and monitoring the grant. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County to re-new contract with Dr. Johan Gervais, Corridor Incubator Manger, and to furthermore authorize the County Judge to execute a contract for \$20,000.00. All voting "Aye".

**13535 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR A VICTIMS ASSISTANCE GRANT FOR UP TO \$25,000.00.**

Richard Salmon, Grants Administrator, reports that this grant is from the Office of the Governor - Criminal Justice Division and will provide grant funds to pay costs related to the establishment of a full-time victims assistance coordinator in the Hays County District Attorney's Office. Carmen Castro currently handles that responsibility, but on a part-time basis only. This grant will allow her to do this job full-time, as well as purchase a computer, typewriter and cabinet. Part of her salary will be used as matching funds for this grant application. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County to submit a grant applications to the Office of the Governor - Criminal Justice Division for a Victim's Assistance Grant for up to \$25,000.. All voting "Aye".

**13536 R & R SUBDIVISION BLOCK 1 LOT 1 - FIRST READING APPROVAL**

Commissioner Rodriguez stated that he was not aware of this subdivision before this date. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "R & R Subdivision Block 1 Lot 1" on first reading. Commissioner Barton, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Rodriguez abstained.

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**13537 PLATTING VARIANCE GRANTED TO MARK McMANUS FOR TWO 5-ACRE TRACTS**

A letter was submitted from TNRCC regarding the proposed water supply system for Gateway Estates III (Two 5-acre tracts owned by Mark McManus) - a 10 site mobile home subdivision - letter states that a ten connection water system is likely to meet this agency's definition for a public water system (PWS) unless it supplies primarily retirement homes - the population served by a water system is normally estimated at three persons per connection - a ten connection system would still be considered a PWS and be under the jurisdiction if it supplied as low as 2.5 persons per connection - as long as you limit the maximum population served to 20-22 people as proposed, the system shall not be regulated as a PWS - should one of the households begin a small child care business in the home or should grandchildren visit for the summer in the case of a retirement community, your system may become a PWS - recommends that the system be designed and constructed in accordance with TNRCC *Rules and Regulations for Public Water Systems* in the event that the system becomes a PWS in the future. Mark McManus stated that the wastewater system will be built for 40 users and the water system will meet public standards - he will attempt to keep users to not exceed 22 residents - will have restrictions on property use. Allen Walther, Environmental Health Director, spoke of required testing and reporting for community water systems - spoke of survey on Gateway I appears to exceed 25 users (8 residences with 32 users). Mr. McManus stated that he does not believe that Gateway I exceeds 25 users - stated that his water systems will meet the State standards - he has not constructed the well until he gets approval from the City of Dripping Springs. Allen Walther recommended that platting be required - a plat note would provide assurance that the requirements for a community water system are met. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Mark McManus for two 5-acre tracts on Highway 290 with stipulations that allow for county staff to survey residential numbers and enforce community water system if users exceed 25. Judge Etheredge, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez and Commissioner Barton voting "No".

**FOREST WOODS RESUB OF LOT 4 - PUBLIC HEARING**

Judge Etheredge called the public hearing open regarding the resubdivision of Lot 4 of Forest Woods subdivision. Allen Walther, Environmental Health Director, recommended postponing action because no final plat has been filed. No further discussion was had. Judge Etheredge called the public hearing closed.

**WILDWOOD RESUB OF LOT 13 - PUBLIC HEARING**

Judge Etheredge called the public hearing open regarding the resubdivision of Lot 13 of the Wildwood subdivision. Allen Walther, Environmental Health Director, recommended postponing action because no final plat has been filed. No further discussion was had. Judge Etheredge called the public hearing closed.

**13538 REAPPOINT A. D. CARROLL AS HAYS COUNTY FIRE MARSHAL**

Fire Marshal must be re-appointed every two years during the month of January. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to re-appoint A. D. Carroll as Hays County Fire Marshal. All voting "Aye".

**13539 ACCEPT ANNUAL REPORT OF WIMBERLEY RURAL FIRE PREVENTION DISTRICT AND WITHDRAW PLANS TO UTILIZE THEIR FACILITY FOR COUNTY OFFICES**

Raymond Czichos appeared before the Court with the Annual Report and Financial Statement for the Wimberley Rural Fire Prevention District (copy in file) - gave statistics regarding calls - the fire training field continues to be very popular with over 200 fireman receiving training - 3 cent/\$100 tax revenue = \$103,633 - \$9,000 was taken from the fund balance and used to purchase a new 1994 Ford brush truck at a total cost of \$34,000 - the fire district has general fixed assets of \$393,703 - this includes 2 fire stations, equipment, and 6 fire trucks acquired since the district formation in 1983 - it is the intent of the Wimberley RFPD to build a new fire station on the site of Green Acres Road - 1.067 acre lot was acquired several years ago for \$26,000 - Fire Station #2 will be sold for approximately \$100,000 and these funds will be used for the new facility - \$60,000 will be needed for additional financing of the new facility - requested that the Court authorize the issuance of bonds or notes to assist in the construction of the new fire station pursuant to Vernons Statute 794.076 - the plans for this facility will not include county offices as originally planned. A motion was made by Judge Etheredge, seconded by Commissioner Payne to accept the Annual Report of the Wimberley Rural Fire Prevention District and withdraw plans to utilize the new fire station for county offices. All voting "Aye".

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**PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN MEADOW WOODS AND COVES OF CIMARRON SUBDIVISIONS**

Judge Etheredge called the public hearing open to consider establishing traffic regulations in Meadow Woods and Coves of Cimarron subdivisions. A letter was submitted by the Meadow Woods Property Owners Association requesting the following services:

- ◆3-Way Stops at the following intersections: Primrose and Meadows Drive, Primrose and Blue Sage, Primrose and Foxglove, Verbena and Meadow Woods Dr., and Meadow Woods and Blue Sage
- ◆Existing stop signs in the subdivision need cleaning or replacing as do the street signs. The Stop sign is down at Primrose and Buttercup.
- ◆The culvert between 307 and 309 Foxglove is a hazard to the children playing in that area and protrudes outside of the line of drainage ditch. It is therefore requested that the county: a) cut back the culvert pipe to allow for proper drainage; and b) concrete around the culvert in the same manner as other under-street culverts in the community (e.g. Verbena and Sunflower) - FOR SAFETY SAKE.
- ◆All streets and intersections in Meadow Woods need restriping.
- ◆The miscellaneous brush and limbs (not sizeable trees) on right-of-way on FM 150 adjoining Meadow Woods needs clearing.

A letter was submitted from the Coves of Cimarron Homeowners Association requesting a Stop sign at Dove and Treetop and more frequent patrols in their area. Jim Stokes, Meadow Woods Property Owners Association Director, appeared before the Court and spoke of concerns in their subdivision - speeding of 40-50 MPH needs to be reduced - requested 3-Way Stops, additional speed limit signs, and children at play signs. Road Director Darrel Brown spoke of costs to replace signs (\$60 per sign) - Stop signs cannot be used to control speeding - you must base their need on traffic flow and other criteria as set out in the Uniform Traffic Control manual. Commissioner Barton spoke of additional patrol deputies that were added to the Sheriff's Dept. and a grant to address speed control - we do need to adhere to the Uniform Traffic Control Device manual, however, we must listen to the Homeowners request. Judge Etheredge stated that there are subdivisions that need Stop signs to slow down traffic and we need to look closely at their requests. Mr. Stokes spoke of Meadow Woods Drive having no Stop sign and it is a feeder road and is being used by large trucks. Darrel Brown stated that 500 vehicles per day would warrant a Stop sign - the county needs to purchase additional traffic counters. No additional public input was received - Judge Etheredge called the public hearing closed. Commissioner Barton stated that he will postpone any action until additional information is obtained from the Road Dept.

**AUTO REGISTRATION RENEWAL SERVICES - DISCUSSION**

Tax Assessor-Collector Luanne Caraway spoke of possibly establishing a substation near Dripping Springs for auto registration renewals - we may be able to get a RTS station from the State. Commissioner Molenaar stated that the County is losing money because residents in Dripping Springs are registering their vehicles in Austin rather than driving to San Marcos.

**13540 AUTHORIZE PURCHASE OF A PERSONAL COMPUTER FOR THE TAX OFFICE**

Tax Assessor-Collector Luanne Caraway requested authorization to purchase a personal computer for the tax office (not budgeted) to reduce manual bookkeeping entry - this equipment could possibly eliminate the current bookkeeping position - if she is authorized to purchase the PC, she would withdraw her request for 2 typewriters and would use unspecified equipment funds already budgeted - spoke of having funds available in her special inventory account (interest earned - must be used by Tax Office). Data Processing Administrator obtained quotes for a PC, Printer, and Software - total amount = \$ 2,115.00. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to authorize purchase of a personal computer for the Tax Office and instruct the Auditor to work up a budget amendment. All voting "Aye".

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**13541 AUTHORIZE PURCHASE OF A COUNTER (CUSTOMER TICKETING MACHINE) FOR THE TAX OFFICE**

Judge Etheredge spoke of problems in the Tax Office with irate customers - there is not enough room to form customer waiting lines for services - suggested ticketing customers for service. The counter would show which number is being served and everyone would know who is next for service. Luanne Caraway, Tax Assessor-Collector, stated that this system would be primarily used for motor vehicle division - the Purchasing Dept. obtained price quotes of \$585.00 for on-counter machine and \$735 for floor stand machine - there will be additional cost for electrical wiring. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize purchase of a stand up Counter (customer ticketing machine) for the Tax Office out of countywide equipment line item. All voting "Aye".

**13542 AUTHORIZE PURCHASE OF OFFICE EQUIPMENT FOR J.P. 2 ALBERT BUSSE**

Justice of the Peace Pct. 2 Albert Busse requested an additional telephone line (\$136.50 + \$24.35 monthly), a cellular phone (\$200), and window blinds (\$205) for his office - \$6,000 was budgeted to set up his office and he has used all but \$1,200. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize purchase of office equipment as requested by J.P. 2 Albert Busse. All voting "Aye".

**13543 SET FEE FOR COPYING COMPUTER DATA**

Suzanne Matjeka, Mapping/Planning, spoke of need to set a fee for copying computer data - they are getting more request for address ranges on digital data - the Texas Natural Resources Information Systems are charging \$22 per hour for personnel and \$71 per hour for computer time - copying the data requested general takes 15 minutes. A motion was made by Commissioner Barton, seconded by Judge Etheredge to set a fee of \$22 per hour for personnel and \$71 per hour for computer time for copying computer data. All voting "Aye".

**13544 APPOINTMENTS TO THE HAYS COUNTY INFRASTRUCTURE COMMITTEE**

The Court established a Committee on December 5, 1994 - membership is made up of representatives from all nine incorporated cities, the four school districts, the Wimberley Chamber of Commerce, and Southwest Texas State University - Judge Etheredge asked that each Commissioner appoint one member to the committee - the Judge's appointee is Lydia Scarborough of Manchaca - the next meeting to be held of the HCIC will be February 9, 1995 @ 6:30 P.M. at the Hays CISD Administration Bldg.

| INFRASTRUCTURE COMMITTEE LIST           |                              |
|-----------------------------------------|------------------------------|
| Laura Huffman - City of San Marcos      | Roger Fernandez - SMCISD     |
| Dan T. Sorrells - City of Uhland        | Joe Graham - HCISD           |
| Daniel Davis - City of Mountain City    | Elmer Dalley - DSISD         |
| Kent Broddrick - City of Buda           | Vernon Newsom - WISD         |
| Merle Wilkins - City of Kyle            | Ruth Mince - Wimberley       |
| Lee G. Waller - City of Nelderwald      | Lydia Scarborough - Manchaca |
| Bill Couch - City of Hays               |                              |
| Rudy Navarez - City of Dripping Springs |                              |
| Jeannine Pool - City of Woodcreek       |                              |

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to appoint Wally Kinney (Dripping Springs) from Precinct 4 to the Hays County Infrastructure Committee. All voting "Aye".

**13545 APPOINT COMMISSIONER RUSS MOLENAAR TO THE SAN MARCOS-HAYS COUNTY EMS BOARD OF DIRECTORS**

Former Commissioner Pct. 4 Oran Rippy was a member of the San Marcos-Hays County EMS Board - a member of the Commissioners' Court must fill this position - other voting members are Commissioner Pete Rodriguez, City Councilman Bob Mooney, City Councilman Fred Guerra, and Dr. Kenneth Long/Medical Director - the board meets every 3rd Tuesday of the Month - next meeting is January 17, 1995 at 5 PM. Commissioner Molenaar stated that he would like to serve on this Board. A motion was made by Commissioner Payne, seconded by Commissioner Barton to appoint Commissioner Russ Molenaar to the San Marcos-Hays County EMS Board of Directors. All voting "Aye".



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**COUNTYWIDE COMPUTER SYSTEM DISCUSSION**

Purchasing Agent Cindy Casparis spoke of computer demonstrations put on by The Software Group - their system could be integrated throughout the County - several vendors have made inquiries into the county needs - we are looking at The Software Group as a sole source for the integrated system we need - it will take approximately 3 months for conversion - spoke of imaging system that is also available for the County Clerk and District Clerk - TSG would provide the indexing software. Data Processing Administrator Debbie Polk spoke of cost to move the AlphaMicro system - the current system is creating problems because replacement parts are not readily available - we need to make a determination on our hardware - we have budgeted for replacement terminals and a grant will replace the Alpha mainframe.

**EXECUTIVE SESSION - PERSONNEL & PROPERTY MATTERS**

Court convened into closed Executive Session to discuss Personnel Matters and Sale/Lease/Acquisition of Real Estate - no action to be taken. Upon completion of executive session, Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 6th DAY OF March, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Ronnie Dannelley*  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS

**STATE OF TEXAS**  
**COUNTY OF HAYS**

ON THIS THE 23rd DAY OF JANUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13546 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$244,719.76 as presented by the County Auditor. All voting "Aye".

|                      |              |                       |              |                      |             |
|----------------------|--------------|-----------------------|--------------|----------------------|-------------|
| Fines                | \$ 10.00     | Auditors Office       | \$ 142.15    | Treasurers Ofc       | \$ 41.47    |
| Extension Ofc        | \$ 773.75    | Grants Administration | \$ 145.63    | Juvenile Probation   | \$ 2,495.79 |
| Election Admin       | \$ 310.50    | Indigent Care         | \$ 3,461.83  | Transfer Station     | \$ 71.42    |
| Building Maintenance | \$ 7,497.81  | Environ Health        | \$ 560.61    | Personal Health      | \$ 422.44   |
| Civic Center         | \$ 1,876.09  | Countywide Operations | \$ 76,741.54 | Tax A/C              | \$ 522.26   |
| District Clerk       | \$ 90.34     | County Clerk          | \$ 370.10    | Sheriffs Office      | \$ 4,912.21 |
| Jail Operations      | \$ 24,912.14 | County Judge          | \$ 287.22    | Human Resources      | \$ 366.62   |
| Co Crt @ Law 1       | \$ 125.76    | District Attorney     | \$ 890.54    | J.P. 1-1             | \$ 86.68    |
| J.P. 1-2             | \$ 459.93    | J.P. 2                | \$ 225.00    | J.P. 3               | \$ 91.25    |
| J.P. 5               | \$ 12.99     | D.P.S.                | \$ 249.43    | Constable 1          | \$ 145.19   |
| Constable 4          | \$ 10.54     | Constable 5           | \$ 54.44     | Dist Crt Operations  | \$ 4,803.00 |
| Co & JP Crt Oper     | \$ 1,291.98  | Veterans Admin        | \$ 175.04    | Computer Svcs        | \$ 352.14   |
| Co Crt @ Law 2       | \$ 3.37      | Fire Marshal/EMC      | \$ 77.71     | TABC                 | \$ 69.94    |
| Dist Crt Reporters   | \$ 66.67     | TJPC CCAP Grant       | \$ 5,153.78  | CAPCO/Trailers Grant | \$ 5,250.00 |
| *Gen Fund Credit*    | \$ 220.86*   | R&B Operating         | \$ 7,763.13  | Precinct 1           | \$ 180.00   |
| Precinct 2           | \$ 105.12    | Rec Mng/Co Clk        | \$ 15,906.99 | Health Svcs Grant    | \$ 2,211.75 |
| Road Construction    | \$ 69,469.10 | Adult Prob Oper       | \$ 3,106.50  | Adult Probation Fac  | \$ 573.73   |
| Animal Control       | \$ 7.00      |                       |              |                      |             |

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**13547 APPROVE BUDGET AMENDMENT NO. 95-009 RE: 3 GRANTS, CONSTABLE 1, & COUNTYWIDE OPERATIONS**

CAPCO Used Oil Signage Grant - Authorized new grant - includes software for Auditors office for administration - budget equal new amount of revenues - county matching required is already budgeted.  
TXDOT Step Grant - Budget \$200 into travel from additional revenue - transfer additional \$280 for radar guns from Sheriff's office in matching funds.  
ISTEA/Dripping Springs Triangle Grant - new grant of \$24,936 as authorized - \$20,780 is grant revenue, \$4,156 is matching contribution from Dripping Springs Chamber of Commerce.  
Constable 1 - Transfer \$725 from county-wide unspecified office equipment into new line item for equipment lease - amount is 9 months cost to lease authorized copier for that office.  
County-Wide Operations - \$2,000 transfer amount specified on equipment list for county-wide equipment to computer services budget to pay for authorized PC System and printer intended for Tax Office.

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Budget Amendment No. 95-009 as presented by the County Auditor. All voting "Aye".

**BUDGET AMENDMENT NO. 95-009**

| <u>LINE ITEM - EXPENDITURES</u>                    | <u>INCREASES</u> | <u>DECREASES</u> |
|----------------------------------------------------|------------------|------------------|
| <u>TX DOT/STEP GRANT (728)</u>                     |                  |                  |
| 01-728-5311 Travel                                 | \$200.00         |                  |
| 01-728-5719 Equipment                              | \$280.00         |                  |
| 01-418-5717 Sheriff Law Enf Eqpt                   |                  | \$ 280.00        |
| 01-381-2728 TXDOT Step Grant Rev                   |                  | \$ 200.00        |
| <u>ISTEA/DRIPPING SPRINGS TRIANGLE GRANT (724)</u> |                  |                  |
| 01-724-5611 Construction                           | \$ 21,195.00     |                  |
| 01-724-5621 Engineering                            | \$ 3,740.00      |                  |
| 01-381-4724 ISTEA/D.S. Triangle Grant              |                  | \$ 20,780.00     |
| 01-367-4724 Contrib/D.S. Chamber of Comm           |                  | \$ 4,156.00      |
| <u>CAPCO/USED OIL SIGNAGE GRANT (732)</u>          |                  |                  |
| 01-732-5611 Construction                           | \$ 1,500.00      |                  |
| 01-732-5391 Other Signage                          | \$ 1,000.00      |                  |
| 01-732-5448 Contractual Svcs                       | \$12,908.00      |                  |
| 01-732-5499 Admin Svcs                             | \$ 975.00        |                  |
| <u>AUDITOR (401)</u>                               |                  |                  |
| 01-401-5718 Software                               | \$ 525.00        |                  |
| <u>REVENUES</u>                                    |                  |                  |
| 01-384-4732 CAPCO/Used Oil Signage Grant           |                  | \$16,908.00      |
| <u>CONSTABLE 1 OFFICE (431)</u>                    |                  |                  |
| 01-431-5473 Equipment Lease - Copier               | \$ 725.00        |                  |
| <u>COUNTYWIDE OPERATIONS (414)</u>                 |                  |                  |
| 01-414-5711 Office Equipment                       |                  | \$ 725.00        |
| <u>COMPUTER SERVICES (456)</u>                     |                  |                  |
| 01-456-5712 Data Proc Eqpt                         | \$ 2,000.00      |                  |
| <u>COUNTYWIDE OPERATIONS (414)</u>                 |                  |                  |
| 01-414-5711 Office Eqpt                            |                  | \$ 2,000.00      |

**13548 APPROVE CONTINUATION OF TEXAS NARCOTIC CONTROL PROGRAM GRANT**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve continuation of the Texas Narcotic Control Program Grant. All voting "Aye".

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**13549 CLARIFY COUNTY RECORDS BY FORMALLY ACCEPTING "ROBERT L. JOHNSON ROAD" AS A COUNTY MAINTAINED ROAD**

Robert L. Johnson Road is less than 1/2 mile in length and was historically maintained by the county until the 1980's. Judge Etheredge and Commissioner Barton are satisfied that the road was maintained by the county and former Commissioner B. R. Wranitzky confirms that he maintained this roadway when he was Commissioner. A motion was made by Commissioner Barton, seconded by Commissioner Payne to clarify County Records by formally accepting "Robert L. Johnson Road" as a county maintained road. All voting "Aye".

**13550 ACCEPT INTERNAL AUDIT REPORT OF JUSTICE OF THE PEACE 4**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to accept the Internal Audit Report of Justice of the Peace Pct. 4. All voting "Aye".

**13551 APPROVE COMMISSIONERS' COURT MINUTES OF DECEMBER 1994**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve the Commissioners' Court Minutes of December 1994 as presented by the County Clerk. All voting "Aye".

**13552 APPROVE UTILITY PERMITS FOR THE HAYS COUNTY ROAD DEPARTMENT**

The following Utility Installation Permits were presented for approval:

- |                             |                                |
|-----------------------------|--------------------------------|
| #95401 CR185/Trautwein Road | To: Pedernales Electric Coop.  |
| #95402 CR195                | To: Pedernales Electric Coop.  |
| #95208 CR126                | To: Goforth Water Supply Corp. |

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Utility Permits #95401, #95402, and #95208 as presented by the Hays County Road Department. All voting "Aye".

**13553 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE "PURCHASE OF JUVENILE JUSTICE ALTERNATIVES" FOR UP TO \$10,417**

This is a renewal grant from the Office of the Governor - Criminal Justice Division to provide funds to Hays County to place juveniles in counseling and retention facilities. No matching funds are required of the County. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the County to submit a grant application to the Office of the Governor - Criminal Justice Division for the "Purchase of Juvenile Justice Alternatives" for up to \$10,417.00. All voting "Aye".

**13554 AMEND CONTRACT WITH KC ENGINEERING ON THE DESIGN FOR RECONSTRUCTION ON HAYS COUNTY ROADS #101 & #169**

A memo was received from Rick Miller regarding an amendment to contract with K.C. Engineering Inc. - the purpose of this contract amendment is to shift at what point in time during the project K. C. Engineering will be paid for engineering services. In the original agreement K.C. Engineering was to be paid 2.5% of construction costs for the preliminary engineering phase and 4.0% of construction costs for the final engineering phase. The amendment will pay K.C. Engineering 6.5% of engineering costs after completion of the final engineering phase less the amount that was paid for work performed during the preliminary engineering phase. Under the original contract and the amended contract, K. C. Engineering is to be paid 6.5% of construction costs for the preliminary and final engineering phases. The reason for this change is that the final construction cost has yet to be determined. A motion was made by Commissioner Barton, seconded by Commissioner Payne to amend contract with K. C. Engineering on the design for reconstruction of Hays County Roads #101 & #169. All voting "Aye".

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**AMENDMENT TO AGREEMENT**

**PROJECT:** RFP No. 94P003 - Design for Reconstruction of Hays County Roads  
C.R. No. 101 (Fitzhugh Road), from C.R. 169 south to R.R. 12

**EXHIBIT B, SECTION B, ARTICLE B6.1.1.1 IS HEREBY AMENDED AS FOLLOWS:**

B6.1.1.1 *Preliminary Phase:* For services of CONSULTANT's principals and employees engaged directly with the PROJECT as performed or furnished, an amount established herein in paragraph B6.2.2  
*Compensation for Labor.*

**EXHIBIT B, SECTION B, ARTICLE B6.1.1.3 IS HEREBY AMENDED AS FOLLOWS:**

B6.1.1.3 *Construction Document Phase:* An amount equal to 6.5% of the Construction Cost for all services of CONSULTANT, including services of CONSULTANT's Consultants, less all amounts defined in Article B6.1.1.1.

**13555 AUTHORIZE THE COUNTY JUDGE TO PROVIDE A LETTER OF SUPPORT AND COOPERATION FOR A HUD YOUTHBUILD GRANT APPLICATION TO BE SUBMITTED BY LOCAL NON-PROFIT ORGANIZATION**

A local non-profit organization known as "Para La Gente" operated by Mary Compton and Mario Gonzalez will be submitting a HUD Youthbuild Grant Application soon and wants a letter of support and cooperation from Hays County to strengthen their proposal. In the next 30-60 days, the U.S. Housing and Urban Development Department will invite grant applications. The purpose of the grant is to help disadvantaged young adults who are high school dropouts obtain education and job skills through housing projects designed to expand the supply of permanent and affordable housing for homeless and low-income families. Projects must provide youth with meaningful on-site housing construction experience as a community service. The Hays County Grants Department will assist in compiling information for this grant application. No matching county funds are required. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the County Judge to provide a letter of support and cooperation for a HUD Youthbuild Grant Application to be submitted by local non-profit organization. All voting "Aye".

**13556 AUTHORIZE CONTINUATION OF THE SHERIFF'S OFFICE D.A.R.E. GRANT**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to adopt resolution authorizing the submission of a Grant request to the Governor's Criminal Justice Division for funding to the County of Hays, Texas, for a program known as "Drug Abuse Resistance Education (D.A.R.E.) Officer. All voting "Aye".

**RESOLUTION**

**STATE OF TEXAS  
COUNTY OF HAYS**

**A RESOLUTION BY THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, STATE OF TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE COUNTY OF HAYS, TEXAS, FOR A PROGRAM KNOWN AS:**

**"DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) OFFICER"**

**WHEREAS, THE COUNTY COMMISSIONERS OF THE COUNTY OF HAYS, TEXAS, have the moral obligation to the citizens and taxpayers of the County of Hays, Texas, to ensure that the criminal justice system operates in the most efficient and coordinated way possible; and**

**WHEREAS, the Commissioners feel the addition of the program known as "D.A.R.E. OFFICER" will materially enhance the administration of Justice in the County of Hays, Texas, for all crime victims; and**

**WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;**

**NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the County of Hays, Texas, that the County submit a grant request to the Office of the Governor of Texas, Criminal Justice Division, to assist in funding of the program of "D.A.R.E. OFFICER".**

**RESOLUTION PASSED AND ADOPTED ON THIS 23RD DAY OF JANUARY, 1995. TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:**

s/ Eddy A. Etheredge, County Judge  
s/ Peter Rodriguez, Precinct 1  
s/ Craig Payne, Precinct 3  
**ATTEST:**  
s/ Ronnie Dannelley, County Clerk

s/ Jeff Barton, Precinct 2  
s/ Russell Molenaar, Precinct 4

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**13557 MADRONE RANCH SECTION 2 - FIRST READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Madrone Ranch Section 2" subdivision on first reading. All voting "Aye".

**13558 R AND R SUBDIVISION LOT 1 BLOCK 1 - SECOND AND THIRD READING APPROVAL**

Consists of 1.105 acres in the Barnett O. Kane Survey (corner of State Hwy. 123 & Redwood Road/CR232) owned by Russek and Robbins, Joint Venture. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve "R and R Subdivision Lot 1 Block 1" on second and third readings. All voting "Aye".

**SUNSET CANYON SECTION 5 LOT 790 - VARIANCE TO SETBACK LINE DISCUSSED**

Attorney Nelson Davidson appeared before the Court regarding the setback lines addressed in deed restrictions - there is no architectural control committee for this subdivision and there are no variance provisions in the restrictive covenants. Mr. Davidson felt like the Commissioners' Court does have the authority to grant this variance. District Attorney Marcos Hernandez stated that there are others ways to resolve this issue and he does not believe the Commissioners' Court has the authority to grant a variance on deed restrictions. Commissioner Barton stated that the Leisurewoods Subdivision property owners amended their restrictions and created a new Home Owners Association with the power to grant variances. Several property owners in Sunset Canyon spoke of the vote required to make amendments (75%) and their belief that they do not have the authority and they are not getting the response from other property owners that is needed. No action taken this date.

**13559 HAYS COUNTY GRIEVANCE COMMITTEE SELECTION**

A motion was made by Judge Etheredge, seconded by Commissioner Barton to select the nine member 1995 Hays County Grievance Committee from the 1994 Grand Jury. All voting "Aye". Judge Etheredge selected the following: Anita Joy Eubank (San Marcos), George Alan Falcon (Wimberley), Brian Fletcher Flenniken (San Marcos), Curtis Dean Herms (Buda), Deanna McMicken-Glaze (Wimberley), Janet Roberts (San Marcos), Beatriz Chavez Sifuentes (Buda), Phyllis K. Williams (Wimberley), and David Clyde Williamson (San Marcos) - Alternates: Kenneth Ross Austin (San Marcos), Steven David Peyton (San Marcos), and David Starnes (Manchaca).

**13560 AUTHORIZE PURCHASE OF SIGN-MAKING EQUIPMENT FOR THE ROAD & BRIDGE DEPARTMENT**

The county has been waiting for a CAPCO grant but progress on the grant is unknown and the sign program is badly backlogged - if signs are done in-house the equipment will be \$4,200.00 and the cost per sign will be \$4.00 as opposed to \$16 commercially - county has over 1400 street signs to maintain - we may be able to get reimbursed from CAPCO if we go ahead and purchase the equipment. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize purchase of sign-making equipment for the Road & Bridge Department and amend the budget accordingly. All voting "Aye".

**13561 APPOINTMENTS TO THE HAYS COUNTY INFRASTRUCTURE COMMITTEE**

The Court established a Hays County Infrastructure Committee on December 5, 1994 composed of representatives from all nine incorporated cities, the four school districts, the Wimberley Chamber of Commerce, and SWTSU - on January 17, 1995 Commissioner Molenaar appointed Wally Kinney as representative for Precinct 4 - appointments need to be made by the other three Commissioners. A motion was made by Commissioner Payne, seconded by Commissioner Barton to appoint Lydia Scarborough of Manchaca (County Judge's appointee), Edward Villapando (Precinct 1 appointee), Adolph Garza (Precinct 2 appointee), and Frank Austin (Precinct 3 appointee). All voting "Aye".

- Laura Huffman - City of San Marcos
- Dan T. Sorrels - City of Umland
- Daniel Davis - City of Mountain City
- Kent Broddrick - City of Buda
- Merle Wilkins - City of Kyle
- Tom Husbands - San Marcos CISD
- Joe Graham - Hays CISD
- Lydia Scarborough - By County Judge
- Edward Villalpando - Precinct 1
- Frank Austin - Precinct 3

- Lee G. Waller - City of Neiderwald
- Bill Couch - City of Hays
- Rudy Navarez - City of Dripping Springs
- Jeannine Pool - City of Woodcreek
- Ruth Mince - Wimberley Chamber
- Elmer Dalley - Dripping Springs ISD
- Emitt Herod - Wimberley ISD
- Wally Kinney - Precinct 4
- Adolph Garza - Precinct 2

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13562 ADOPT RESOLUTION REGARDING PROTECTION OF PRIVATE PROPERTY OWNERS RIGHTS

Commissioner Payne stated that he was asked to sponsor a resolution to protect property owners rights. Commissioner Barton stated that the Court has supported these rights in issues regarding FEMA, etc. - submitted a revised copy of the resolution that was originally presented. James Green appeared before the Court - he was the person who drew up the original resolution - stated that he would like to get a dialog started regarding this issue - normal zoning regulations would not fall under the 5th Amendment. Discussion was had and the following was acknowledged: property owners rights do not allow pollution - police powners and eminent domain procedures remain - if regulations are enacted for the publics good, the public should pay for it. Commissioner Barton spoke of some of the original wording could be misconstrued, therefore, he suggested his revisions - local government has a role to play in limiting the use of property and we need more authority on some issues. Pam Gosnay spoke in support of the resolution - requested a public meeting in Dripping Springs to address issues of property rights regarding "habitat" - requested no more "junk science" instead of "mainstream science" to make determinations. Mr. Green felt like the Endangered Species Act does not consider public input. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to adopt resolution regarding protection of private property owners rights with amendments made this date. All voting "Aye".

RESOLUTION

We, the duly elected members of the Commissioners' Court of Hays County, Texas, do hereby affirm our support for the principles of private property rights as expressed in both the Constitution of the United States of America and the Constitution of the State of Texas.

We further affirm that both the Fifth Amendment of the United States Constitution and Article I, Section 17 of the Texas Constitution protect individuals' rights to possess, use, and dispose of their legally owned property; and, furthermore, that those same constitutional provisions require that private property owners be justly and adequately compensated for any government taking of their legally owned property, whether such taking be either full or partial, and whether such taking be either actual physical possession or substantial diminution of monetary value accomplished by government regulations which go beyond the protection of human health, safety, and human welfare, provided that nothing in this Resolution shall be construed to encourage contravention of established zoning law or nuisance and property law.

Accbrdingly, we recommend and advise that all agents of local, state and federal government be required by law or executive administrative rulings: (1) to base environmental risk assessments on sound scientific methodology that is open to public examination and comment; (2) to carefully assess and consider the effect of environmental regulation and other government mandates on private property owners before implementation; and (3) to ensure that both existing and future government mandates do not infringe on private property rights as they are generally understood and guaranteed under the Constitutions of the United States and the State of Texas, unless affected property owners are provided adequate and just compensation, or except where public health, safety, or the clear public welfare is involved.

This resolution, after being duly heard and agreed to by the Commissioners' Court of Hays County, Texas, shall be sent to United States Senator Phil Gramm, United States Senator Kay Bailey Hutchison, United Stated Representative Greg Laughlin, Governor of Texas George Bush, Texas State Senators Kenneth Armbrister and Gonzalo Barrientos, and Texas State Representative Alec Rhodes.

ADOPTED this the 23rd day of JANUARY, 1995. To certify which witness our signatures below.

HAYS COUNTY COMMISSIONERS COURT

Eddy A. Etheredge, County Judge

Pete Rodriguez, Commissioner Precinct #1

Jefferson W. Barton, Commissioner Precinct #2

Craig D. Payne, Commissioner Precinct #3

Russ G. Molenaar, Commissioner Precinct #4

ATTEST: Ronnie Dannelley, County Clerk



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**13563 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) FOR A SOLID WASTE ENFORCEMENT ASSISTANCE GRANT FOR UP TO \$35,000**

The purpose of this grant from TNRCC is to support local government efforts to: (1) minimize initial response and case resolution times with respect to solid waste related citizen complaints; (2) develop or strengthen investigative and enforcement capabilities; (3) reduce occurrences of illegal dumping including but not limited to, the illegal disposal of used automotive oil filters, batteries, scrap tires, sludge, septage, and regulated medical waste; and (4) discourage littering on county roads. Bill Cummings, resident of Dripping Springs and Solid Waste Enforcement Officer for Travis County for the past 5 years, has advised that fines and fees assessed can provide \$15K-\$20K in annual program income - stressed need for good communication and evenhandedness in dealing with illegal dump sites and landowners. TNRCC and EPA provide grant funds to clean up illegal dump sites which meet their criteria, with EPA more concerned about toxic waste and immediate health problems related to the site. County matching funds (\$35,000 cash and in-kind match) will be used to purchase equipment recommended by other solid waste enforcement officers and TNRCC and include vehicle, communications, computer and other office equipment. Indirect charges (admin) are allowed up to approximately 5-6% of total. Enforcement Officer must be a certified peace officer - could be under the Sheriff, Constable, or Environmental Health Dept. Commissioner Payne voiced his concerns about the cost of this grant. Allen Walther, Environmental Health Director, spoke of illegal dump sites throughout the county. Pam Gosnay spoke in support of this grant - felt like the fact that Travis county has stringent enforcement is why dumping is occurring in Hays county. Commissioner Molenaar and Commissioner Barton spoke of need for enforcement in their precincts. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to authorize submission of a grant request to the Texas Natural Resources Conservation Commission (TNRCC) for a Solid Waste Enforcement Assistance Grant for up to \$35,000.00. All voting "Aye". Matching funds to be budgeted in FY96.

**RESOLUTION**

A resolution of the Commissioners Court of the County of Hays, Texas hereby authorizes the submission of a grant request to the Texas Natural Resources Conservation Commission (TNRCC)- Solid Waste Enforcement Assistance Program.

WHEREAS, the Hays County is the applicant for the grant request under the rules of TNRCC. The grant request is for up to \$35,000 to start a Solid Waste Enforcement Program in Hays County.

**NOW, THEREFORE, BE IT RESOLVED BY THE Commissioners Court for Hays County, Texas:**

1. to request a grant for up to \$35,000 from the Texas Natural Resource Conservation Commission - Solid Waste Enforcement Assistance Program,
2. to comply with the provisions of the fiscal reimbursement and reporting requirements of the Texas Natural Resource Conservation Commission,
3. to use the funds solely for the purposes for which they are provided,
4. to authorizes the County Judge to execute all necessary documents as may be required to initiate process and complete this Hays County Solid Waste Enforcement project.

**PASSED AND APPROVED** at a meeting of the Commissioners Court of Hays County, Texas on the 23rd day of January, 1995

*Eddy A. Etheredge*  
Eddy Etheredge, County Judge  
Hays County, Texas

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**STATE OF TEXAS  
COUNTY OF HAYS**

I, Ronnie Dannelley, County Clerk for the Commissioners' Court of Hays County, Texas, do hereby certify the foregoing contains a true and correct copy of a resolution passed and adopted by the Commissioners' Court of Hays County, Texas, in a Regular Meeting held on January 23, 1995.

**ATTESTED TO BY:**  
*Ronnie Dannelley*  
Ronnie Dannelley, County Clerk  
Hays County, Texas



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**13564 AUTHORIZE THE WIMBERLEY RURAL FIRE PREVENTION DISTRICT #1 TO ISSUE BONDS OR NOTES UP TO \$60,000.00 TO ASSIST IN THE CONSTRUCTION OF A NEW FIRE STATION**

A request was made January 17, 1995 by Raymond Czichos, President of the Board of Fire Commissioners, for the Court to authorize the Wimberley RFPD#1 to issue bonds or notes to assist in the construction of a new fire station pursuant to Vernons Statute 794.076 - the district will have almost \$200,000.00 using donations, fund balances and budget adjustments and up to \$60,000.00 would assure adequate funding - the district is currently free and clear of any incumbencies except month to month operating expenses. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the Wimberley Rural Fire Prevention District #1 to issue bonds or notes up to \$60,000.00 to assist in the construction of a new fire station on their 1.067 acre lot in Wimberley. All voting "Aye".

**DISCUSSION WITH RESIDENTS OF HERITAGE OAKS SUBDIVISION REGARDING ACCESS ISSUES AND "SPITE STRIP" ISSUES**

Ron Broch, President of the Heritage Oaks Homeowners Assn., introduced speaker Dan Mills. Mr. Mills spoke of attempts to open Scarlet Ridge and Coach House Road in Heritage Oaks subdivision - spoke of defects in the roads and problems with design - they do not need increased traffic in their subdivision - spoke of previous Court action - the Supreme Court ruled in favor of the Heritage Oaks landowners to keep the streets closed - the property owners do not want to litigate this matter again. Mr. Mills spoke of new adjacent property owner Mr. Walker who has asked the county to take these roads by eminent domain - presented a copy of Supreme Court ruling in case styled Waggoner vs. Gleghorn (378 S.W. 2D) held that statute purporting to grant to anyone who claims right to use land which is wholly or partially surrounded by land of another a right to easement over surrounding land for ingress and egress is unconstitutional and void to extend that it purports to authorize taking of private property for private purpose - Mr. Walker was aware of the previous litigation and he has access to his property off Fitzhugh Road - to open the roads would create a thoroughfare through the subdivision. Commissioner Barton spoke of residents in Big Country subdivision that have also requested the opening of these roads - they have indicated that the original subdivider did intend to extend these roads - it appears to be "spite easements". Ron Broch spoke of ingress and egress for Big Country residents - opening the roads would provide easy escape route for vandals and thieves and roads would have to be upgraded to handle the increased traffic. Dan Harris, Big Country resident, spoke of cul-de-sacs and distance for emergency vehicles and school buses - this area is going to be developed and we need to move forward. Ron Broch stated that opening these roads would create problems for all residents of the area - the Heritage Oaks Subdivision homeowners Association met and affirmed that they do not want these roads opened - this subdivision was designed for slow traffic (roads are not adequate for high traffic) - the security issue is of great concern. Tom Banbivier, V.P. of Heritage Oaks HOA, stated that they are willing to litigate this issue - the residents do no want to open these cul-de-sacs. Judge Etheredge stated that the county was asked to look into eminent domain regarding this issue - Mr. Walker was advised of the previous litigation and was advised that he could pursue to overthrow that court action - the Commissioners Court has not voted to pursue this issue - the original plat of Heritage Oaks shows the roads abutting the property line which indicates future development. Ron Mills stated that the roads shown on the plat were never developed to the property line, therefore, buyers were not aware of future development - we are in effect maintaining what should be considered "private roads" - the roads in Big Country are inadequate and poorly designed and they did not join in the 1985 lawsuit. Bill Cummings, resident of Big Country, spoke of roads that have deteriorated and crime in the area - they continue to have burglaries despite their subdivision having one entrance and one exit - only the presence of law enforcement and alarms systems deter crime. Several residents spoke of their concerns about increased traffic and the safety of their children. Ron Mills stated that the HOA may want to take back their roads for private maintenance.

**DISCUSSION REGARDING POLICY ON STOP SIGNS AND TRAFFIC REGULATIONS IN SUBDIVISIONS**

County Road Director Darrel Brown submitted a copy of the State Sign Manual regarding Stop signs:

**2B-5 Warrants for Stop Sign**

Because the STOP sign causes a substantial inconvenience to motorists, it should be used only where warranted at an intersection where one or more of the following conditions exist:

1. Intersection of a less important road with a main road where application of the normal right-of-way rule is unduly hazardous.
2. Street entering a through highway or street.
3. Unsignalized intersection in a signalized area.
4. Other intersections where a combination of high speed, restricted view, and serious accident record indicates a need for control by the STOP sign.



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The manual states that "STOP signs should not be used for speed control" - total vehicular volume entering the intersection from all approaches must average at least 500 vehicles per hour for any 8 hours of an average day or the combined vehicular and pedestrian volume from the minor street or highway must average at least 200 units per hour for the same 8 hours. Mr. Brown stated that the most effective speed control is lowering the speed limits (30 MPH). Commissioner Barton spoke of there not being available manpower in the road department to address traffic regulation issues - stated that he tries to discourage STOP signs that are not warranted by the manual - if they wish do we allow residents to regulate themselves? Commissioner Molenaar spoke of need to have personnel to checkout and study these requests and justify our actions. Mr. Brown stated that they are in the process of conducting a sign inventory survey so that they will know how many and where signs are located throughout the county.

Court recessed until January 25, 1995 for a workshop on the county budget.

MINUTES APPROVED IN OPEN COURT ON THE 10th DAY OF March, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 25th DAY OF JANUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN A WORKSHOP MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCHÉ   | DEPUTY COUNTY CLERK  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**EXECUTIVE SESSION - SALE, LEASE, OR ACQUISITION OF REAL ESTATE**

The Court convened into closed Executive Session at 1:55 P.M. to discuss sale, lease or acquisition of real estates pursuant to Sections 551.072 & 551.073 of the Government Code. Court reconvened into open session at 2:40 P.M.

**WORKSHOP ON THE COUNTY BUDGET**

Public Safety Building - Randy Chipman, RC Engineering, and Chief Deputy Sheriff Don Montague appeared before the Court with plans for renovating the old jail facility. Mr. Chipman spoke of inspection of the old jail to determine the best use - put together a set of plans and specifications and a budget for this project (\$539,750.00) - this building would house the Sheriff's Dept. communications, records, CID, Civil Warrants Division, and Patrol Division - demolition of the jail cells is estimated at \$50,000 - the open-air courtyards will be enclosed and used as office space - the building is structurally sound as well as the air-conditioning and electrical - the budget figures submitted were obtained in November 1994, therefore, prices may have changed - Narcotics Division and Training will remain at the LEC. Discussion was had regarding needed roof repairs and new roof to cover the courtyards. Chief Montague spoke of owner furnished items listed in budget analysis (\$10,000 for office equipment and furniture, \$35,000 for radio/emergency communications systems, \$5,000 for radio cabling and antenna system, \$3,000 for emergency UPS system and cabling, and \$50,000 for data systems) - the Sheriff's five-year plan proposes additional staff and therefore will require additional office space. Commissioner Molenaar spoke in support of this project, however, he is concerned about funding the project. Mr. Chipman stated that the next phase of this project will be for a full set of documents to put out for bids - this building lends itself to the proposed use and has a vault like atmosphere for records storage.

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Courthouse Annex - 1st floor & elevator - Judge Etheredge spoke of renovations needed at the courthouse annex - the elevator does not meet ADA requirements and the State has cited the county and we have 30 days to address the issue - the windows in the elevator shaft must be closed in. The Annex has serious structural problems and will be vacated once the courthouse has been renovated. Courthouse - Renovation of the Courthouse will take place with budgeted funds/Grant funds. San Marcos Adult Probation Office - The Adult Probation Dept. will be mandated to upgrade their computer system (high cost) - there is no available office space for rent k- Court needs to decide if they want to purchase the current office space (Stokes Building). Courts Building - The HEB building needs to be finished out so that offices can be moved out of the Courthouse for renovation. HiLo is looking at another location to move their business - their space lends itself well for permanent records storage. Records Bldg/Co Clerk Office - When County Clerk is moved to the Courts building we may want to move the Adult Probation or the Tax Office into the Records Building. ADA requirements for this building need to be met. ADA - The County is in non-compliance in some county buildings and in limited compliance in most buildings. Elections Administration Office - This building is in non-compliance with ADA requirements in the restrooms - some renovation is needed. Central Supply Storage - Supplies are currently being stored in the old jail - if we renovate the old jail for the Sheriff's Dept. we will have to find additional storage area. Dripping Springs Triangle & Satellite Office - We have obtained a grant in the amount of \$20,000 for landscaping - we need to decide if we are going to place a building on this site. Commissioner Molenaar spoke in support of building a satellite office at this location and suggested using county personnel to save money on this project. Commissioner Barton spoke of problems with using county personnel for special projects (takes them away from their regular duties). Civic Center - We need to live up to our original commitment for expansion. NAACP Parking Lot - The Court made a commitment to do the parking lot. Commissioner Barton spoke of need for a Human Services Building to house the County Health Dept., funding for the San Marcos Loop, Wimberley By-Pass & RR12 Projects, funding for Central Shop for the Road Dept., and need to address roads that are in need of major repairs and that are not included in the Road Bond Projects. Court needs to discuss whether we raise, lower, or keep taxes the same - what projects do we finance? We need a good financial projection and build a five year plan. Integrated Computer System - ICS is extremely important to the county and we need to move forward with The Software Group and utilize their system to the fullest extent. G.I.S. - A joint meeting will be held Feb. 9, 1995 at 2:30 P.M. at the Central Appraisal Dist. office in Kyle to discuss and receive study data - would like to proceed to point of receiving RFP's. The Tax office is having to maintain a CPS hookup with the C.A.D. - we have a Software Group system on line - we are looking at the C.A.D. changing to The Software Group system - C.A.D.'s CPS offers an enhanced version for approx.\$85,000 but it does not support the users - The Software Group provides enhancements for no additional charge - we need to take an more active role in the Central Appraisal District. Judge Etheredge spoke of need to address the Juvenile Detention Center and proceed with Road Bond Phase 2 and FEMA lawsuit - we also need to find ways to fund the Fire and EMS programs without using county taxes. Legal Aid Program - the contract expires Sept. 30, 1995 - we need to decide what we are going to do with this program. South Hays County Fire Dept. - they are currently using our county building at no charge - we need to give them notice that that building is needed for the road department. Agenda process - we are having trouble with the agenda process - adequate information is not being received - may start sending agenda requests back if inadequate information is turned in - members of the court need to support agenda items placed under their name. Infrastructure Committee - Court needs to set scope of work for the committee. Appointments - need to put more thought into appointments. Winton Porterfield, Admin. Asst., spoke of form used at the City of San Marcos that can be filled out by people interested in serving on a committee. Judge Etheredge spoke of Guadalupe County making their annual appointments the first meeting of each year (this is their only agenda item for that meeting) - we need to have appointees that will be loyal to the County and represent us accordingly. Judge Etheredge spoke of need to meet weekly in workshop session to discuss issues that will affect the overall county budget - the problems we have affect the whole county and additional staff may be needed - spoke of budget preparation (usually takes about 3 months) - will meet with Department Heads individually for their budget requests - Department Head reviews need to be discussed.

MINUTES APPROVED IN OPEN COURT ON THE 6th DAY OF March, 1995.

Eddy A. Etheredge  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

Ronnie Dannelley  
**RONNIE DANNELLEY, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 27TH DAY OF JANUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:


|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |

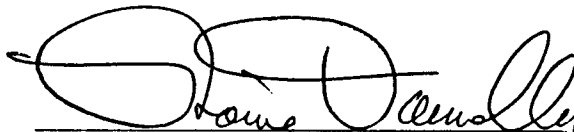
WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**DEPARTMENT HEAD/ELECTED OFFICIALS MEETING**

A meeting was held at the Hays County Extension Building, 1251 Civic Center Loop, San Marcos, Texas, to meet with the County Department Heads and Elected Officials. Judge Etheredge spoke of the county budget process and the various items that have already been discussed by the Commissioners' Court that need to be address in the upcoming budget (i.e. computer system, adult probation move, juvenile detention center) - spoke of need for each department to prepare a five-year plan. Michele Tuttle, County Treasurer, spoke of time sheet revision to show employees actual time worked - if employee works 9 hours, show 8 hours +1 hour comp time - an employee can be granted a maximum of 48 hours of administrative leave in one year - direct deposit of paychecks is under consideration. Judge Etheredge spoke of plans and renovation for the old jail facility and the Courts building - discussed the Commissioners' Court agenda process (deadline to get on the agenda is Wednesday at 3PM). Purchasing Agent Cindy Casparis spoke of purchasing procedures - advised that copy paper costs have increased (\$50 per case), however, there is plenty on hand at this time. George Aitken, Human Resources Director, spoke of Dept. Head and employee evaluations (Dept. Head evaluations in February & March and employee evaluations in June) - Dept. Heads and Elected Officials need to work with Human Resources on disciplinary problems to keep the situation under control. Elections Administrator Joyce Cowan suggested using of mailing permits and computer zip coding to save on postage fees. Meeting was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 6th DAY OF March, 1995.

  
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 EDDY A. ETHEREDGE, COUNTY JUDGE  
 H A Y S COUNTY, TEXAS

  
 \_\_\_\_\_  
 RONNIE DANNELLEY, COUNTY CLERK  
 H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 30th DAY OF JANUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                   |                      |
|-------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE         |
| PETER RODRIGUEZ   | COMMISSIONER, PCT. 1 |
| CRAIG D. PAYNE    | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR  | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY  | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13565 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$198,355.43 as presented by the County Auditor. All present voting "Aye".

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|                   |              |                    |              |                    |              |
|-------------------|--------------|--------------------|--------------|--------------------|--------------|
| AUDITORS OFC      | \$ 148.17    | TREASURERS OFC     | \$ 197.67    | EXTENSION OFC      | \$ 256.70    |
| GRANTS ADMIN      | \$ 552.67    | JUVENILE PROB      | \$ 99.58     | ELECTION ADMIN     | \$ 38.00     |
| INDIGENT CARE     | \$ 5,211.16  | TRANSFER STATION   | \$ 395.80    | BLDG. MAINT.       | \$ 749.79    |
| ENVIRON HEALTH    | \$ 3,552.06  | PERSONAL HEALTH    | \$ 447.06    | CIVIC CENTER       | \$ 440.55    |
| COUNTYWIDE OPER   | \$ 83,607.49 | TAX A/C            | \$ 169.25    | DISTRICT CLERK     | \$ 389.49    |
| COUNTY CLERK      | \$ 484.60    | SHERIFFS OFC       | \$ 10,765.26 | JAIL OPERATIONS    | \$ 11,339.22 |
| COUNTY JUDGE      | \$ 338.78    | HUMAN RESOURCES    | \$ 96.22     | CO CRT @ LAW 1     | \$ 193.41    |
| DISTRICT ATTORNEY | \$ 1,074.07  | J.P. 1-1           | \$ 251.53    | J.P. 1-2           | \$ 245.76    |
| J.P. 2            | \$ 157.83    | J.P. 3             | \$ 216.21    | J.P. 4             | \$ 455.92    |
| J.P. 5            | \$ 438.90    | D.P.S.             | \$ 593.22    | CONSTABLE 1        | \$ 118.64    |
| CONSTABLE 3       | \$ 31.99     | CONSTABLE 4        | \$ 68.59     | CONSTABLE 5        | \$ 184.36    |
| DISTRICT CRT OPER | \$ 213.75    | CO & JP CRT OPER   | \$ 1,646.05  | VETERANS ADMIN     | \$ 91.70     |
| COMPUTER SVCS     | \$ 1,957.31  | CO CRT @ LAW 2     | \$ 39.60     | FIRE MARSHAL/EMC   | \$ 52.89     |
| TABC              | \$ 21.92     | DIST CRT REPORTERS | \$ 88.13     | LEGAL AID OFC      | \$ 22.31     |
| DUNBAR GRANT      | \$ 2,590.31  | TNRCC/FILTER GRANT | \$ 2,586.30  | R&B OPERATIONS     | \$ 29,224.38 |
| PRECINCT 1        | \$ 234.00    | PRECINCT 2         | \$ 22.49     | PRECINCT 3         | \$ 394.24    |
| PRECINCT 4        | \$ 352.38    | REC MNG/CO CLK     | \$ 27.03     | HEALTH SVCS GRANTS | \$ 339.00    |
| LAW LIBRARY FUND  | \$ 359.81    | ROAD CONSTRUCTION  | \$ 16,810.00 | ADULT PROB OPER    | \$ 4,798.27  |
| ADULT PROB FAC    | \$ 568.95    | D.A. REIMB TRUST   | \$ 11,383.76 | TDHCA NEW CANAAN   | \$ 1,321.69  |

Gen Fund Credit = \$ 2.09

R&B Gen Fund Credit = \$ 98.70

**13566 AMEND BUDGETS OF HEALTH SERVICES GRANTS FUND, TDH/PIIP GRANT, ELECTION ADMINIS/ SHERIFF'S OFFICE, AND ROAD & BRIDGE OPERATIONS**

The following budget amendments were proposed:

Health Services Grants Fund-TDH/PIIP Grant - Reduce previously reported increase in Grant revenue to original amount and reduce expenditures per agency by the same amount (\$1,757).

Election Administrator - Transfer funds from Misc. line item to special printing.

Sheriff's Office - Transfer \$750.00 from Office Equipment Maintenance to Travel.

R&B Operations - Transfer \$4,200 from Signs & Barricades to equipment for approved equipment to make signs.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve Budget Amendment No. 95-010 as proposed by the County Auditor. All present voting "Aye".

| BUDGET AMENDMENT NO. 95-010                    |           |           |
|------------------------------------------------|-----------|-----------|
| LINE ITEM - EXPENDITURES                       | INCREASES | DECREASES |
| <u>Elections Administrator (406)</u>           |           |           |
| 01-406-5461 Printing                           | \$ 175    |           |
| 01-406-5391 Misc.                              |           | \$ 175    |
| <u>Sheriff (418)</u>                           |           |           |
| 01-418-5311 Travel                             | \$ 750    |           |
| 01-418-5411 Off Eqpt Maint                     |           | \$ 750    |
| <u>Road &amp; Bridge Operations (438)</u>      |           |           |
| 03-438-5719 Misc. Eqpt                         | \$ 4,200  |           |
| 03-438-5262 Signs & Barricades                 |           | \$ 4,200  |
| <u>Health Svcs Grants-TDH/PIIP Grant (725)</u> |           |           |
| 10-725-5021 Staff Salaries                     |           | \$ 1,837  |
| 10-725-5219 Supplies                           | \$ 80     |           |
| <u>Revenues:</u>                               |           |           |
| 10-384-6725 TDH/PIIP Grant                     | \$ 1,757  |           |

**13567 APPROVE EQUIPMENT EXPENDITURE FROM UNSPECIFIED MISC. EQUIPMENT BUDGETED IN SHERIFF'S OFFICE LINE ITEM**

A request was received from Sheriff Paul Hastings to approve equipment purchase (brake wash machine required by OSHA) in the amount of \$600 from Misc. equipment line item 418-5719. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve equipment expenditure in the amount of \$600.00 from unspecified Misc. Equipment line item 01-418-5719 as requested by Sheriff Paul Hastings. All present voting "Aye".

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**13568 AWARD PROFESSIONAL SERVICE PORTION OF CERTIFIED LOCAL GOVERNMENT GRANT TO ELLIOTT WRIGHT & LAURIE MARDER FOR \$4,470 AND AUTHORIZE COUNTY JUDGE TO EXECUTE DOCUMENTS**

Richard Salmon, Grants Administrator, advised that the purpose of this grant from the U.S. Dept. of Interior's Certified Local Government Program is to conduct a Historic Resources Survey of rural precinct 1. The survey will result in an inventory of all pre-1945 properties - matching funds of cash and in-kind are being provided by the County and the Hays County Preservation Association - no administrative funds included in this grant. County has budgeted \$2,235 in matching funds. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to award professional service portion of Certified Local Government grant to Elliott Wright & Laurie Marder for \$4,470.00 and authorize the County Judge to execute documents. All present voting "Aye".

**13569 REAPPOINT THREE MEMBERS TO THE SOUTH HAYS COUNTY RURAL FIRE PREVENTION DISTRICT**

Commissioner Rodriguez recommended reappointing Yvonne Carroll, John Stachowitz, and Kaare Remme to the South Hays County Rural Fire Prevention District Board. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to reappoint Yvonne Carroll, John Stachowitz, and Kaare Remme to the South Hays County Rural Fire Prevention District Board. All present voting "Aye".

**13570 REAPPOINT THREE MEMBERS TO THE NORTHWEST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT**

Commissioner Molenaar recommended the reappointment of Dave Fields, Rod Holloway, and Melvin McNair for another two year term on the NW Hays Co RFPD Board. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to reappoint Dave Fields, Rod Holloway, and Melvin McNair to the Northwest Hays County Rural Fire Prevention District Board. All present voting "Aye".

**13571 AUTHORIZE THE DRIPPING SPRINGS CHAMBER OF COMMERCE TO REPRODUCE PORTIONS OF THE HAYS COUNTY STREET LOCATOR MAP**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to authorize the Dripping Springs Chamber of Commerce to reproduce portions of the Hays County Street Locator Map. All present voting "Aye".

**13572 AUTHORIZE THE ROAD DEPARTMENT TO SET REGULATORY SPEED LIMITS IN WORK ZONES ON COUNTY ROADS**

Road Director Darrel Brown requested authorization to set regulatory speed limits in work zones on county roads - safety of the road crews would be enhanced by speed limits enforced in work areas - Sheriff's Deputies cannot ticket speeders in work areas unless the speeders exceed posted speed limits, often 55MPH - work areas are defined by MUTCD regulations. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to authorize the Road Department to set regulatory speed limits in work zones on county roads. All present voting "Aye".

**13573 APPROVE LEASE OF COPIER AND PAYMENT FOR PAPER OUT OF COUNTYWIDE EQUIPMENT FOR JURY ROOM AT JP1-1 OFFICE**

J. P. 1-1 Macel Sullivan requested placement of a small copier for use by outside agency's using the LEC courtroom - her staff is willing to care for the copier and maintain the supplies. Funds required are approximately \$410.00 and could be billed out of countywide line item. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve lease of a copier and payment for paper out of countywide equipment for jury room at J.P. 1-1 Office. All present voting "Aye".

**13574 APPROVE PURCHASE OF A BULLET PROOF VEST FOR THE CONSTABLE PCT. 5 DEPUTY TO BE PAID OUT OF COUNTYWIDE EQUIPMENT**

Constable Billy Reeves has requested a bullet proof vest for his Deputy Constable - he failed to include this request in his budget but feels it is necessary to have. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve purchase of a bullet proof vest for the Constable Pct. 5 Deputy to be paid out of countywide equipment. All present voting "Aye".

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**13575 APPROVE REQUEST FOR A MAIL CART FOR THE DISTRICT JUDGE'S OFFICE**

District Judge Charles Ramsay requested approval to purchase a mail cart to be used in transporting files to the courtroom - funds required = \$200.00. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve request for a mail cart in the amount of \$200 for the District Judge's office. All present voting "Aye".

**DISCUSSION REGARDING CREATING A POSITION IN THE MAINTENANCE DEPT. AT GRADE 13**

Judge Etheredge spoke of his recommendation for a Supervisor of Maintenance position - funds are available in the Insurance line item - the County Judge's Administrative Assistant is currently supervising maintenance. Commissioner Payne spoke in opposition to this position - does not support adding more employees. Commissioner Molenaar suggested that this position be budgeted in FY96 - voiced his concerns about adding additional employees at this time.

**13576 APPROVE PURCHASE OF COMPUTER EQUIPMENT AND SOFTWARE FOR DISTRICT CLERK'S OFFICE**

W. H. Moore, District Clerk, requested approval to purchase 8 Personal Computers for use in his office out of Records Preservation Funds. Data Processing Dept. provided prices for equipment and software:

|                      |              |
|----------------------|--------------|
| 8 PC's               | \$ 11,960.00 |
| 1 Laser Printer      | \$ 1,499.00  |
| 8 Microsoft Ofc. 4.2 | \$ 3,608.00  |
|                      | =====        |
|                      | \$ 17,067.00 |

This equipment will be compatible with countywide computer system. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve purchase of computer equipment and software for the District Clerk's office out of Records Preservation Funds. All present voting "Aye".

**VARIANCE DISCUSSION - STEVEN TOWNSEND 48.9 ACRES ON G. W. HASCKHE LANE**

A written platting variance request from Steven R. Townsend was submitted. Allen Walther, Environmental Health Director, advised that the floodplain designation has been well defined and he will recommend approval next week.

**VARIANCE DISCUSSION - KNISPEN RANCH 56.69 ACRE TRACT OFF LIME KILN ROAD**

Allen Walther, Environmental Health Director, spoke of this 56.69 acre tract off Lime Kiln Road - will be used for a single family residence - floodplain is well delineated - will recommend approval next week.

**13577 CALL FOR A PUBLIC HEARING TO BE HELD FEBRUARY 13, 1995 REGARDING CREATION OF LOT 1A RUSTIC OAKS ESTATES**

Request is to abandon easement on Lot lines 1 & 2 in Rustic Oaks Estates to create a Lot 1A - Commissioner Barton has letters of support to abandon utility easements from GTE and PEC to be filed with the County Clerk's office. Jeff Myers advised that the house will be built on one lot and the septic system will be on the other lot. Commissioner Payne suggested that the Lot line adjoining Lots 1 & 2 be abandoned and one Lot be created - need to check restrictions to see if resubdivision is allowed. A motion was made by Judge Etheredge, seconded by Commissioner Payne to call for a public hearing to be held February 13, 1995 at 9:00 A.M. regarding creation of Lot 1A Rustic Oaks Estates. All present voting "Aye".

**HILL COUNTRY RANCHES - SPEED LIMIT DISCUSSION**

This item was not on the agenda. Marian Strange of Hill Country Ranches spoke of speed limit on CR338 (Plainview) - recommended 50 MPH - spoke of Yield sign on CR343 (Lakeside Dr) - should put Yield on Rabbit Road - there are a lot of blind hills and curves - new street signs are needed. Darrel Brown, Road Director, recommended no speed limit over 45 MPH - spoke of rules regarding Yield signs - recommended a sign on Rabbit Road.

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**13578 DIRECT PURCHASING TO PREPARE SPECIFICATIONS FOR UPGRADING THE COURTHOUSE ANNEX ELEVATOR TO MEET ADA REQUIREMENTS**

The Texas Dept. of Licensing and Regulation has cited the county for several deficiencies in the elevator at the Courthouse Annex.

October 7, 1994 Inspection of Elevator Unit #228365

1. All recesses, other than windows and landing openings in the general surface of the hoistway enclosure which are opposite a car opening shall be filled in flush with the general surface of the hoistway.
2. Windows in the hoistway shall be guarded.
3. Provide a permanent safe and convenient access to the machine room.
4. Provide a Stop switch in the pit.
5. Provide two way communication inside the elevator.
6. Provide emergency lighting in the elevator.
7. Provide a top of car operating device.
8. Provide a Stop Switch on Top of the Car.
9. Provide Door Restrictors
10. Provide Fire Fighters Service.

The department must receive written documentation that compliance has been met within thirty (30) days of receipt of this notice.

Purchasing Agent Cindy Casparis advised that Dover Elevator Co. has estimated the cost to make needed repairs at \$13,000.00 - she will try to obtain two more quotes for consideration. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to direct Purchasing to prepare specifications for upgrading the courthouse annex elevator to meet ADA requirements. All present voting "Aye".

**REPORT FROM ERNESTO GALINDO/TEXAS ASSOCIATION OF COUNTIES RE:SAFETY RECOMMENDATIONS**

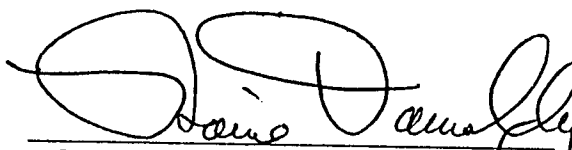
Ernesto Galindo, West Texas Safety Specialist with TAC, appeared before the Court and submitted his report from a follow-up inspection conducted December 3, 1994 - during the inspection he visited the Courthouse, Annex, Records Storage Room, and the Civic Center. The report recommended protection of all records against possible destruction by installing a second fire extinguisher on the second floor of the records storage facility, and avoid using electrical cords as permanent electrical installations in the records storage facility and in the courthouse. The report also called for reducing the fire load of the courthouse by transferring documents stored in boxes to the records storage facility. Also recommended was mounting the fans on the second floor of the courthouse to the wall rather than having them obstructing the flow of egress in case of an emergency. There were concerns about a possible fire hazard in the basement of the courthouse because some flammable liquids were stored there. Next to the outside door leading to the courthouse basement there is an unattended wall opening, a possible area for vandalism or injury to the public - the wall opening should be blocked to keep all unauthorized persons away from the area. Electrical panels in the courthouse annex need to have covers installed to prevent an electrocution or possible fire. Recommends that the Sheriff's Dept. install signs stating "Fire Extinguisher Inside" to warn all employees of the location of the equipment. Summary: Currently the county is experiencing a great number of small accidents. Unfortunately these type of accidents could lead the county to more severe, and costly accidents. Recommends the following:

- ★Review losses report on a quarterly basis to identify possible trends in the type of accidents, or areas where these accidents are occurring.
- ★Consider adopting a more active Loss Control Program to: Identify unsafe working practices, or unsafe conditions within the county.
- ★The County should consider adopting a Hazard Communication Program to train our employees in the handling of chemicals, and prevent a possible fine by the Texas Department of Health.

Court recessed until Wednesday February 1, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 6<sup>th</sup> DAY OF March, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 1st DAY OF FEBRUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13579 APPROVE ARCHITECTURAL PLANS AND SPECIFICATIONS FOR THE RENOVATION OF THE HAYS COUNTY JUSTICE CENTER AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS**

Architect Ron Balderach stated that he is ready to go out for bids for the Hays County Justice Center (HEB/Courts building) - he is concerned about the budget for this project - additional life safety issues need to be addressed and security cameras are needed. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve architectural plans and specifications for the renovation of the Hays County Justice Center and authorize the County Auditor to advertise for bids. All voting "Aye".

**WORKSHOP DISCUSSION REGARDING THE SHARED USE OF DRIVEWAY**

Road Director Darrel Brown presented a preliminary draft of "Standards for Community Driveways" - Amendment to subdivision Ordinance. Standards set out in this document are the same as the standards for private roads "shall have a minimum of sixty feet (60') of right of way which shall have a minimum of forty feet (40') cleared of all vegetation". Commissioner Barton spoke of existing lots (100 ft. wide lots) facing county roads and creating too many driveways - allowing driveways would reduce the number of outlets on main roads. Darrel Brown spoke of driveways that would be used by a maximum of four lots - proposes the same drainage standards for private roads - would allow pit run gravel and 16' crowns versus 24'. Judge Etheredge stated that the more we get involved in the construction of private roads, the more likely they are to come back and ask for the county to maintain the roads. Commissioner Payne suggested having lesser standards for private cul-de-sacs - a mortgage company will require a homeowners association to maintain a private road - stated that he is in favor of lowering construction and maintenance costs by lowering the standards for driveways. Commissioner Molenaar stated that if it is a "private driveway", we should not impose standards on them - they will be responsible for maintaining their own driveways.

**WORKSHOP DISCUSSION REGARDING THE HAYS COUNTY ROAD DEPARTMENT**

Judge Etheredge spoke of the Unit Road System being slightly two year old - where are we now and where are we going? Road Director Darrel Brown presented a Project List for FY95 - spoke of pothole patching and maintenance. Discussion was had on equipment repairs - some of the county equipment is obsolete and parts are no longer available - discussed down time repairing the equipment - sometimes there is not enough trucks to haul base - if we keep a full mowing crew, then we don't have enough people to fill pot holes - additional personnel is needed. Delbert Chance spoke of trying to assign personnel to vehicles - they would be responsible for day-to-day maintenance of their vehicle - we could consider lease rental/purchase of equipment. Judge Etheredge spoke of need for a plan for consideration when preparing the budget - a plan based on facts. Darrel Brown spoke of need for hardware and software for pavement management in order to make good projections - stated that safety has improved, fleet maintenance has been cleaned up, there is increased training of personnel, improved patching procedures, and we can do more complicated projects than before - we are evaluating hazards before they occur and looking for long term solutions. Delbert Chance spoke of sealing roads - we must do this in order to buy us more time before reconstruction - there is a lack of equipment and personnel at this time. Judge Etheredge spoke of need for a list of equipment that is needed - roads are our priority and funds need to be budgeted. Darrel Brown stated that he is checking on contracting out some of the mowing. Commissioner Barton spoke of need to pinpoint projects that need to be addressed, with a dollar request and a definite date for the project. Darrel Brown spoke of loss of employees due to low salaries - our overall benefits are excellent but a large chunk is taken out of their paychecks. Delbert Chance stated that he feels like moral is good and that the employees support the unit road system.



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**DEPARTMENT HEAD REVIEWS - WORKSHOP DISCUSSION**

Human Resources Director George Aitken appeared before the Court will forms for evaluating Department Heads - he explained the parameters - comments are required if improvements are needed - you need to be specific in your comments - form requires two signatures from management (double check) and the employee signs last (acknowledging receipt of the form) - Department Heads will complete a brief bullet format of their job - an evaluation form will be completed by each member of the Court - scores will be compared and an overall rating will be determined to complete the final evaluation form.

MINUTES APPROVED IN OPEN COURT ON THE 20th DAY OF March, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Ronnie Dannelley*  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



**STATE OF TEXAS**  
**COUNTY OF HAYS**

**ON THIS THE 6TH DAY OF FEBRUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

**13580 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$200,614.66 as presented by the County Auditor. All voting "Aye".

|                |             |                  |             |                 |              |                |              |
|----------------|-------------|------------------|-------------|-----------------|--------------|----------------|--------------|
| LIC & PERMITS  | \$ 125.00   | FINES            | \$ 70.00    | AUDITORS OFC    | \$ 724.55    | GRANTS ADMIN   | \$ 1,539.90  |
| JUVENILE PROB  | \$ 1,296.28 | ELECTION ADM     | \$ 631.65   | TRANSFER STA    | \$ 38.90     | BLDG. MAINT.   | \$ 1,711.19  |
| ENVIRON HLTH   | \$ 70.81    | CIVIC CENTER     | \$ 762.18   | COUNTYWIDE OP   | \$ 98,280.74 | TAX A/C        | \$ 201.04    |
| DIST CLERK     | \$ 35.70    | COUNTY CLERK     | \$ 2,047.69 | SHERIFFS OFC    | \$ 4,712.54  | JAIL OPERATION | \$ 9,701.49  |
| CO JUDGE       | \$ 410.96   | CO CRT @ LAW 1   | \$ 212.50   | DIST ATTORNEY   | \$ 335.15    | J.P. 1-1       | \$ 10.00     |
| J.P. 1-2       | \$ 189.00   | J.P. 2           | \$ 399.32   | J.P. 4          | \$ 102.92    | J.P. 5         | \$ 125.00    |
| D.P.S.         | \$ 208.91   | CONSTABLE 2      | \$ 44.70    | CONSTABLE 5     | \$ 29.98     | DIST CRT OPER  | \$ 16,803.08 |
| CO & JP CRT OP | \$ 6,176.43 | COMPUTER SVCS    | \$ 1,213.84 | CO CRT @ LAW 2  | \$ 223.50    | JUV SVCS GRANT | \$ 1,360.00  |
| TJPC CCAP GRNT | \$ 2,593.33 | CORR INCUB GRNT  | \$ 56.82    | DARE (DA) GRANT | \$ 28.00     | R&B OPERATIONS | \$ 20,560.59 |
| PRECINCT 1     | \$ 234.00   | PRECINCT 2       | \$ 769.40   | PRECINCT 4      | \$ 113.00    | RIGHT OF WAY   | \$ 882.00    |
| REC MNG/CC     | \$ 2,699.49 | HEALTH SVCS GRNT | \$ 2,629.06 | LAW LIBRARY     | \$ 287.00    | ADULT PRB OPER | \$ 11,561.67 |
| ADULT PROB FAC | \$ 2,146.54 | DA REIMB TRUST   | \$ 6,327.19 |                 |              |                |              |

GEN FUND CREDIT = \$ 3.87      R&B GEN FUND CREDIT = \$ 64.51

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**13581 AMEND PAYMENT OF COUNTY INVOICES**

County Auditor Bill Herzog advised that payment in the amount of \$27,400.00 made to Phillips Swager Assoc. was paid in error out of the Countywide Operating/General Fund account - should have been paid out of the Juvenile Detention Construction Fund. A motion was made by Commissioner Payne, seconded by Commissioner Barton to amend payment of county invoices by paying \$27,400.00 to Phillips Swager Assoc. out of the Juvenile Detention Construction Fund instead of the General Fund. All voting "Aye".

**13582 AMEND BUDGETS OF VARIOUS DEPARTMENTS - BUDGET AMENDMENT NO. 95-011**

The following budget amendments were proposed by the County Auditor:

General Fund & Health Services Grant - Transfer within each fund for actual longevity expenditures from line items where budgeted.

Computer Services Dept. & Records Preservation Fund - Transfer \$2,692 from approved equipment list, software and \$6,000 from supplies in Records Preservation to data processing equipment to fund authorized computer systems for District Clerk.

Grants Administration - \$1,950 in expenditures/\$1,950 in increased revenue to budget computer system in equipment to be funded from grant fee revenues.

Department of Public Safety - Transfer \$160 for needed software from data processing supplies as proposed by Computer Services for DPS.

TXDOT/Step Grant - Reclassify and transfer between line items per agency - supervision not considered overtime.

Precinct 4 - Transfer \$425 from Precinct 4 Special Projects to fund office equipment.

Health Services Grants - Reclassify to separate program income into separate PPIP/PI & TB/PI; reduce TB grant revenues and expenditures by \$28,376 and TDH authorizes use of \$3,834 in carryover program income-net reduction is #24,542. Reclassify revenues, Total \$1,500 and \$6,000.

Adult Probation Operating - CSR Grant transfer #465 from fees to contract services for insurance expenses. DRC Grant transfer \$11,841 from salaries & fringe and CJAD approval of \$10,051 in use of probation carryover balance to increase expenditures for van purchase.

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve Budget Amendment No. 95-011 as presented by County Auditor Bill Herzog. All voting "Aye".

| BUDGET AMENDMENT NO. 95-011           |           |           |
|---------------------------------------|-----------|-----------|
| LINE ITEM - EXPENDITURES              | INCREASES | DECREASES |
| <b>CIVIC CENTER</b>                   |           |           |
| 01-413-5061 Longevity                 | \$ 155    |           |
| <b>JAIL OPERATIONS</b>                |           |           |
| 01-419-5061 Longevity                 | \$ 75     |           |
| <b>JUSTICE OF PEACE 1-1</b>           |           |           |
| 01-424-5061 Longevity                 | \$ 681    |           |
| <b>JUSTICE OF PEACE 4</b>             |           |           |
| 01-428-5061 Longevity                 | \$ 555    |           |
| <b>PROTECTIVE HOMEMAKER</b>           |           |           |
| 01-468-5061 Longevity                 |           | \$ 1,466  |
| <b>MATERNAL &amp; CHILDREN HEALTH</b> |           |           |
| 10-469-5061 Longevity                 |           | \$ 75     |
| <b>FAMILY PRACTICE CLINIC</b>         |           |           |
| 10-715-5061 Longevity                 | \$ 75     |           |
| <b>GRANTS ADMINISTRATION</b>          |           |           |
| 01-404-5712 Data Proc Equip           | \$ 1,950  |           |
| <b>REVENUES</b>                       |           |           |
| 01-345-3404 Grant Admin Fees          |           | \$ 1,950  |
| <b>DEPARTMENT OF PUBLIC SAFETY</b>    |           |           |
| 01-430-5718 Software                  | \$ 160    |           |
| 01-430-5221 Data Proc Supply          |           | \$ 160    |
| <b>TXDOT/STEP GRANT</b>               |           |           |
| 01-728-5021 Staff Salary              | \$ 3,892  |           |
| 01-728-5031 Overtime                  |           | \$ 3,892  |
| <b>COMPUTER SERVICES</b>              |           |           |
| 01-456-5712 Hardware                  | \$ 2,692  |           |
| 01-456-5718 Software                  |           | \$ 2,692  |
| <b>RECORDS PRESERVATION</b>           |           |           |
| 09-444-5712 Data Proc Equip           | \$ 6,000  |           |
| 09-444I-5215 Records Supplies         |           | \$ 6,000  |

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| BUDGET AMENDMENT NO. 95-011                 |           |           |
|---------------------------------------------|-----------|-----------|
| LINE ITEM - EXPENDITURES                    | INCREASES | DECREASES |
| <b>REVENUES</b>                             |           |           |
| 10-347-3474 PPIP Fees/PI                    |           | \$ 1,500  |
| 10-347-3475 Women & Children Health Fees/PI | \$ 1,500  |           |
| <b>TDH/TB GRANT</b>                         |           |           |
| 10-465-5021 Staff                           |           | \$ 19,658 |
| 10-465-5110 FICA                            |           | \$ 1,504  |
| 10-465-5121 Retirement                      |           | \$ 1,592  |
| 10-465-5160 Insurances                      |           | \$ 2,274  |
| 10-465-5219 Supplies                        | \$ 700    |           |
| 10-465-5311 Travel                          |           | \$ 1,100  |
| 10-465-5391 Other                           | \$ 420    |           |
| 10-465-5448 Contract Services               | \$ 366    |           |
| 10-465-5719 Equipment                       | \$ 100    |           |
| <b>REVENUES</b>                             |           |           |
| 10-384-6465 TDH/TB Grant                    | \$ 23,376 |           |
| 10-384-3477 TB Fees/PI                      |           | \$ 6,000  |
| 10-384-3475 Women & Children Health Fees/PI | \$ 6,000  |           |
| <b>PRECINCT 4</b>                           |           |           |
| 03-442-5711 Office Equipment                | \$ 425    |           |
| 03-442-5353 Special Projects                |           | \$ 425    |
| <b>GRANT FOR COMMUNITY SVC RESTITUTION</b>  |           |           |
| 34-488-5329 Prof Fees                       |           | \$ 465    |
| 34-488-5448 Contract Svcs                   | \$ 465    |           |
| <b>GRANT FOR DIST REPORTING CENTER</b>      |           |           |
| 34-495-5021 Staff Sal                       |           | \$ 11,000 |
| 34-495-5110 FICA                            |           | \$ 841    |
| 34-495-5121 Retirement                      | \$ 572    |           |
| 34-495-5499 Facil, Util, Eqpt               | \$ 21,320 |           |

**13583 AUTHORIZE PURCHASE OF A FOUR-DRAWER FILING CABINET FOR COMPUTER SERVICES**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize purchase of a four-drawer filing cabinet for Computer Services out of Countywide Equipment. All voting "Aye".

**13584 APPROVE PURCHASE OF A PLAT CABINET FOR THE COUNTY CLERK'S OFFICE OUT OF RECORDS MANAGEMENT FUNDS**

County Clerk Ronnie Dannelley has obtained three quotes for a Plat Cabinet - low quote = \$ 2,251.00 - funds are available in the County Clerk's Records Management Fund. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize purchase of a Plat Cabinet for County Clerk's Office out of Records Management Funds. All voting "Aye".

**13585 ROAD NAME DESIGNATION: NAME A COUNTY ROAD IN THOMPSON RANCH AS "BIG BEND DRIVE"**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve road name designation: name a county road in the Thompson Ranch as "Big Bend Drive". All voting "Aye".

**13586 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN HILL COUNTRY RANCHES SUBDIVISION AT CR 221 & CR 183**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to call for a public hearing to be held February 27, 1995 at 9:00 A.M. to establish traffic regulations in Hill Country Ranches Subdivision at CR 221 & Cr 183. All voting "Aye".

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**13587 APPROVE RECYCLING SERVICES AGREEMENT BETWEEN ECOLOGY ACTION OF TEXAS AND HAYS COUNTY AND AUTHORIZE COMMISSIONER BARTON TO EXECUTE THE AGREEMENT**

Commissioner Barton advises that recycling services will cost approximately \$3,000.00 for the remainder of the fiscal year - similar service as the one set up in Wimberley. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve Recycling Services Agreement between Ecology Action of Texas and Hays County and authorize Commissioner Barton to execute the Agreement. All voting "Aye".

**RECYCLING SERVICES AGREEMENT  
between  
ECOLOGY ACTION OF TEXAS, INC.  
and  
HAYS COUNTY, TEXAS**

This agreement is made and entered into on this 6th day of February, 1995, between the County of Hays, a political subdivision, and Ecology Action of Texas, Inc. ("EA"), a non-profit Texas Corporation located in Austin, Travis County, Texas.

**WITNESSETH:**

WHEREAS, Hays County is responsible for solid waste services for its residents, and such solid waste contains recyclable material; and

WHEREAS, the availability of landfill space is limited, and the recycling of solid waste reduces the need for landfill space and other disposal methods; and

WHEREAS, the Solid Waste Disposal Act, Section 361.422, of the Texas Health & Safety Code, provides that it is the State's goal to achieve recycling of at least 40 percent of the State's total municipal solid waste; and

WHEREAS, EA provides recycling services and education and is willing to enter into an agreement to provide those services to Hays County; and

WHEREAS, Hays County desires to use EA's recycling and educational services, and is willing to enter into an agreement for EA to provide those services;

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, EA and Hays County agree as follows:

**I.**

EA shall provide and site for Hays County one self-contained recycling container to collect, at a minimum, aluminum cans, tin/steel cans, and glass bottles and jars. Both parties agree that EA may provide and site self-contained containers for other materials. EA will mark these containers with signs identifying acceptable and non-acceptable material.

**II.**

Hays County, at Hays County expense, shall provide appropriately paved location at which to site each of these recycling containers. Hays County shall be responsible for land rights necessary for said location, and shall provide for access to EA, its employees, contractors and agents.

**III.**

EA shall provide to Hays County for Hays County distribution, literature and educational materials to inform local citizens of how to use the center and why using it is helpful to their community and the environment: at least one program flier per household and one educational item per appropriate local classroom for local schools. EA representatives shall make a minimum of one initial local public appearance to announce and promote the program and to provide training sessions for local volunteers, and at least two additional appearances for each year that this agreement is in effect.

**IV.**

A. Hays County shall pay EA by the 15th day of each month for services provided in the previous month. Hays County will pay a monthly service charge of \$ 150.00 per bin.

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B. If EA determines that a load is contaminated, a penalty may be added to the pull fee. A load is "contaminated" if any compartment has more than five percent extraneous materials by volume, or other prohibitive contaminants such as motor oil.

C. EA may, without prior notice, suspend service to Hays County, or terminate this agreement if Hays County is more than thirty days late in its payments to EA.

V.

Either party may terminate this AGREEMENT upon thirty days written notice to the other party. EA shall be compensated on a pro rate basis for all work performed prior to the termination. All rights, duties, liabilities, and obligations accrued prior to termination shall survive termination.

VI.

This AGREEMENT constitutes the entire agreement of the parties and supersedes any prior understanding or oral or written agreements between the parties regarding recycling services. No other agreement, statement, or promise that is not contained in this AGREEMENT shall be binding except by written modification signed by both parties. Neither party may unreasonably withhold consent to written amendments or modifications of this AGREEMENT.

VII.

Should any one or more provisions of this AGREEMENT be held void, voidable, or for any reason whatsoever of no force and effect, such provision(s) shall be construed as severable from the remainder of this AGREEMENT and shall not affect the validity of all other provisions of this AGREEMENT, which shall remain in full force and effect.

VIII.

All notices and communications under this AGREEMENT are effective upon actual receipt by the other party, unless delivery is through U.S. Mail, in which case notices shall be the earlier of actual receipt of three days following delivery to the U.S. Postal System. All notices and communications under this AGREEMENT shall be sent to the following addresses and persons, unless and until the other party is notified in writing of change:

- To EA: Ecology Action of Texas  
210 B Industrial Boulevard  
Austin, TX 78745
- To Hays: Commissioner Jeff Barton  
P. O. Box 1180  
Kyle, TX 78610

IX.

It is agreed and understood that EA may use subcontractors in performance of this AGREEMENT, and that no additional prior approval of Hays County is necessary for EA to hire subcontractors to assist in performance of EA's duties under this AGREEMENT.

X.

EA witnesses that no County officer, employee, or agent has been compensated in any way with respect to this AGREEMENT. In no event will EA pay a fee to, or in any other manner compensate Hays County officers, employees, or agents in connection with the approval or performance of this AGREEMENT. A breach under this paragraph shall result in automatic termination of the AGREEMENT.

The Validity of this AGREEMENT and any of its terms and provisions, as well as the rights and duties hereunder, shall be governed by the laws of the State of Texas. All amounts due under this AGREEMENT, including damages for its breach, shall be paid in Hays County, Texas. In the event any legal proceeding is brought to enforce this AGREEMENT or any provision hereof, the same shall be brought in Hays County, Texas.

XI.

The term of this AGREEMENT shall be for a period ending December 31, 1995 from the day and date first written above. This AGREEMENT may be extended by signed consent of both parties for additional periods.

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In witness whereof, the parties acting under authority of their respective governing bodies have caused this AGREEMENT to be executed in several counterparts, each of which is deemed to be an original and as of the date first written above.

Jeff Barton  
County Commissioner, Hays County

Bob Russell  
Ecology Action of Texas

**13588 ACCEPT AUDIT REPORT FROM NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT FOR YEAR ENDING SEPTEMBER 30, 1994**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to accept Audit Report from the Northeast Hays County Rural Fire Prevention District for the year ending September 30, 1994. All voting "Aye". (See report in file)

**13589 ROAD NAME DESIGNATION: CHANGE THE NAME OF PRIVATE ROADWAY KNOWN AS "BELL SPRINGS RANCHES ROAD" TO "MYERS CREEK ROAD"**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve road name designation: change the name of private roadway known as "Bell Springs Ranches Road" to "Myers Creek Road". All voting "Aye".

**13590 TALL OAKS SUBDIVISION - FIRST READING APPROVAL**

This is a four lot subdivision located in the Dripping Springs ETJ - has been approved by their Planning Commission - needs to note proposed land use on the plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Tall Oaks" subdivision on first reading. All voting "Aye".

**13591 HILLS OF TEXAS - APPROVE REDUCTION OF WELL EASEMENT AND DENY REQUEST TO CREATE AN ACCESS EASEMENT - CALL FOR PUBLIC HEARING**

Allen Walther, Environmental Health Director, spoke of this subdivision now being on a water system and it would be appropriate to reduce the well easement - spoke in opposition of creating an access easement which would reduce the useable land - suggested shared use driveways. Randy Hughes appeared before the Court - feels like there will be enough room for an engineered septic system - spoke of his concerns about the number of accesses on FM1826. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve reducing well easement and deny creation of access easement, and furthermore call for a public hearing to be held February 27, 1995 at 9:00 A.M. Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Payne voting "No".

**PLATTING VARIANCE REQUESTED BY RALPH & MARGARET MOCK RE: 15 ACRES**

A Variance from platting was requested by Ralph & Margaret Mock, owners of a 43.68 acre tract - they would like to divide out 15 acres which will be used solely for residential or agricultural purposes - does not lie in the floodplain, are not within one-half mile of the Edwards Aquifer Recharge Zone, and is not within any cities jurisdiction. No action this date.

**PLATTING VARIANCE REQUESTED BY MARION BROOKS RE: 4 TRACTS OFF FM150**

Allen Walther, Environmental Health Director, advised that this property has come before the Court previously as "Price Ranch" and he had requested a flood study - recommends full platting of this property. Curtis Wilson, K.C. Engineering Inc., appeared representing property owner Marion Brooks - desires conveyance of four tracts of land, currently a part of an original 1036.98 acres ( 1 = 60 acres, 2 = 46.2866 acres, 3 = 35.293 acres, 4 = 25.881 acres) - based on the sizes of the proposed tracts, an undue hardship would be placed on the owner if she is required to file, for approval, final plat instruments under the provisions set forth in the current subdivision specifications - the division of this land continues to maintain a rural and/or residential use, though with smaller legal boundaries, and under multiple ownership. Curtis Wilson spoke of this property being subject of a lawsuit to regain ownership from Ms. Brooks son - there were contracts of sale issued outside of her knowledge at the time and are currently active - she is attempting to uphold these contracts - if further development is pursued, the Court could require a flood study at that time. Ms. Brooks spoke of possibility that some of the property may be further developed by the people purchasing on contract of sale - she has no plans to further develop her property. No action taken this date.

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**PLATTING VARIANCE REQUEST BY JAMES DAVIS (SUBWAY) RE: 0.740 ACRE ON FM2325**

Allen Walther, Environmental Health Director, spoke of request from James Davis for a platting variance on 0.740 acres out of the Benjamin Page Survey (Deed Vol. 1095 Pg. 896) located on FM2325 in front of the Wimberley High School - will recommend approval of this variance. No action this date.

**13592 PLATTING VARIANCE GRANTED TO STEVEN TOWNSEND RE: 48.9 ACRE TRACT ON G.W.HASCHKE LANE ON THE BLANCO RIVER**

Allen Walther, Environmental Health Director, spoke of need for delineation of floodplain on the survey plat. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a platting variance to Steven Townsend for a 48.09 acre tract located on G. W. Haschke Lane on the Blanco River subject to final approval by Environmental Health Director. All voting "Aye".

**13593 PLATTING VARIANCE GRANTED TO PUD RUTLEDGE RE: 56.69 ACRE TRACT OFF LIME KILN ROAD**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Pud Rutledge for 1 56.69 acre tract out of the T. J. Chamber Lge. located off Lime Kiln Road. All voting "Aye".

**13594 DECLARE AN EMERGENCY AND AMEND THE BUDGET TO PAY FOR THE REMOVAL OF DEBRIS FROM THE OLD HOSPITAL SITE**

County Judge Eddy Etheredge advised that the total contract for removal of debris from the old hospital site was \$138,088 and only \$60,000 was budgeted. A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to declare an emergency and amend the budget \$78,088 to pay for the removal of debris from the old hospital site (Budget Amendment No. 95-012). Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Molenaar voted "No".

**13595 CREATE A POSITION IN THE MAINTENANCE DEPARTMENT AND SET SALARY AT GRADE 13**

Judge Etheredge spoke of need for a position in the Maintenance Department to address the new construction and remodeling projects in the county - Winton Porterfield is currently Interim Director of Maintenance and is being kept from performing his normal duties - the building department has a budget of \$340,000 and seven employees yet does not have a full-time department head. A job description has been prepared by the Human Resources Department for the position of "Maintenance/Renovation Coordinator" with salary set at Grade 13 (\$2,138.94 per month/\$12.34 per hour). A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to create the position of "Maintenance/Renovation Coordinator" in the maintenance department and set the salary at Grade 13. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

**13596 AMEND THE BUDGET FOR CONSTRUCTION OF THE ENVIRONMENTAL HEALTH BUILDING**

The total cost for construction of the Environmental Health building is \$118,947.00 - only \$60,000 was budgeted for this project. A motion was made by Commissioner Payne, seconded by Judge Etheredge to amend the budget out of Juvenile Detention Operation funds to pay remainder of funds needed for construction of the environmental health building. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Judge Etheredge voting "Aye". Commissioner Molenaar voting "No".

**13597 ROAD NAME DESIGNATION: NAME COUNTY ROAD 203 "DRUE DRIVE"**

Commissioner Barton advised that there are several renters on this road but only two landowners (Drue Ewald family and Hilmer Bilstead family) - the landowners agree with the name of "Drue Drive". A motion was made by Commissioner Barton, seconded by Judge Etheredge to designate the road name of "Drue Drive" to County Road 203. All voting "Aye".

**13598 AUTHORIZE PURCHASE OF A VACUUM CLEANER FOR THE PRECINCT 2 OFFICES**

Precinct 2 offices do not have a useful vacuum cleaner - custodian is forced to use an old vacuum cleaner belonging to the clinic - it will be used to clean the Health Clinic, J.P.'s office, Sheriff's substation, and Family Preservation offices - funds required = \$100. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize the purchase of a vacuum cleaner for the Precinct 2 offices out of countywide equipment. All voting "Aye".

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**13599 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION: STOP SIGN AT CR 157 AND GOFORTH VILLAGE SUBDIVISION**

J.P. 2 Albert Busse has requested consideration of placement of a STOP sign at intersection of CR157 and Goforth Village Subdivision - this is a high traffic private road onto a county road and a Stop sign is needed to prevent future accidents. A motion was made by Commissioner Barton, seconded by Judge Etheredge to call for a public hearing to be held February 27, 1995 at 9:00 A.M. to establish traffic regulation: STOP sign at CR 157 and Goforth Village Subdivision. All voting "Aye".

**13600 ESTABLISH THE COUNTY AS ON RECORD IN FAVOR OF A TRAFFIC LIGHT AT THE INTERSECTION OF FM2770 IN KOHLER'S CROSSING AND AUTHORIZE THE COUNTY JUDGE TO SUBMIT AN OFFICIAL LETTER OF RECOMMENDATION TO THE STATE**

Commissioner Barton reported that the school district and local law enforcement are concerned about the severe traffic problem at the intersection of FM2770 and Kohler's Crossing, particularly when school starts and lets out at the Barton Junior High and Hays High School - speeding traffic and multiple exits from school and intersection make for a dangerous situation. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to establish the County as on record in favor of a traffic light at the intersection of FM 2770 and Kohler's Crossing and authorize the County Judge to submit a Letter of Recommendation to the State. All voting "Aye".

**13601 AUTHORIZE THE ROAD DEPARTMENT TO SET A 35PH SPEED LIMIT ON SUNSET CANYON DRIVE SOUTH AND TWO "DIP" SIGNS IN SUNSET II & III**

Commissioner Molenaar requested signs on behalf of the homeowners association - speed limit is already set on the county road, therefore, no public hearing is required. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to authorize the Road Department to set a 35MPH speed limit sign on Sunset Canyon Drive South and two "Dip" signs in Sunset II & III. All voting "Aye".

**DISCUSSION REGARDING ESTABLISHING A COUNTY HOUSING TRUST FUND**

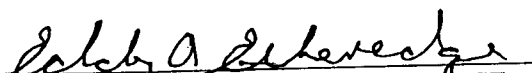
Grants Administrator Richard Salmon advised of the possibility of establishing a County Housing Trust Fund for the construction, preservation, or financing of low income and moderate income housing. The fee would be assessed as a cost and must be paid at the time of filing with the county clerk a document relating to the transfer of real property in the county or the issuance of a county building permit. The fee may not exceed \$10. The County Clerk would collect the fee and deposit the funds in the county housing trust fund.

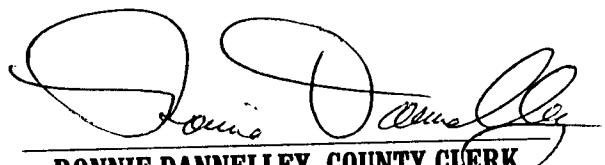
**JOINT WORKSHOP WITH THE HAYS COUNTY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS REGARDING A GEOGRAPHIC INFORMATION SYSTEM (GIS)**

Commissioners' Court will recess until Thursday February 9, 1995 and meet with the CAD Board of Directors and Dr. Robert Maggio at the CAD office in Kyle. At that time the Court may decide to authorize issuance of Request for Proposals.

Court recessed to February 9, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 20th DAY OF March, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 9 TH DAY OF FEBRUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>LINDA C. FRITSCHE</b>   | <b>DEPUTY COUNTY CLERK</b>  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13602 AUTHORIZE ISSUANCE OF REQUEST FOR PROPOSALS FOR A GEOGRAPHIC INFORMATION SYSTEM**

All members of the Central Appraisal District Board were present (Pat Benner-Chairperson, Ernest Kimbro, Robert Mooney, Frank Arredondo, and Paul Garnett).

Judge Etheredge stated that the County has been discussing GIS for two years - some of the local taxing entities currently use some form of GIS for their daily functions - we have not yet seen any official dollar amount for a GIS and that is why we want to move forward with RFP's. Pat Benner spoke of the previous proposal by the County and the CAD agreed to fund a share of the first phase (feasibility study) - stated that the purpose of the Central Appraisal District is to provide accurate inexpensive values of property - felt like the scope of GIS might not fall under the needs of the CAD - we have started digitizing ownership maps and have the personnel to put together a base map - some of the GIS information is not needed for appraisals. Dr. Maggio presented a copy of the RFP to members of the Commissioners' Court and the CAD Board and asked that they turn the copies back in before leaving (could bias the bidding process) - spoke of the needs assessment survey (Phase I) - Phase 2 is the Request for Proposals and Phase 3 is implementation of hardware and software. Dr. Maggio spoke of his experience in GIS (consultant & teacher) which also includes aerial photography and mapping. A discussion was had regarding communication with Dr. Maggio and CAD staff - Mr. Benner felt like there had been no communication with CAD staff - Dr. Maggio stated that the contact person had been Neva Lockett and he had only one meeting lasting one hour with one mapper.

Dr. Maggio spoke of hardware and software addressed in the RFP - proposes a single centralized system at the CAD and one at the County - smaller systems would be downloaded from the main system (query & display mode). Dr. Maggio explained the difference between the CAD system (character basis database info) and GIS bringing in the mapping (graphics) - the current computer system could be utilized - a centralized system would cost approximately \$50,000-55,000 - software cost would be approximately \$9,000-15,000 per workstation. Cindy Casparis, County Purchasing Agent, spoke of this being a good RFP - recommended a few minor changes regarding response date and time, proposals can be negotiated, pre-bid conference and bid bond. Cindy spoke in support of going out for hardware and software together so that you deal with only one vendor - spoke of the law (Local Government Code) regarding separate sequential purchasing (an illegal procedure). Frank Arredondo asked about additional costs. Dr. Maggio spoke of aerial photography and creation of seamless base maps (data conversion) - several ways to go: solely in-house, contract all out, or combination of in-house and contract out. Paul Garnett asked about number of additional personnel that would be needed to do all data conversion in-house. Dr. Maggio estimated 5 additional people - the current two mappers should be able to maintain after conversion. Dr. Maggio spoke of series of monuments that must be put in place to make the maps work out. Judge Etheredge advised that the County Road Department will place the county monuments and the City of San Marcos will place those in their jurisdiction (they currently have some in place) and the County & City will share in cost for aerial photographs. Allen Walther, Hays County Environmental Health Director, spoke of currently providing the CAD with copies of development permits - with GIS his office could provide floor plans of new developments and new subdivisions immediately - the floodplain does affect property values and this data would be readily available. Dr. Maggio stated that FEMA maps are already available in digital form as well as locations of water wells - Engineering firms are also using digital formats (CAD/computer aided drafting). Judge Etheredge spoke of overlaying digital information - base map and ownership parcels must be accurate. Patsy Greiner, County Mapping/Addressing Dept., spoke of difficulty in locating property on Floodplain maps - overlays would help greatly - spoke of growth in the Wimberley and Dripping Springs areas - spoke of different information available through GIS that would assist in appraising property - Williamson County had their digitizing done through the Dept. of Corrections. Judge Etheredge spoke of addressing procedures identifying new homes and adding values to the tax roll - we need to move forward with RFP's so that we will have the costs involved - suggested that the CAD Board Members go back to their respective taxing agencies for their opinions - everyone needs to be involved in the process - the county needs GIS and portions of it need to be done by various agencies - we can move forward with limited GIS, however, we need the seamless map and digitized ownership parcels - we cannot afford to continue doing business as we are now.

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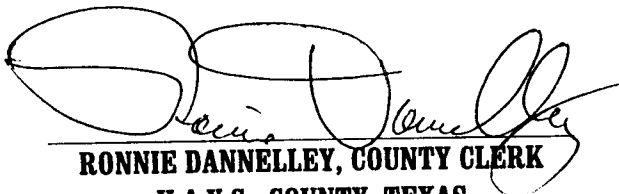
Frank Arredondo spoke of need to know the costs so that we can address them during the upcoming budget process. Pat Benner spoke of the CAD wanting to provide digital ownership information but he felt like they don't need monuments and aerial photographs. Judge Etheredge spoke of need for more accurate maps. Commissioner Barton spoke of need to work together toward a joint system. Dr. Maggio stated that it will not cost anything to get the proposals - the RFP is a tool - you will need people for data input if you continue down the path you are going - there are 250 maps to digitize - if you don't have monumentation you will not have an accurate map. Everyone agreed that the cost is of great concern and more information is needed to determine all costs involved.

A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize issuance of Requests for Proposals for a Geographic Information System (GIS) with changes proposed by the County Purchasing Agent. All present voting "Aye".

Court was adjourned until Monday February 13, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 20th DAY OF March, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S C O U N T Y, T E X A S

  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S C O U N T Y, T E X A S

STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 13th DAY OF FEBRUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13603 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$204,263.86 as presented by the County Auditor. All voting "Aye".

|                   |              |                 |              |                |              |                |              |
|-------------------|--------------|-----------------|--------------|----------------|--------------|----------------|--------------|
| Financial Adm     | \$ 385.00    | Auditors Ofc    | \$ 137.20    | Grants Admin   | \$ 125.80    | Juvenile Prob  | \$ 156.87    |
| Comm & Soc Svcs   | \$ 3,750.00  | Indigent Care   | \$ 25,108.42 | Transfer Sta   | \$ 5,560.98  | Bldg. Maint.   | \$ 3,126.68  |
| Environ Health    | \$ 169.68    | Personal Health | \$ 90.00     | Civic Center   | \$ 351.51    | Countywide Op  | \$ 1,458.22  |
| Tax A/C           | \$ 24.72     | District Clerk  | \$ 55.24     | County Clerk   | \$ 6.18      | Sheriffs Ofc   | \$ 9,299.19  |
| Jail Operations   | \$ 16,277.85 | County Judge    | \$ 373.07    | District Atty  | \$ 299.43    | J.P. 1-1       | \$ 38.00     |
| J.P. 1-2          | \$ 20.58     | J.P. 2          | \$ 88.80     | J.P. 4         | \$ 40.90     | J.P. 5         | \$ 44.99     |
| D.P.S.            | \$ 559.58    | Constable 1     | \$ 68.36     | Constable 2    | \$ 63.65     | Constable 5    | \$ 406.98    |
| District Crt Oper | \$ 6,307.03  | Co & JP Crt Op  | \$ 2,113.70  | Computer Svcs  | \$ 2,216.66  | Prot Hmkr Grnt | \$ 270.54    |
| TABC              | \$ 37.58     | CCAP Grant      | \$ 931.85    | Corr Incub Gr  | \$ 2,500.00  | Dunbar Grant   | \$ 2,156.09  |
| R&B Operations    | \$ 23,591.79 | Precinct 1      | \$ 239.92    | Precinct 2     | \$ 5.92      | Precinct 3     | \$ 5.92      |
| Precinct 4        | \$ 263.00    | Health Svcs Gr  | \$ 3,708.24  | Juv Det Fac    | \$ 32,489.79 | Road Constract | \$ 29,693.12 |
| Foster Care Fund  | \$ 13,042.31 | Adult Prob Op   | \$ 16,343.05 | Adult Prob Fac | \$ 160.21    |                |              |

Gen Fund Credit \$ 60.84

R&B Gen Fund Credit \$122.00

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**13604 AMEND BUDGETS OF LEGAL AID, CONSTABLE PCT. 2, JUSTICE OF THE PEACE PCT. 3, AND HUMAN RESOURCES (BUDGET AMENDMENT NO. 95-013)**

The following budget amendments were proposed:

Legal Aid (607) - Transfer \$100 for balance of one-time type setup for first time printing - future printing of this item can be done by County.

Constable Pct. 2 (432) - Transfer \$200 for balance of brakes repair on Ford to vehicle maintenance - 1/2 from fuel and 1/2 from telephone.

Justice of the Peace Pct. 3 (427) - Transfer balance of \$222 from Dues and Bonds to continuing education for needed training.

Human Resources (421) - Transfer \$800 to fund balance of Employee Recognition Awards from contract services line.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend budget of Legal Aid, Constable Pct. 2, Justice of the Peace Pct. 3, and Human Resources as proposed by the County Auditor (Budget Amendment No. 95-013). All voting "Aye".

AMENDMENT  
NO. 95-013  
FY 95 BUDGET  
02/13/95

| LINE ITEM - EXPENDITURES                       | FUND NO. 01 |           | FUND TITLE GENERAL |           | APPROPRIATION AS AMENDED |
|------------------------------------------------|-------------|-----------|--------------------|-----------|--------------------------|
|                                                | AMENDMENT   | INCREASES | DECREASES          | AMENDMENT |                          |
| <b>HUMAN RESOURCES (421)</b>                   |             |           |                    |           |                          |
| 01-421-5334 Empl Recognition Program           | 750         | 800       |                    |           | 1,550                    |
| 01-421-5448 Contract Svcs                      | 800         |           | (800)              |           | 0                        |
| TRANSFER FOR ADDITIONAL EXPENSE FOR AWARDS     |             |           |                    |           |                          |
| <b>JUSTICE OF PEACE 3 (427)</b>                |             |           |                    |           |                          |
| 01-427-5331 Continuing Education               | 250         | 222       |                    |           | 472                      |
| 01-427-5321 Dues & Bonds                       | 435         |           | (222)              |           | 213                      |
| TRANSFER FOR NEEDED TRAINING COSTS             |             |           |                    |           |                          |
| <b>CONSTABLE 2 (432)</b>                       |             |           |                    |           |                          |
| 01-432-5413 Vehicle Maint                      | 470         | 200       |                    |           | 670                      |
| 01-432-5271 Fuel & Lubes                       | 2,500       |           | (100)              |           | 2,400                    |
| 01-432-5489 Telephone                          | 800         |           | (100)              |           | 700                      |
| TRANSFER FOR BALANCE OF BRAKE REPAIR - 2ND CAR |             |           |                    |           |                          |
| <b>LEGAL AID (607)</b>                         |             |           |                    |           |                          |
| 01-607-5461 Printing                           | 100         | 100       |                    |           | 200                      |
| 01-607-5448 Contract Svcs                      | 5,467       |           | (100)              |           | 5,367                    |
| TRANSFER FOR BALANCE OF PRINTING SET-UP        |             |           |                    |           |                          |

**13605 AUTHORIZE PURCHASE OF MODEM AND CABLE FOR COMPUTER LINK FOR JUVENILE PROBATION**

Ed Cooper, Chief Juvenile Probation Officer, requested authorization to purchase a modem and cable which would enable his office to receive important information from the Texas Juvenile Probation Commission and other sources - funds are currently in the budget. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize purchase of modem and cable for computer link for the Juvenile Probation Office. All voting "Aye".

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**13606 CANCEL COMMISSIONERS' COURT MEETING FOR FEBRUARY 20, 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to cancel the Commissioners' Court Meeting schedules for February 20, 1995. All voting "Aye".

**13607 EMPLOYEE RECOGNITION PROGRAM - CHANGE LONGEVITY CRITERIA**

George Aitken, Human Resources Director, recommended a change in the longevity criteria for county employees - Change to 10 Years, 15 Years, and 20 Years - Plan as originally approved gave employees longevity recognition pins after 10, 20 and 30 Years of service - as of February 1995 there are 50 employees with 10 years, 16 employees with 15 years, and 6 employees with 20 years. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve change in longevity criteria in the Employee Recognition Program as proposed by Human Resources Director. All voting "Aye".

**VARIANCE REQUEST FROM RALPH & MARGARET MOCK - 15 ACRES**

Allen Walther, Environmental Health Director, stated that he will recommend approval of the variance once we receive a metes & bounds description for the easement - the easement changes width from 20ft to 15 ft to 10 ft. - review fees are due. No action taken this date.

**13608 LEGEND OAKS SECTION 2 PLAT AMENDMENT - CALL FOR PUBLIC HEARING**

Patsy Greiner, Mapping/Addressing Dept., spoke of need to change the wording in paragraph related to roads. Commissioner Molenaar stated that we need to get all property owners involved in this amendment to close a road. Commissioner Payne advised that he had been working with these applicants - they want to put up a gate and restrict access - this road is not being county maintained. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to call for a public hearing to be held February 27, 1995 at 9:00 A.M. to consider amending the Legend Oaks Section 2 plat. All voting "Aye".

**VARIANCE DISCUSSION - KEN BARNES 2 ACRES ON CR 122**

This is a family partition of property (2 acres out of 182.121 acres) - there is a 30 foot access easement - Environmental Health Director recommends approval. No action taken this date.

**13609 OAK MEADOWS REPLAT LOTS 22 A-D & 24 A-D - FIRST READING AND CALL FOR PUBLIC HEARING**

David Williamson of Byrn & Assoc., stated that this resubdivision had been approved by the Commissioners' Court back in 1986 and was not recorded - the plat signature blocks show previous county officials which need to be changed - some of the lots have already been sold and the plat needs to be recorded. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Oak Meadows Replat Lots 22 A-D and 24 A-D" subdivision on first reading and call for a public hearing to be held February 27, 1995 at 9:00 A.M. All voting "Aye".

**13610 RIVER MEADOWS ESTATES SECTION 2 REPLAT OF LOT 6 - FIRST READING AND CALL FOR PUBLIC HEARING**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "River Meadows Estates Section 2 Replat of Lot 6" on first reading and call for a public hearing to be held February 27, 1995 at 9:00 A.M. All voting "Aye".

**13611 STONEGATE REPLAT LOTS 6R & 8R - FIRST READING AND CALL FOR PUBLIC HEARING**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Stonegate Replat Lots 6R & 8R" on first reading and call for a public hearing to be held February 27, 1995 at 9:00 A.M. All voting "Aye".

**13612 PLATTING VARIANCE GRANTED TO JAMES DAVIS FOR 0.740 ACRE ON FM2325**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant platting variance to James Davis (Subway Sandwiches) for 0.740 acres out of the Benjamin Page Survey located on FM2325. All voting "Aye".

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**13613 PLATTING VARIANCE GRANTED TO MARION BROOKS FOR 4 TRACTS OUT OF THE JESUSA PEREZ LEAGUE**

Four tracts out of an original 1036.98 acres of land are described as follows: Tract 1 = 60.00 acres Tract 2 = 46.2866 acres Tract 3 = 35.293 acres Tract 4 = 25.881 acres. These tracts have access off FM150 north of FM3237. Allen Walther, Environmental Health Director, recommends approval provided no further development is allowed by variance. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Marion Brooks for four tracts out of the Jesus Perez League. All voting "Aye".

**13614 TALL OAKS SUBDIVISION - SECOND & THIRD READING APPROVAL**

Tall Oaks Subdivision (Lots 1-4) is located within the Dripping Springs ETJ and has been approved by their Planning Commission - plat needs a note regarding proposed land use. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Tall Oaks" subdivision on second and third readings subject to placement of land use note onto the plat. All voting "Aye".

**13615 WILDWOOD REPLAT OF LOT 13 - SECOND & THIRD READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Wildwood Replat of Lot 13 (Lots 13A & 13B)" on second and third readings. All voting "Aye".

**13616 ENTER INTO A CONTRACT WITH THE UNIVERSITY OF TEXAS MEDICAL BRANCH FOR INDIGENT HEALTH CARE SERVICE**

Eva Cruz, Indigent Health Care Coordinator; and Billie Barton, R.N. for Primary Health Care, appeared before the Court to discuss a possible contract with the University of Texas Medical Branch at Galveston. There are a portion of county residents who currently do not have access to specialized care - these residents fall between 25 to 100% below the federal poverty guideline - these residents are on the Primary Health Care (PHC) Program and are being referred to San Antonio State Chest Hospital, however, their services are limited. Clients were then referred to the University of Texas Medical Branch at Galveston (UTMB) until recently when PHC was advised that services could no longer be provided due to not having a contractual agreement with our county. Approximately three cases per month would be referred to UTMB - they will not turn away patients but if we do not have a contract it would not be considered priority and there is a possibility clients would be turned away. Having a contract would guarantee referral and client would be referred by IHC staff or PHC staff. UTMB will bill county for patients at 25 to 100% of poverty and the county will pay 33 1/3 of total cost. Commissioner Barton advised that for the record he is not related to R.N. Billie Barton. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to enter into a contract with the University of Texas Medical Branch at Galveston for Health Care Services. All voting "Aye".

**AGREEMENT  
FOR HEALTH CARE SERVICES**

This AGREEMENT is made by and between the University of Texas Medical Branch at Galveston (hereinafter referred to as "UTMB") and the Commissioners' Court of Hays County, Texas (hereinafter referred to as "COUNTY").

**A. Services**

UTMB agrees to provide health care services to eligible residents of COUNTY who are referred to or transferred to UTMB and who meet the financial eligibility classification described in paragraph B, Section 3. These services are:

- 1. emergency and non-emergency non-obstetrical/neonatal health care services (excluding psychiatric care) for eligible resident of COUNTY; and
- 2. obstetrical and neonatal services for eligible residents of COUNTY who are registered in or referred to UTMB by the prenatal service program established by separate contract between COUNTY and UTMB's Department of Obstetrics and Gynecology and who are not enrolled in or qualify for the MIHIA program or Medicaid.

**B. Definitions**

1. "Non-obstetrical/neonatal health care services" include:

- a. Inpatient hospital services provided under the supervision of a licensed physician member of the clinical faculty of UTMB. Inpatient hospital services include but are not limited to appropriate diagnostic, laboratory, X-ray and therapeutic services.
- b. Outpatient specialty consultative services provided under the direction of a licensed physician member of the clinical faculty of UTMB. Such services include but are not limited to appropriate diagnostic, laboratory, X-ray and therapeutic services.

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c. Provision of prescription medications as required, consistent with UTMB Pharmacy policy, during the patient's inpatient stay. Prescription medications not to exceed a two week supply will be provided to outpatients in accordance with UTMB policy. In cases where eligible patients cease to require inpatient services as described above, or upon the return of an eligible outpatient to the primary care delivery program in the COUNTY, UTMB will provide sufficient prescription medications for a period not to exceed two (2) consecutive weeks unless the eligible patient's UTMB physician requests an exception to this policy. After such period, the COUNTY will provide further medication, if required, pursuant and subject to the limitations of the COUNTY's prescription medication policies. Any medication not covered under the COUNTY's prescription medication policy will be the responsibility of the patient.

2. "Obstetrical and neonatal services":  
Inpatient and outpatient services as described in paragraph B, Section 1, for eligible residents.
3. "Eligible resident" is:  
A resident of the COUNTY whose annual income places that resident at or below 100% of the level annually established as constituting poverty by the United States Department of Health and Human Services and who is determined to be eligible in accordance with the procedures defined in paragraph C of this AGREEMENT.
4. "MIHIA program"  
Refers to the patients eligible for health care services under the Maternal and Infant Health Improvement Act (ACTS 1989, 71st Leg., ch. 678, Section 1[Vernon 1989]).  
Clinic program established by separate contract between COUNTY and UTMB'S Department of Obstetrics and Gynecology.

C. Verification of Eligibility

1. UTMB and COUNTY agree that COUNTY is responsible for determination of eligibility and appropriate identification of individuals entitled to health care services as defined in paragraph A.
2. Patients currently receiving treatment at UTMB for whom eligibility has not been determined nor an identification card issued, shall be referred to the appropriate County/Liaison office as they appear for service. UTMB shall inform such patient that eligibility determination and identification cards are required before further services can be delivered at UTMB. COUNTY will accept UTMB's determination of eligibility for the services provided prior to that referral. COUNTY will be contacted for verification of eligibility of all inpatient admissions as soon as reasonably possible.
3. In addition to COUNTY's determination, UTMB will screen patients for eligibility for state or federal entitlement programs and/or insurance, and if such is identified, COUNTY will be notified and COUNTY will not be billed for the services provided by UTMB.
4. Emergent or urgent treatment will be rendered by UTMB to COUNTY residents presenting at UTMB and UTMB determination of eligibility will be accepted by COUNTY for payment purposes if the patient has not been previously formally screened by COUNTY.

D. Mutual Agreements.

1. Indemnification -
  - 1.1 COUNTY agrees to hold the State of Texas, the Board of Regents of The University of Texas System, UTMB, its officers, employees, and agents harmless from and indemnify each of them against any and all claims, actions, damages, suits, proceedings, judgments, and liabilities, excluding attorney's fees, for personal injury, death, or property damage resulting from the acts or omissions of COUNTY or the acts or omissions of others under COUNTY's supervision or control.
  - 1.2 To the extent authorized by the Constitution and laws of the State of Texas, UTMB agrees to hold COUNTY and its officers, employees, and agents harmless from and indemnify each against any and all claims, actions, damages, suits, proceedings, judgments, and liabilities, excluding attorney's fees, for personal injury, death, or property damage resulting from the acts or omissions of UTMB or acts or omissions of others under UTMB's supervision or control.
2. COUNTY acknowledges that this AGREEMENT is for inpatient and outpatient specialty services only and does not provide for or include primary care services for eligible residents. COUNTY agrees to establish a primary care delivery system for eligible residents whose incomes are at or below 100% of the Federal Poverty Index. Upon request of COUNTY, UTMB will assist COUNTY in establishing a primary care delivery system for eligible residents if a primary care system does not currently exist within COUNTY. Provided, however, UTMB's assistance to COUNTY shall not include any financial liability and COUNTY shall be solely responsible for all expenses incurred to establish, implement and maintain such program.
3. COUNTY certifies that a system for obstetrical and newborn inpatient care has been established for those patients registered in the prenatal service program but who are unable to be appropriately transferred to UTMB at the time of delivery.
4. Transportation of eligible resident to UTMB, by whatever means, for services provided under the terms of this AGREEMENT, shall be the responsibility of the patient. UTMB is not responsible for any transportation costs that are incurred in accepting transfers of eligible patients from another medical facility, and if the patient is unable to pay for medically required land or air ambulance transport, such costs shall be the responsibility of the transferring facility.
5. UTMB will provide appropriate discharge summaries and consultation reports on the eligible resident to the primary care physician or liaison office established in COUNTY to maintain the appropriate continuity of care of the eligible resident.
6. All transfers require appropriate physician to physician referral. Acceptance will be based on available resources. To transfer to UTMB Inpatient Service:
  - a. All admissions to UTMB Hospitals must be initiated by a resident or clinical faculty member of UTMB's medical staff whether from the emergency room, on transfer from another facility, or from an ambulatory setting.

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- b. Eligible residents treated by a private physician or hospital in COUNTY should be referred to the COUNTY's primary care clinic or liaison office for follow-up treatment unless the medical condition is urgent or emergent. Urgent or emergent cases treated by a private physician should be referred to the nearest hospital emergency room in COUNTY for stabilization.
  - c. Transfer of eligible residents presenting with urgent or emergent medical problems at a facility other than UTMB are eligible for transfer to UTMB for inpatient services under the requirements of the State medical transfer laws. The treating physician at that facility should contact the UTMB faculty in the emergency room, or in the labor and delivery suite if an obstetrical case, to determine that facilities at UTMB exist and to reach agreement on the stability of the patient prior to actual transfer. A priority waiting list for transfers will be developed by each service. UTMB agrees to accept transfers of eligible resident patients covered by this AGREEMENT conditional on the availability of the appropriate resources including but not limited to inpatient beds and staff at UTMB at the time of the requested transfer.
  - d. Emergency and urgent care will be provided, including inpatient services as medically indicated, for COUNTY patients presenting directly at UTMB. Best efforts will be made to contact COUNTY to confirm eligibility if the patient does not already possess such identification and UTMB financial screening indicates probable eligibility. UTMB will document this effort. COUNTY will accept UTMB's determination of eligibility if contact with COUNTY cannot be established in a timely manner.
  - e. Transfer of eligible residents and their newborn infants from hospitals in COUNTY to UTMB for secondary or tertiary level postpartum or neonatal services requires prior physician referral and acceptance.
  - f. Transfer of residents who have not registered in the prenatal service program will be considered for obstetrical and newborn service at UTMB on a case by case, space available basis and requires appropriate physician to physician referral and acceptance and prior COUNTY authorization. COUNTY and UTMB agree that residents who have not registered in the prenatal service program but who transferred and were accepted by UTMB with authorization from COUNTY will be considered an eligible resident for all purposes of this AGREEMENT.
7. All requests for ambulatory specialty consultations must be based on appropriate physician to physician referral. Acceptance will be based on available resources. As indicated in Section D.6.b., community physicians should refer eligible patients to the County's primary care delivery system unless their medical condition is so urgent as to preclude such referral. To request ambulatory specialty consultation:
- a. The COUNTY's primary care clinic or liaison office is responsible for scheduling the appointment by contact with the appropriate clinic during regular working hours. UTMB is responsible for providing a current list of phone numbers for each individual clinic. Eligibility is confirmed by such scheduling by COUNTY.
  - b. If there are unique circumstances (including a complicated medical condition) or insufficient time to make a routine appointment, the COUNTY's liaison office or primary care physician should directly contact a UTMB physician on the appropriate service to communicate those special needs.
  - c. A completed consultation form must be provided by the COUNTY's designated primary care physician/clinic at UTMB. This form can be mailed or otherwise delivered to the UTMB clinic by COUNTY liaison office. Without the form, the patient will be rescheduled with a request to the COUNTY that the form be submitted.
  - d. The consultation form will be completed by the physician in the UTMB specialty clinic summarizing diagnostic studies carried out, working diagnosis, suggested course of action, and any prescription given including quantity. A copy will be retained in the UTMB medical record and the original returned to the COUNTY primary care physician/clinic through the COUNTY liaison office. Unique situations including the need for other consultations, for inpatient admission, for early follow-up at the primary care clinic should be discussed directly between the UTMB physician and the COUNTY designated primary care physician. If such communication cannot occur, the UTMB physicians will proceed with their best medical judgment and COUNTY will compensate UTMB for these additional services in accordance with this AGREEMENT.
8. Neither UTMB nor COUNTY shall be required to perform any term, condition, or covenant of this AGREEMENT so long as such performance is delayed or prevented by acts of God, material or labor restriction by any governmental authority, civil riot, floods, hurricanes, or other natural disasters, and any other cause not reasonably within the control of UTMB or COUNTY and which by the exercise of due diligence UTMB or COUNTY is unable, wholly or in part, to prevent or overcome.
9. UTMB and COUNTY agree that in the performance of this AGREEMENT there will be no discrimination against any person or persons on account of race, color, sex, sexual orientation, religion, age, national origin, disability or veteran status and that both parties agree to comply with all applicable requirements of the Civil Rights Act of 1964, as amended, Executive Order 11246, the Vietnam Era Veterans Readjustment Act of 1974, the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and all other federal rules and regulations, state laws and executive orders as applicable.
10. This AGREEMENT constitutes the entire agreement between UTMB and COUNTY relating to the treatment of eligible residents at UTMB and addresses both obstetrical and non-obstetrical services provided at UTMB. No agreements, modifications or amendments, implied or otherwise, shall be binding on any of the parties unless set forth in writing and signed by both parties.
11. UTMB and COUNTY agree that this AGREEMENT shall be construed in accordance with the laws of the State of Texas.

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12. If one or more of the provisions of this AGREEMENT, or the application of any provision to any party or circumstance, is held invalid, unenforceable, or illegal in any respect, the remainder of this AGREEMENT and the application of the provision to other parties or circumstances shall remain valid and in full force and effect.

E. Fee Schedule

1. COUNTY will reimburse UTMB for services provided to eligible residents in accordance with this AGREEMENT at a rate of 33.3% of the usual and customary hospital and professional charges per eligible resident, not to exceed \$20,000.00 during the term of this AGREEMENT.
2. A list of patient names with hospital, outpatient, and professional charges will be provided by UTMB to COUNTY by the 20th day of the month following delivery of services by UTMB with payment expected from COUNTY within thirty (30) days.
3. Internal disbursement of this reimbursement between hospital and professional departments will be the responsibility of UTMB.
4. To the extent allowed by state and federal law, UTMB may establish a minimum fee payable by patient.
5. Any notice required to be given pursuant to the terms and provisions of this AGREEMENT shall be in writing and shall be mailed by certified or registered mail addressed as set forth below or at such other address as may be specified by written notice:

Richard S. Moore, Vice President for Business Affairs  
The University of Texas Medical Branch at Galveston  
301 University Blvd., Galveston, Texas 775455-0126

with Xerox copy sent to: Gus J. Oppermann, IV - Director, Administrative Affairs  
Healthcare Financial Management  
Room 531 Jennie Sealy Hospital, Galveston, Tx 77555-0401

All payments shall be made to UTMB in the following manner:

The University of Texas Medical Branch at Galveston  
Accounting Department - P. O. Box 200349  
Houston, Texas 77216-0349

All written correspondence and statement of charges set out above shall be made to COUNTY in the following manner:

Written correspondence to:

Statement of charges to:

F. Effective Date

This AGREEMENT shall commence on \_\_\_\_\_ and terminate on \_\_\_\_\_ unless extended in writing by mutual consent of both parties. This AGREEMENT may be terminated by either party by providing ninety (90) days written notification of termination to the other party.

G. Other consideration

COUNTY understands and agrees that without prior written approval of UTMB, certain elective procedures, including without limitation, oral or plastic surgical procedures, are not covered by this AGREEMENT. Notwithstanding the immediately preceding sentence, and subject to UTMB's prior written approval, certain particular elective procedures may be performed for a minimum fee set by UTMB for such procedure and payable by the patient.



**13617 AUTHORIZE DESIGNATION OF A PARKING SPACE AT THE COURTHOUSE FOR THE DISTRICT JUDGE**

Commissioner Payne recommended designating a parking space on Hopkins Street side of the courthouse for the District Judges ( to be shared by the three Judges) - for security reasons they don't want to park 2 or 3 blocks from the courthouse. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to authorize designation of a reserved parking space for the District Judges on the Hopkins Street side of the Courthouse. All voting "Aye".

**13618 AUTHORIZE PURCHASING AGENT TO ANSWER SEALED BIDS ON CHURCH PEWS FROM THE CITY OF SAN MARCOS**

Cindy Casparis, Purchasing Agent, spoke of pews out of the Church building purchased by the City of San Marcos being available - they could be used for courtroom at the Justice Center - would like authority to answer sealed bids. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize the Purchasing Agent to answer sealed bids on church pews from the City of San Marcos. All voting "Aye".



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**13619 AUTHORIZE PURCHASE OF MILITARY TIME FOR RETIREMENT PURPOSES FOR CONSTABLE PCT. 1  
LUPE CRUZ**

County Treasurer Michele Tuttle advised that Hays County's retirement system allows employees to purchase time for their military service - Constable Cruz has requested to purchase some of his military time - the cost of the purchase will be \$540.00 from Constable Cruz and \$540.00 for the County's matched portion (not budgeted). A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize purchase of military time for retirement purposes for Constable Pct. 1 Lupe Cruz with county's \$540 match to come out of Constable Pct. 1 vehicle maintenance line item. All voting "Aye".

**13620 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR  
THE ANNUAL DUMPSTER CONTRACT**

Cindy Casparis, Purchasing Agent, presented Bid #95B003 Dumpster Contract - includes additional dumps during the year. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve specifications and authorize the County Auditor to advertise for the annual Dumpster Contract. All voting "Aye".

**13621 AUTHORIZE THE COUNTY JUDGE TO NEGOTIATE THE ARCHITECTURAL CONTRACT FOR THE  
COURTHOUSE RENOVATION PROJECT WITH THE FIRM OF FORD, POWELL & CARSON, INC.**

Grants Administrator Richard Salmon advised that awarding the architectural contract is part of the selection process for the ISTE A grant received by Hays County from the Texas Dept. of Transportation Enhancement Program for \$2.24 million. That grant along with the \$1.8 million in bonds will be used to restore and rehabilitate the courthouse. The Grants Dept. and Purchasing Dept. in conjunction with the Hays County Advisory Board reviewed proposals from twenty-six architectural firms from across the state and developed a short list of three firms based on TxDOT approved criteria. On February 2, 1995 they each made forty minute presentations on their qualifications to the Advisory Board. Ford, Powell & Carsons Inc. was selected, provided their references checked out. The Grants Dept. called several of their references and received excellent recommendations from all the contacts. Hays County will provide 20% of the negotiated amount from voter approved bonds of \$1.8 million and TxDOT will provide 80% from the ISTE A Grant. Carolyn Peterson spoke on behalf of Ford, Powell & Carson Inc. and introduced their team - stated that they are looking forward to the project. Lupe Carbajal, Vice Chairman of the San Marcos Downtown Assoc., stated that he would like to see a local firm get the architectural contract for this project. Mrs. Peterson stated that they are open to hiring local assistance on the project. Commissioner Barton spoke of there having been long discussions regarding this selection. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge to negotiate the architectural contract for the courthouse renovation project with Ford, Powell & Carson Inc. and bring it back to the full Court for approval. all voting "Aye".

**13622 APPOINT JOE BOSTWICK TO THE CLAIBORN KYLE CABIN BOARD OF DIRECTORS**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to appoint Joe Bostwick to the Claiborn Kyle Cabin Board of Directors. All voting "Aye".

**13623 AUTHORIZE THE COUNTY JUDGE, COUNTY AUDITOR'S OFFICE, AND DATA PROCESSING DIRECTOR  
TO ENTER INTO NEGOTIATIONS WITH THE SOFTWARE GROUP FOR AN INTEGRATED COMPUTER  
SYSTEM**

Cindy Casparis, Purchasing Agent, spoke of offices currently using The Software Group system (Tax Office, Adult Probation, Auditor, & Treasurer) - we are ready to proceed with a totally integrated system - county's legal advisors have agreed that this is a sole source and we do not have to go out for bids. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize the County Judge, County Auditor's Office, and Data Processing Director to enter into negotiations with The Software Group for an integrated computer system. All voting "Aye".

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**DISCUSSION REGARDING GEOGRAPHIC INFORMATION SYSTEM (GIS)**

Judge Etheredge spoke of meeting with the Central Appraisal District Board - Court took action to authorize RFP's - we are not committing ourselves to any dollar amount - costs will be considered after proposals are submitted. Judge Etheredge spoke of monumentation and aerial photographs needed - the Road Dept. will prepare and place the monuments - the aerial photography will be costly, however, they are needed for creation of the seamless map - the City of San Marcos will pay for their share of the aerial photos.

**13624 APPOINT A COMMITTEE TO LOOK AT PROPOSALS FOR BUILDING DESIGN CONTRACT FOR THE JUVENILE DETENTION FACILITY**

Cindy Casparis, Purchasing Agent, spoke of proposals received for the Juvenile Detention Facility building design - some of the vendors did not meet specifications (no experience in this type of facility) - there were only two real good proposals - suggested appointing a committee to negotiate with vendors. Commissioner Molenaar and Commissioner Payne volunteered for the committee. Judge Etheredge stated that you need a good understanding of juvenile justice standards when considering the proposals. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to appoint Cindy Casparis (Purchasing Agent), Winton Porterfield (Administrative Asst.), Commissioner Pct. 4 Russ Molenaar, and Commissioner Pct. 3 Craig Payne to a committee to look at proposals for building design contract for the Juvenile Detention Facility and bring their recommendation back to the full court. All voting "Aye".

**13625 AUTHORIZE STAFF TO NEGOTIATE WITH COMMUNITY ACTION AGENCY TO AMEND CONTRACT**

Closed Executive Session was held prior to the following action. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to authorize Hays County Health Dept. Staff to negotiate with Community Action Agency for amendments to the existing contract. All voting "Aye".

**ROAD BOND ISSUE UPDATE FROM DOUCET & ASSOCIATES**

Mike Gossett, Real Estate Attorney, spoke of condemnation procedures - a narrative is needed from the R-O-W Agents, a legal appraisal, status title (legal description, name & address of owner, lien holders, etc.) - the Commissioners' Court would have to adopt a resolution authorizing condemnation filing - explained appointment of Special Commissioners and Award process - offers need to be made in writing - no title policy will be issued.. A discussion was had regarding the county's responsibility concerning repair/replacement of fencing (pay repair value to the owner and they have the work done). John Doucet suggested offering \$2.00 per linear foot for fence repairs and have the owner sign a "hold harmless" affidavit.

Rick Miller, Doucet & Assoc., advised that they are ready for purchase of right-of-way on CR122, CR131, Centerpoint Road, Wayside Drive, Fischer Store Road, and Fitzhugh Road - the field notes and sketches are prepared. Judge Etheredge spoke of need to get specific status report on all roads in the project so that this information can be provided to the public.

Projected Project Costs - Phases I & II

|              | ENGINEERING & SURVEYING | ROW AGENTS        | LEGAL            | TITLE WORK       | ROW COSTS         | DAMAGES           | CONSTRUCTION COSTS  | TOTAL               |
|--------------|-------------------------|-------------------|------------------|------------------|-------------------|-------------------|---------------------|---------------------|
| PHASE I      | \$ 1,073,000            | \$ 501,000        | \$ 28,600        | \$ 19,200        | \$ 506,000        | \$ 397,300        | \$ 3,936,891        | \$ 6,461,991        |
| PHASE II     | \$ 872,000              | \$ 450,000        | \$ 23,100        | \$ 17,700        | \$ 414,200        | \$ 327,000        | \$ 3,200,009        | \$ 5,304,009        |
| <b>TOTAL</b> | <b>\$ 1,945,000</b>     | <b>\$ 951,000</b> | <b>\$ 51,700</b> | <b>\$ 36,900</b> | <b>\$ 920,200</b> | <b>\$ 724,300</b> | <b>\$ 7,136,900</b> | <b>\$11,766,000</b> |

**COST PER MILE = \$146,789.00**

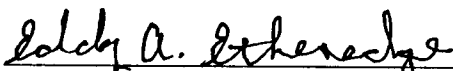
Discussion was had regarding the revised budget. John Doucet spoke of bridge structures and how they affect the budget - we need to get sufficient r-o-w on all these roads even if you don't build the road to the total width. Discussion was had regarding soil conditions east of IH35 which will cost more per mile for construction - proposals could contain alternate criteria to bring costs down

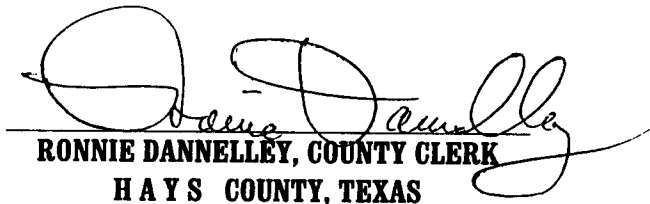
An Executive session was held pursuant to Section 551.072/551.073 of the Government Code regarding acquisition of Real Estate.

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Court recessed until Wednesday Feb. 15, 1995 at which time they convened into Executive Session pursuant to Section 551.074 of the Government Code regarding Personnel Matters - this session was then recessed until Thursday Feb. 16, 1995 to continue the discussion of Personnel Matters.

MINUTES APPROVED IN OPEN COURT ON THE 20th DAY OF March, 1995.

  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 16TH DAY OF FEBRUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, RECONVENED INTO REGULAR MEETING AT 4:00 P.M. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**EXECUTIVE SESSION - PERSONNEL MATTERS**

Judge Etheredge explained that the Court had been in Executive Session discussing personnel matters and are now ready to discuss this matter in open court. Judge Etheredge advised that during the closed session Eva Cruz (Indigent Health Coordinator) in effect tendered her resignation by saying that she did not want to hear anymore of the discussion about the department and walked out of the meeting - we are interpreting that as her voluntary resignation from the county's employment. Commissioner Barton stated that he had called her back and advised her that the Court genuinely had not only the best interest of the Health Dept. but her long term best interest and we thought we could make it work - she said she was not interested in reconsidering at that point - Commissioner Payne asked her not to make a snap decision and she didn't give an effective answer and she then walked out - we have no choice but to consider that a resignation.

Court recessed this session and the Court relocated to the Hays County Health Department on Broadway Street at which time they convened into Executive Session to discuss additional personnel matters. Upon completion of the closed session, the following took place: A staff meeting was held with Health Department personnel. At 4:40PM the Court convened into open meeting. Judge Etheredge spoke of reorganization of the Health Dept. Restructure: In terms of Organizational Chart the Commissioners' Court would be at the top, then Dr. Birdwell, then Julie Hornberger, Indigent Care & Clinic Manager - effective immediately. Judge Etheredge spoke of the Courts objective several years ago during reorganization was to have as near a one stop shop operation as we can have in such a confined space - our goals are to eventually have a bigger and better building to accommodate other agencies that might want to relocate with the Health Dept. (i.e. Social Security, DHS, any agency that deals with health care or social services) to provide better service - we have re-emphasized to ourselves that this will be in the best interest of the people of Hays County and we will now press forward with that - we think the new structure will allow better chain of command and better communication with everyone working in this building including other agencies that work in the building - effective this afternoon Eva Cruz will longer be the Coordinator of Indigent Care - we will move forward with the reorganization plan. Judge Etheredge stated that "we want to support you and we want you to support the clients and provide the services in a professional and friendly manner" - "we appreciate the job you do". A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to adjourn. All voting "Aye".

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MINUTES APPROVED IN OPEN COURT ON THE 20th DAY OF March, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

*Ronnie Dannelley*  
**RONNIE DANNELLEY, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**



**STATE OF TEXAS**  
**COUNTY OF HAYS**

ON THIS THE 27TH DAY OF FEBRUARY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Introduction of New Employees: Law Enforcement Center - Jesse Guerra & Angela Farber (not present), Environmental Health (SWTSU Interns/Mapping Division) - Brian Stovall, Jeff Burdett, and Lisa Morris (not present), Road Dept. - Jesse Leybas, Ernest Luna & Lorenzo Rodriguez. County Clerk Ronnie Dannelley presented his retiring employee Rachel House with a 20 years of service plaque.

**13626 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve payment of county invoices in the amount of \$ 329,547.83 and \$ 87,298.73 as presented by the County Auditor. All voting "Aye".

|                    |              |                   |               |                   |              |
|--------------------|--------------|-------------------|---------------|-------------------|--------------|
| Due To             | \$ 64,257.67 | Fines             | \$ 52.00      | Auditors Ofc      | \$ 163.24    |
| Treasurers Ofc     | \$ 17.30     | Extension Ofc     | \$ 961.40     | Grants Admin      | \$ 914.52    |
| Juvenile Probation | \$ 215.74    | Election Admin    | \$ 374.72     | Comm & Soc Svcs   | \$ 3,750.00  |
| Indigent Care      | \$ 903.87    | Bldg. Maintenance | \$ 1,367.29   | Environ Health    | \$ 560.44    |
| Personal Health    | \$ 273.17    | Civic Center      | \$ 3,616.27   | Countywide Oper   | \$ 79,909.78 |
| Tax A/C            | \$ 1,600.18  | District Clerk    | \$ 230.70     | County Clerk      | \$ 994.83    |
| Sheriffs Ofc       | \$ 4,324.91  | Jail Operations   | \$ 17,220.24  | County Judge      | \$ 113.18    |
| Human Resources    | \$ 87.35     | Co Crt @ Law 1    | \$ 17.60      | Dist Attorney     | \$ 973.24    |
| J.P. 1-1           | \$ 110.21    | J.P. 1-2          | \$ 172.22     | J.P. 2            | \$ 35.00     |
| DPS                | \$ 101.63    | Constable 1       | \$ 32.67      | Constable 4       | \$ 100.20    |
| Constable 5        | \$ 72.68     | Dist. Crt Oper    | \$ 9,112.35   | Co & JP Crt Oper  | \$ 1,208.03  |
| Veterans Admin     | \$ 103.10    | Computer Svcs     | \$ 3,517.53   | Co Crt @ Law 2    | \$ 2.71      |
| Fire Marshal       | \$ 28.04     | TABC              | \$ 61.33      | Dist Crt Reporter | \$ 6.78      |
| TJPC CCAP Grant    | \$ 10.00     | Legal Aid Office  | \$ 263.44     | TDA/Corr Incub    | \$ 2,500.00  |
| DARE Grant         | \$ 338.26    | R&B Operations    | \$ 8,599.34   | Precinct 1        | \$ 351.60    |
| Precinct 4         | \$ 224.22    | Rec Mng/Co Clk    | \$ 1.38       | Law Library       | \$ 151.25    |
| Road Construction  | \$ 5,433.95  | Adult Prob Oper   | \$ 105,251.10 | Adult Prob Fac    | \$ 1,273.45  |
| D. A. Reimb Trust  | \$ 4,708.08  | Anticip Notes     | \$ 3,934.80   |                   |              |

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|                     |             |                   |             |                   |              |
|---------------------|-------------|-------------------|-------------|-------------------|--------------|
| Fines               | \$ 320.00   | Auditors Ofc      | \$ 582.90   | Treasurers Ofc    | \$ 124.50    |
| Extension Ofc       | \$ 1,343.22 | Grants Admin      | \$ 180.00   | Juvenile Prob     | \$ 211.25    |
| Transfer Station    | \$ 5.72     | Bldg. Maint.      | \$ 5,647.57 | Environ Health    | \$ 165.50    |
| Personal Health     | \$ 44.74    | Civic Center      | \$ 2,506.24 | Countywide Oper   | \$ 18,272.67 |
| District Clerk      | \$ 434.35   | County Clerk      | \$ 497.63   | Sheriffs Ofc      | \$ 531.00    |
| Jail Operations     | \$ 3,753.36 | County Judge      | \$ 451.20   | Human Resources   | \$ 150.00    |
| Co Crt @ Law 1      | \$ 160.47   | Dist Attorney     | \$ 153.00   | J.P. 1-2          | \$ 1.71      |
| J.P. 2              | \$ 25.00    | J.P. 3            | \$ 517.03   | J.P. 4            | \$ 131.18    |
| J.P. 5              | \$ 343.34   | DPS               | \$ 306.63   | Constable 2       | \$ 248.49    |
| Constable 3         | \$ 38.67    | Constable 4       | \$ 46.63    | Constable 5       | \$ 174.72    |
| Dist Crt Operations | \$ 1,411.25 | Co & JP Cr Oper   | \$ 1,947.82 | Computer Svcs     | \$ 8,460.07  |
| CJD Juv Svcs        | \$ 160.00   | Dist Crt Reporter | \$ 24.57    | TJPC CCAP Grant   | \$ 5,202.30  |
| Dunbar Grant        | \$ 500.00   | R&B Fines         | \$ 130.00   | R&B Operatons     | \$ 20,213.16 |
| Precinct 1          | \$ 254.00   | Precinct 2        | \$ 109.20   | Precinct 3        | \$ 63.86     |
| Preinct 4           | \$ 158.75   | Rec Mng/Co Clerk  | \$ 2,251.00 | Health Svcs Grant | \$ 2,250.23  |
| Law Library         | \$ 591.18   | Historical Comm   | \$ 767.22   | Adult Prob Oper   | \$ 3,656.31  |
| Adult Prob Fac      | \$ 357.40   | New Canaan Grant  | \$ 1,321.69 |                   |              |

**13627 AMEND BUDGETS OF THE DISTRICT ATTORNEY AND JUVENILE PROBATION**

The following budget amendments were proposed:

District Attorney Office (423) - Transfer \$200 for law books from vehicle maintenance.

Juvenile Probation Office (405) - cost of a vehicle exceeds budgeted amount of \$12,000.00 by \$667.00 (state contract 1995 Ford Taurus = \$12,667.00) - recommends transferring \$667 from Misc. line item to vehicle maintenance line item and modem will be expended from Misc. Equipment.

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve budget amendment No. 95-015 as proposed by the County Auditor. All voting "Aye".

| BUDGET AMENDMENT NO. 95-015 |           |           |
|-----------------------------|-----------|-----------|
| GENERAL FUND                |           |           |
| LINE ITEM - EXPENDITURES    | INCREASES | DECREASES |
| <b>DISTRICT ATTORNEY</b>    |           |           |
| 01-425-5413 Vehicle Maint   |           | \$ 200.00 |
| 01-425-5213 Books           | \$ 200.00 |           |
| <b>JUVENILE PROBATION</b>   |           |           |
| 01-405-5713 Vehicle         | \$ 667.00 |           |
| 01-405-5391 Misc.           |           | \$ 204.00 |
| 01-405-5413 Vehicle Maint   |           | \$ 463.00 |

**13628 AUTHORIZE ROAD DEPARTMENT TO PURCHASE 2 TXDOT SURPLUS DUMP TRUCKS**

Road Director Darrel Brown requested authorization to purchase two TxDot surplus dump trucks - the hauling contract is favorable to use funds budgeted for tractor & end dump trailers for 8CY dump trucks - \$58,000.00 was budgeted for tractor-trailer rigs - we can purchase a 1983 GMC diesel dump truck for \$6,100.00 and a 1987 GMC diesel for \$7,700.00. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize the Road Department to purchase two TxDot surplus dump trucks in the amount of \$ 13,800.00. All voting "Aye".

**13629 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR "HAIL DAMAGE REPAIRS ON VARIOUS HAYS COUNTY FACILITIES"**

Cindy Casparis, Purchasing Agent, advised the Court of county facilities requiring hail damage repairs: HVAC repairs at the Health Department, HVAC repairs at the Courthouse, Courthouse Annex roof and Law Enforcement Center roof repairs - these projects are all separate allowing us to choose which ones we will do - roofing consultant Kent Chatagnier believes that the insurance should "make us whole" by saying that he believes that we will be able to take our low bid back to the insurance company and show them there settlement was not accurate - we hope at that time they will pay us the difference - Hays County is not obligated to any of the projects by the bidding process. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve specifications and authorize the County Auditor to advertise for bids for "hail damage repairs on various Hays County facilities". All voting "Aye".

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**13630 ACCEPT INTERNAL AUDIT REPORT OF JUSTICE OF THE PEACE PCT. 2**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to accept internal audit report of Justice of the Peace Pct. 2. All voting "Aye".

**13631 ACCEPT INTERNAL AUDIT REPORT OF JUSTICE OF THE PEACE PCT. 5**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to accept internal audit report of Justice of the Peace Pct. 5. All voting "Aye".

**13632 APPROVE RE-GRADING OF TAX ASSESSOR/COLLECTOR DEPT. PERSONNEL**

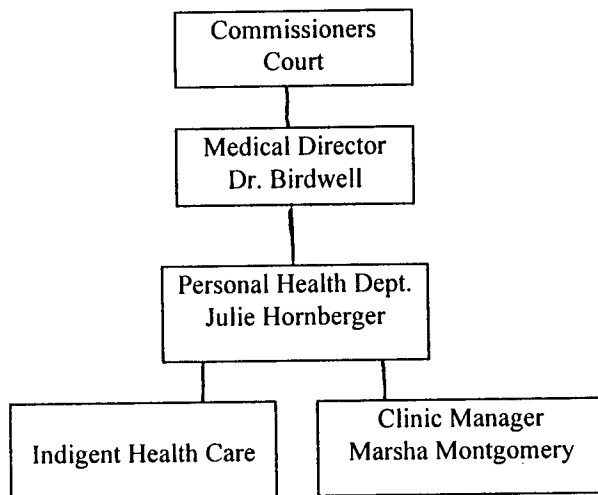
Luanne Caraway (Tax A/C) and George Aitken (Human Resources Director) recommended the following re-grading of Tax office personnel:

- 3 Deputy Clerks upgraded from Grade 3 to Grade 5
- 1 Motor Vehicle Lead Deputy from Grade 6 to Grade 7
- 1 Ad Valorem Lead Deputy from Grade 6 to Grade 7
- 1 Motor Vehicle Supervisor from Grade 8 to Grade 10

There is no increase in a annual cost for the County since the Tax A/C has increased efficiencies by reducing staff - this regrading takes into account the upgrading of computers by "The Software Group" for taxes and "DPS" for motor vehicles - recommends approval date of March 1, 1995. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve re-grading of Tax Assessor/Collector Department personnel as recommended by Human Resources to be effective March 1, 1995. All voting "Aye".

**13633 APPROVE RE-ORGANIZATION OF COUNTY INDIGENT HEALTH CARE WITH PERSONAL HEALTH DEPT.**

The following was recommended for the re-organization of Indigent Health Care:



A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve re-organization of County Indigent Health Care to Personal Health Department as recommended. All voting "Aye".

**13634 AWARD CONTRACT TO INGRAM MANAGEMENT FOR USED OIL RECYCLING EDUCATIONAL AND OUTREACH PROGRAM**

Richard Salmon, Grants Administrator, advised that this is an 8 month outreach program for residents of Kyle, Dripping Springs, and Green Pastures subdivision - no matching funds are required (CAPCO grant 100% funding = \$ 12,908.00). A motion was made by Commissioner Barton, seconded by Judge Etheredge to award contract to Ingram Management for used oil recycling educational and outreach program. All voting "Aye".

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**13635 CALL FOR A PUBLIC HEARING TO INCREASE THE SPEED LIMIT ON MCCARTY LANE (PCT. 3)**

A petition was submitted by the Siesta Verde Homeowners Association requesting an increase in the speed limit on McCarty Lane:

Please find below the names of our association members who are requesting your immediate assistance to **raise the speed limit on McCarty Lane** between the areas of Philo street of Turkey Hollow subdivision, and Paso Del Robles of the Siesta Verde Subdivision, from the now posted limit of 30MPH to 40MPH. While we feel there is a need to reduce speed on approach to Philo from Siesta Verde on McCarty Lane, we do not feel like the 30MPH limit between the two areas is necessary, therefore, we request you to increase the speed limit between these areas to 40MPH, with a 30MPH sign erected at the bottom of the hill approaching Philo street from the west, heading east, which should serve to slow traffic down approaching Turkey Hollow from both directions, while not restricting traffic between the two areas. (see petition for signatures, etc.)

Also submitted was a petition requesting Street Sign Improvement in Siesta Verde:

Please find below a list of members who request your immediate response to improve, replace and erect new street signs and post in the Siesta Verde Subdivision. Every Street Sign is Mis-spelled, leaning or in need of repair. The correct spelling of the only two streets in the subdivision are:  
  
**Paso del Robles**  
**Arroyo Doble**  
  
Please consider heavier posts that are cemented in with bolt-on or break-away posts that are replaced above the cement. These would last longer, and would not tend to constantly lean over. Also consider tack welding the street signs to the post to prevent theft. (see petition for signatures, etc.)

A motion was made by Commissioner Barton, seconded by Judge Etheredge to call for a public hearing to be held March 13, 1995 at 9:00 A.M. to consider increasing the speed limit on a portion of McCarty Lane. All voting "Aye".

**13636 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN HILL COUNTRY RANCHES SUBDIVISION AND ON CR 221 & CR 183 (PCT. 3)**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to call for a public hearing to be held March 13, 1995 at 9:00 A.M. to establish traffic regulations in Hill Country Subdivision and on CR 221 & CR 183 in Precinct 3. All voting "Aye".

**13637 APPOINTMENTS TO THE NORTH EAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to appoint Edison Thayer, Ralph Pfluger, and LeRoy Hargett to the Northeast Hays County Rural Fire Prevention District . All voting "Aye".

**13638 ADOPT RESOLUTION PROCLAIMING MARCH 1995 AS "COMMUNITY CAMPAIGN MONTH" FOR THE AMERICAN RED CROSS**

Margie Villalpando appeared before the Court and spoke of funding received from the community - the Red Cross is served by volunteers - there is a need for a part-time Chapter Manager. Nina Prytel spoke of services provided by the American Red Cross during disaster and to assist military families - the local chapter would like to have a person for various training purposes - the City of San Marcos will provide office space.

A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt resolution proclaiming March 1995 as "Community Campaign Month" for the American Red Cross. All voting "Aye".

\*\*\*\*\*

STATE OF TEXAS ) (

COUNTY OF HAYS ) (

RESOLUTION

WHEREAS, the American Red Cross is a humanitarian organization, led by volunteers, that provides relief to victims of disasters and helps people prevent, prepare for, and respond to emergencies; and

WHEREAS, the American Red Cross also assists families of those who serve in the armed forces, and provides these important humanitarian services that are consistent with the fundamental principles of the International Red Cross; and

WHEREAS, the American Red Cross is very active in Hays County, having helped countless county residents with much needed help during times of flood, fire and other disasters; and

WHEREAS, March 1995 has been designated by the American Red Cross as "Community Campaign Month" to both raise funds for the organization as well as educate people as to its mission; and

WHEREAS, the people of Hays County and their elected officials are grateful for the continuing service of the American Red Cross to this area;

WHEREAS, President Clinton will join local and state governments today in recognizing March as "American Red Cross Month,"

NOW THEREFORE BE IT RESOLVED that the Commissioners' Court of Hays County, acting on behalf of its citizens, proclaims March 1995 as "American Red Cross Month" and encourages the community to support this worthy organization.

WITNESSED OUR HAND AND SEAL this 27th day of February, 1995.

*Eddy A. Etheredge*  
Eddy A. Etheredge  
Hays County Judge

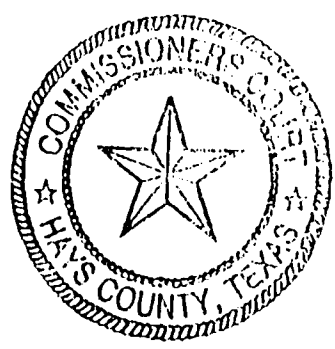
*Pete Rodriguez*  
Pete Rodriguez  
Commissioner Pct. 1

*Jeff Barton*  
Jeff Barton  
Commissioner Pct. 2

*Craig Payne*  
Craig Payne  
Commissioner Pct. 3

*Russ Molenaar*  
Russ Molenaar  
Commissioner Pct. 4

Attest:  
*Ronnie Dannelley*  
Ronnie Dannelley  
Hays County Clerk





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**13639 CALL FOR PUBLIC HEARING TO CHANGE ROAD NAMES - CHANGE CR 310 (LINK LANE, MEADOW LANE WEST, SCENIC WAY, AND SUMMIT DRIVE WEST) TO "HILLCROFT LOOP"**

Patsy Greiner, Mapping/Planning, recommended changing the names of County Road 310 to reflect the single name of "Hillcroft Loop" - this would delete the current names of Link Lane, Meadow Lane West, Scenic Way, and Summit Drive West - the single name would more accurately reflect the consecutive numbering along the roadway for the purposes of 911 and emergency response. A motion was made by Commissioner Barton, seconded by Judge Etheredge to call for a public hearing to be held March 13, 1995 a 9:00 A.M. to consider changing the name of CR310 (also known as Link Lane, Meadow Lane West, Scenic Way, and Summit Drive West) to "Hillcroft Loop". All voting "Aye".

**13640 RELEASE LETTER OF CREDIT ON "TRIPLE CREEK RANCH SECTION 1" AND APPROVE A 1-YEAR MAINTENANCE BOND**

Darrel Brown, Road Director, advised that he inspected the road and drainage construction and found all construction complete according to plans and specifications - recommends that the Court accept the road and drainage construction and release the construction bond on the project - further recommends that construction bond be required in the amount of 10% of the construction bond for a period of one year. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to accept road and drainage construction, release letter of credit and approve a 1-year maintenance bond on "Triple Creek Ranch Section 1" subdivision. All voting "Aye".

**13641 COX ADDITION - FIRST READING APPROVAL**

Allen Walther, Environmental Health Director, advised that this is a three lot subdivision adjacent to Hays Country Oaks Section 1 subdivision - a water pollution abatement plan is needed. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Cox Addition" subdivision on first reading. All voting "Aye".

**13642 INDIAN HILL RANCH - FIRST READING APPROVAL**

Allen Walther, Environmental Health Director, spoke of road encroachment in the floodplain. Peter Hofstra advised that the road will be built to public road standards - not sure at this time if they will pursue a private or public road designation - their Engineer will meet with the County Road Department. Commissioner Payne spoke of need for radius at road intersection. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Indian Hill Ranch" subdivision on first reading. All voting "Aye".

**13643 AUTUMN WOODS SECTION 2 - FIRST READING APPROVAL**

Allen Walther, Environmental Health Director, advised that this plat was recorded in 1985 and then vacated in 1988 - it was never abandoned/vacated by the City of Austin (located in Austin ETJ), therefore, they still show it as an active subdivision. Michael Joseph (Purchaser) stated that he is re-submitting the plat as it was in 1985 - there have been no changes made from the original plat. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Autumn Woods Section 2" subdivision on first reading. All voting "Aye".

**13644 HAYS CITY ESTATES - FIRST READING APPROVAL**

Marshall Kuykendall appeared on behalf of his brother regarding the subdivision known as "Hays City Estates" - he owns property on the back side of this development and does not want to be landlocked. Allen Walther Environmental Health Director spoke of one commercial lot and his concerns about the lot configuration. Mr. Kuykendall stated that he was under the impression that flag lots were required - they are willing to go with shared access driveway and designate it as a separate lot - spoke of existing 12 foot driveway with 8 inch base. Commissioner Payne voiced his concerns about further subdivision of these lots in the future. Commissioner Barton stated that a homeowners association will be required to maintain the access driveway. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Hays City Estates" subdivision on first reading. All voting "Aye".

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**THE HILL SUBDIVISION - DISCUSSION**

Barbara Humble presented the proposed subdivision known as "The Hill" (9 lots off FM150 and Creekside Drive. Commissioner Barton spoke of road that exists but is not official (Creekside Drive) leading to the lots - he would like access to this subdivision from that road. Barbara Humble and Ralph Johnson each own 1/2 of the 50 foot roadway - they are considering creating a 60 foot road to provide access to the lots along with a homeowners association. Commissioner Payne voiced his concerns about no standards for shared driveway. Commissioner Barton stated that if we don't allow use of Creekside Drive or shared driveways, they will develop flag lots. Ralph Johnson spoke of people on Creekside Drive will no legal access to their property - they would like to correct this problem. Commissioner Molenaar stated that he would be in favor of plan where Barbara Humble and Ralph Johnson each give 30 feet for roadway. Judge Etheredge stated that the fewer driveways on FM150 the better. No action taken this date.

**VARIANCE DISCUSSION - BALLARD TRACTS (10 ACRES ON O'NEIL RANCH ROAD)**

A variance request was received from C. E. Ballard, owner of 10 acres (Tract 8 O'Neil Ranch, an unrecorded subdivision) of land out of the GC & SF RR Co. Survey - he would like to gift approximately 1.23 acres to his son Andrew S. Ballard to be used for residential purposes - eight of the nine criteria for variance have been satisfied - requested special consideration be made to the tract size because the area is not a heavily developed region. No action taken this date.

**13645 LEA ACRES LOT 5 RESUBDIVISION - FIRST READING AND CALL FOR PUBLIC HEARING**

Gerald R. Nutt, owner of Lot 5, explained that this lot is being split through a mutual divorce agreement. The court advised Mr. Nutt that he would have to plat this resubdivision since it is part of a recorded subdivision - no variance to platting is allowed. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Lea Acres Resubdivision of Lot 5" on first reading and call for a public hearing to be held March 13, 1995 at 9:00 A.M. All voting "Aye".

**13646 STONEGATE REPLAT OF LOTS 6 & 8 - PUBLIC HEARING, SECOND & THIRD READING APPROVAL**

Judge Etheredge called the public hearing open regarding the replat of Lots 6 & 8 of Stonegate subdivision - no public input - public hearing was closed - staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Stonegate Replat of Lots 6 & 8" subdivision on second and third readings. All voting "Aye".

**13647 RIVER MEADOWS ESTATES SECTION 2 REPLAT OF LOT 6 - PUBLIC HEARING, 2ND & 3RD READINGS**

Judge Etheredge called the public hearing open regarding the replat of Lot 6 (Lots 6A & 6B) of River Meadows Estates Section 2 - no public input - public hearing was closed - staff recommends approval. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "River Meadows Estates Section 2 Replat of Lot 6" on second and third readings. All voting "Aye".

**13648 OAK MEADOWS REPLAT OF LOTS 22 & 24 - PUBLIC HEARING, 2ND & 3RD READINGS**

Judge Etheredge called the public hearing open regarding the replat of Lots 22 & 24 (Lots 22A-22D & 24A-24D) of Oak Meadows - no public input - public hearing was closed. Surveyor David Williamson spoke of this resubdivision having been approved in 1986, however, the plat was never filed for record - plat has been redone to reflect the proper Elected Officials, etc. on the certifications. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Oak Meadows Replats of Lots 22 & 24" on second and third readings. All voting "Aye".

**LEGEND OAKS SECTION 2 PLAT AMENDMENT - PUBLIC HEARING HELD**

Judge Etheredge called the public hearing open regarding the plat amendment for Legend Oaks Section 2 subdivision. The request is to delete the reference to public roadway (Do hereby dedicate to the public the use of the streets and easements shown herein), allowing the erection of a gate at the road entrance - agreements to this request were received from Michael V. Stewart (original developer and owner of Lot 6) and from Donald Broussard (owner of Lot 5) - owner of Lot 7 George Seaman has not submitted an agreement. Nancy Weaver (owner of Lot 4) appeared before the Court in support of reverting this roadway to a private easement so that it can be closed off from public access. Public hearing was closed - no action taken at this time.

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**13649 HILLS OF TEXAS - REDUCE WELL EASEMENT - PUBLIC HEARING, SECOND & THIRD READINGS**

Judge Etheredge called the public hearing open regarding the reduction of a well easement in the Hills of Texas subdivision. This subdivision is now on a water system and it would be appropriate to reduce the well easement. No public input was received - staff recommends approval - public hearing closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve reduction of well easement in the Hills of Texas subdivision on second and third readings. All voting "Aye".

**13650 PLATTING VARIANCE GRANTED TO RALPH & MARGARET MOCK**

Ralph & Margaret Mock own a 43.68 acre tract of land out of the Thomas R. Jackson Survey(Vol. 342 Pg. 739) and made application for a variance to subdivide 15 acres out of this tract - subject property does not lie in a floodplain or within 1/2 mile of the Edwards Aquifer Recharge Zone and is not within any cities jurisdiction - access is by private easement (Vol. 222 Pg. 175). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Ralph & Margaret Mock and allow division of 15 acres out of an original 43.68 acres in the Thomas R. Jackson Survey. All voting "Aye".

**13651 PLATTING VARIANCE GRANTED TO W. KENNETH BARNES**

W. Kenneth Barnes owns 182.121 acres at the south corner of CR122 (Beebe Road) and CR205(Dacy Lane) and made application for a platting variance to subdivide out a 2 acre tract - access is by a 30 foot easement. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to grant a platting variance to W. Kenneth Barnes and allow the division of 2 acres out of an original 182.121 acre tract. All voting "Aye".

**13652 APPROVE ISSUANCE OF FOUR CREDIT CARDS FOR THE SHERIFF'S DEPT. AND SET A CREDIT LIMIT**

County Treasurer Michele Tuttle spoke of the many times that the Sheriff's Deputies must fly out of town to transport a prisoner and need to rent a car, etc. - Rental Care Agencies will not rent a car without a credit card and they will not accept a credit card with a business name due to the amount of fraud cases involved - recommends issuing cards to each of the following: John McGuire, John Dees, Steve Cunningham, and Roberto "Bobby" Trelles and set a credit limit of \$1,000 to \$2,000. Chief Deputy Sherman Brodbeck advised that the cards will be kept in a lock box until such time as they are needed for transportation. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve issuance of four credit cards for the Sheriff's Department and set the credit limit at \$2,000.00. All voting "Aye".

**13653 APPROVE DIRECT DEPOSIT PROGRAM FOR COUNTY EMPLOYEES PAYCHECKS**

County Treasurer Michele Tuttle presented costs for direct deposit program being offered by State Bank & Trust Company:

|                                                                                                               |             |
|---------------------------------------------------------------------------------------------------------------|-------------|
| Initializing Fee - TSG                                                                                        | \$ 2,500.00 |
| Set-up Programming Fee - SB&T                                                                                 | \$ 150.00   |
| Monthly base fee - SB&T                                                                                       | \$ 25.00    |
| Monthly transmission/file fee - SB&T                                                                          | \$ 20.00    |
| Per check fee for all other banks - SB&T                                                                      | \$ .10      |
| Reversals                                                                                                     | \$ 10.00    |
| TSG - The Software Group      SB&T - State Bank & Trust                                                       |             |
| State Bank & Trust is also offering free checking accounts to Hays County employees to help cut cost as well. |             |

Representatives from State Bank & Trust Co. were present to discuss the direct deposit program - the transfer of money would be received by the employees bank by payroll date - each employee has the option of receiving direct deposit. Michele Tuttle spoke of the The Software Group program - a disadvantage would be the possible loss of money if the wrong amount is transferred - those employees going with direct deposit will receive a printout which will give them their deductions and leave time. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve Direct Deposit Program for County Employees paychecks. All voting "Aye".

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13654 ADOPT RESOLUTION IN SUPPORT OF SENATE BILL 418 AND HOUSE BILL 1064 RELATING TO A DISPUTE REGARDING THE EDWARDS AQUIFER

A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt resolution in support of Senate Bill 418 and House Bill 1064 relating to a dispute regarding the Edwards Aquifer. All voting "Aye".

A RESOLUTION OF THE COMMISSIONERS' COURT  
In support of SB 418 and HB 1064

WHEREAS, Sen. Ken Armbrister has filed Senate Bill 418 in the 74th Legislature to address concerns raised under the Federal Voting Act that have blocked implementation of SB 1477, which was adopted by the 73rd Texas Legislature meeting in 1993; and

WHEREAS, it is the judgment of many experts and interested parties, including the City of San Marcos, that SB 418, and its companion legislation, House Bill 1064 would help craft a compromise administrative structure to ensure the continued preservation and protection of the Edwards Aquifer; and

WHEREAS, the City of San Marcos has adopted a resolution in support of SB 418 and HB 1064, and the county's designated representative on the issue is also in support; and

WHEREAS, the Hays County Commissioners Court is convinced that passage of SB 418 or HB 1064 is in the best interests of the health and welfare of its 75,000 citizens; then

THEREFORE, BE IT RESOLVED that the Commissioners Court of Hays County respectfully ask the members of Texas House and Texas Senate to give due and expeditious consideration to SB 418 and HB 1064, that said bill or bills be passed by the Legislature, sent to the governor for signature, and become law.

ADOPTED this 27th day of February, 1995.

*Pete Rodriguez*  
Pete Rodriguez, Hays County Pct. 1

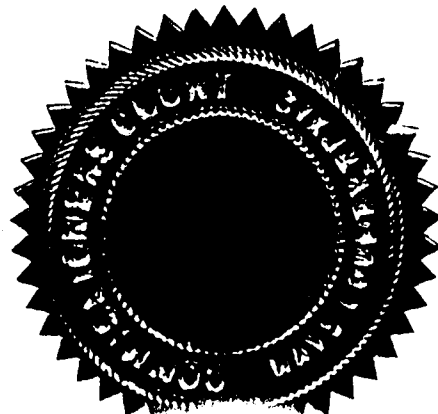
*Jeff Barton*  
Jeff Barton, Hays County Pct. 2

*Craig Payne*  
Craig Payne, Hays County Pct. 3

*Russ Molenaar*  
Russ Molenaar, Hays County Pct. 4

*Eddy A. Etheredge*  
Eddy A. Etheredge  
Hays County Judge

ATTEST  
*Ronnie Dannelley*  
Ronnie Dannelley  
Hays County Clerk



**FEBRUARY 27, 1995**

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**13655 CALL FOR PUBLIC HEARING TO CONSIDER INCREASING RATES FOR COMMERCIAL HAULERS AT THE WIMBERLEY TRANSFER STATION**

Commissioner Craig Payne spoke of the Wimberley Transfer Station currently charging \$3.00 per cubic yard to commercial haulers - the prevailing rate is closer to \$5.00 - recommends increasing our rate. A motion was made by Commissioner Payne, seconded by Judge Etheredge to call for a public hearing to be held March 13, 1995 to consider increasing rates for commercial haulers at the Wimberley Transfer Station. All voting "Aye".

**13656 SUPPORT NOMINATION OF EDDIE GUMBERT TO THE GBRA BOARD OF DIRECTORS**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to write a letter supporting the nomination of Eddie Gumbert to the GBRA Board of Directors. All voting "Aye".

**13657 APPROVE REIMBURSEMENT FOR VIRGINIA CHAMBERS (PART-TIME EMPLOYEE IN JP1-1 OFC.) FROM J.P. 4 FOR TRAINING**

Justice of the Peace Pct. 4 Rex Baker requested that Virginia Chambers be reimbursed for training his Clerk Tammy Crosby on how to prepare monthly financial reports - Mrs. Chambers (a part-time employee in J.P. 1-1 office) spent 8 hours training J.P.4 Clerk - funds required are \$73.52. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to pay Virginia Chambers \$73.52 plus fringe benefits for providing training to J.P. 4 Clerk. Commissioner Rodriguez, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Barton voting "No".

**13658 AUTHORIZE THE PURCHASING AGENT AND COUNTY JUDGE'S ADMINISTRATIVE ASSISTANT TO NEGOTIATE WITH DOVER ELEVATOR CO. FOR REPAIRS TO ANNEX ELEVATOR**

Purchasing Agent Cindy Casparis spoke of previous discussion regarding repairs needed to meet licensing requirements - ADA addresses historical structures and it appears that we do not have to meet all requirements as long as you can still provide services to the public on the first floor of the building. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to authorize Purchasing Agent Cindy Casparis and County Judge's Administrative Asst. Winton Porterfield to negotiate with Dover Elevator Company for repairs to the Courthouse Annex Elevator - not to exceed \$15,000.00. All voting "Aye".

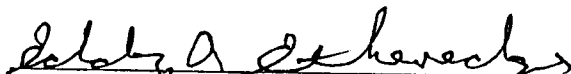
**13659 DIRECT STAFF TO BRING BACK TO THE COURT A FINAL "SHARED ACCESS DRIVEWAYS" DOCUMENT FOR CONSIDERATION**


Commissioner Jeff Barton presented his recommendation for "Rules for Shared Access Driveways". Court went through and discussed item by item of the rules. Commissioner Payne suggested limiting the number of residential and/or commercial lots to be serviced by a SAD to no more than three lots (l.a). Road Director Darrel Brown voiced his concerns about minimum right-of-way width to be no less than 10 feet - would create problems with moving mobile homes onto lots. Commissioner Molenaar suggested a minimum r-o-w of 20 feet. Judge Etheredge stated that driveways should never be considered a road that would be eligible for county road maintenance. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to direct staff to bring back to the Court a final "Rules for Shared Access Driveways" document for consideration and furthermore, authorize obtaining legal consultation (pay out of R-O-W funds). Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No".

**13660 DIRECT ROAD DIRECTOR TO PROCEED WITH PLACEMENT OF MONUMENTS**

Judge Etheredge spoke of need to do aerial photography as soon as possible and placement of monuments (needs to be done regardless of whether we go to GIS or not) - monumentation will play a significant role in our FEMA program - funds are available in the FEMA settlement budget for mapping. Road Director Darrel Brown advised that his crews can have the temporary markers for the photographs done in several days. A motion was made by Judge Etheredge, seconded by Commissioner Barton to direct Road Director to proceed with placement of monuments and coordinate with Dr. Maggio. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 20th DAY OF March, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 6th DAY OF MARCH A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13661 APPROVE PAYMENT OF COUNTY INVOICES

Commissioner Payne questioned road construction fund payment to Doucet & Associates for "Pleasant Valley Drainage" in the amount of \$410.88 - should not be a part of the road bond project. \*  
A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$ 126,923.56 as presented by the County Auditor with deletion of \$140.88 payment out of Road Construction Fund. All voting "Aye".

|                    |              |                    |             |                      |              |
|--------------------|--------------|--------------------|-------------|----------------------|--------------|
| Vouchers Payable   | \$ 428.42    | Public Safety Svcs | \$ 10.00    | Fines                | \$ 20.00     |
| Auditors Office    | \$ 508.89    | Treasurers Office  | \$ 346.43   | Extension Office     | \$ 132.21    |
| Grants Admin       | \$ 444.71    | Juvenile Probation | \$ 1,658.55 | Election Admin       | \$ 282.44    |
| Indigent Care      | \$ 103.22    | Transfer Station   | \$ 40.81    | Building Maintenance | \$ 1,503.50  |
| Environmental Hlth | \$ 342.02    | Personal Health    | \$ 257.49   | Civic Center         | \$ 439.73    |
| Countywide Oper    | \$ 19,480.15 | Tax A/C            | \$ 594.25   | District Clerk       | \$ 466.30    |
| County Clerk       | \$ 409.59    | Sheriffs Office    | \$ 5,019.03 | Jail Operating       | \$ 23,602.87 |
| County Judge       | \$ 209.47    | Human Resources    | \$ 879.45   | Co Crt @ law #1      | \$ 101.94    |
| District Attorney  | \$ 515.26    | J.P. 1-1           | \$ 158.16   | J.P. 1-2             | \$ 265.02    |
| J.P. 2             | \$ 432.22    | J.P. 3             | \$ 24.14    | J.P. 4               | \$ 104.46    |
| J.P. 5             | \$ 371.99    | D.P.S.             | \$ 1,019.63 | Constable 1          | \$ 103.40    |
| Constable 5        | \$ 98.54     | Dist Court Oper    | \$ 3,286.28 | Veterans Admin       | \$ 123.39    |
| Computer Svcs      | \$ 5,278.39  | Co Crt @ Law #2    | \$ 22.08    | Prot Hmkr Grant      | \$ 113.07    |
| Fire Marshal/EMC   | \$ 50.51     | TABC               | \$ 21.50    | Dist Crt Reporter    | \$ 80.83     |
| TJPC CCAP Grant    | \$ 290.49    | Legal Aid Office   | \$ 25.14    | R&B Operating        | \$ 12,141.10 |
| Precinct 1         | \$ 281.20    | Precinct 2         | \$ 8.72     | Precinct 4           | \$ 129.38    |
| Rec Mng/Co Clk     | \$ 2,741.95  | Health Svcs Grants | \$ 1,105.78 | Law Library Fund     | \$ 75.00     |
| Road Construction  | \$ 35,393.90 | Adult Prob Oper    | \$ 3,525.88 | Adult Prob Fac       | \$ 1,693.50  |

General Fund Credit = \$ 234.47      R&B Gen Fund Credit = \$ 15.23      Road Construction Fund Credit = \$ 410.88\*  
\*this action was later reversed\*

13662 APPROVE BUDGET AMENDS FOR VARIOUS DEPARTMENTS

Human Resources - Transfer from temporary personnel and employment notices for health care updates/newsletters and manuals.

Building Maintenance - Transfer for rebudgeting utilities - budgeted for courthouse move to courts building and corresponding utility use. Transfer for balance of Downtown Assoc. Lawn maintenance contract.

Tax Assessor-Collector - Transfer for increased data processing supplies due to new system.

Road & Bridge Operations - Transfer part of amount from savings realized on TXDOT Dump Truck for material recycler rent (\$4000).

Building Maintenance & Civic Center - Transfer as authorized from County-wide Insurance to fund the balance of grade/step changes for maintenance positions between departments, fund authorized new position created in Building Maintenance for balance of FY95. (\$17,118)

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve budget amendments as proposed by the County Auditor. All voting "Aye". (Budget Amendment No. 95-016)

MARCH 6, 1995

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AMENDMENT  
NO. 95-016  
FY 95 BUDGET  
03/06/95

FUND NO. 01  
FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES        | AMENDMENT | INCREASES | DECREASES | APPROPRIATION BEFORE AMENDMENT | APPROPRIATION AS AMENDED |
|---------------------------------|-----------|-----------|-----------|--------------------------------|--------------------------|
| <b>HUMAN RESOURCES (421)</b>    |           |           |           |                                |                          |
| 01-421-5213 Books               | 800       | 2,900     |           |                                | 3,700                    |
| 01-421-5449 Temporary Personnel | 400       |           | (400)     |                                | 0                        |
| 01-421-5462 Employment Notices  | 9,000     |           | (2,500)   |                                | 6,500                    |

TRANSFER FOR HEALTH CARE UPDATES/NEWSLETTER & MANUALS

**BUILDING MAINTENANCE (410)**

|                              |        |        |          |  |        |
|------------------------------|--------|--------|----------|--|--------|
| 01-410-5484 Courthouse Util  | 12,000 | 10,500 |          |  | 22,500 |
| 01-410-5491 Courts Bldg Util | 20,000 |        | (10,500) |  | 9,500  |

TRANSFER TO REBUDGET - BUDGETED FOR COURTHOUSE MOVE TO COURTS BUILDING AND CORRESPONDING UTILITY USE

|                                       |        |     |       |  |        |
|---------------------------------------|--------|-----|-------|--|--------|
| 01-410-5242 Grounds Maint             | 1,000  | 550 |       |  | 1,550  |
| 01-410-5061 Longevity                 | 1,865  |     | (215) |  | 1,650  |
| 01-410-5451 Contract Bldg Maintenance | 20,000 |     | (335) |  | 19,665 |

TRANSFER TO FUND BALANCE OF AUTHORIZED DOWNTOWN ASSOCIATION GROUNDS CONTRACT

**TAX ASSESSOR/COLLECTOR (415)**

|                             |        |       |         |  |        |
|-----------------------------|--------|-------|---------|--|--------|
| 01-415-5221 Data Proc Sply  | 2,500  | 2,250 |         |  | 4,750  |
| 01-415-5421 Data Proc Maint | 15,000 |       | (1,450) |  | 13,550 |
| 01-415-5488 Data Lines      | 3,000  |       | (800)   |  | 2,200  |

TRANSFER FOR SUPPLIES INCREASE - NEW SYSTEM

FUND NO. 03

FUND TITLE ROAD & BRIDGE GENERAL

**OPERATIONS (438)**

|                            |        |       |         |  |        |
|----------------------------|--------|-------|---------|--|--------|
| 03-438-5475 Road Eqpt Rent | 3,000  | 4,000 |         |  | 7,000  |
| 03-438-5713 Vehicles       | 61,500 |       | (4,000) |  | 57,500 |

TRANSFER PART OF AMOUNT FROM SAVINGS REALIZED ON TXDOT DUMP TRUCKS FOR MATERIAL RECYCLER RENT

AMENDMENT  
NO. 95-016  
FY 95 BUDGET  
03/06/95  
Page 2

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES          | AMENDMENT | INCREASES | DECREASES | APPROPRIATION BEFORE AMENDMENT | APPROPRIATION AS AMENDED |
|-----------------------------------|-----------|-----------|-----------|--------------------------------|--------------------------|
| <b>BUILDING MAINTENANCE (410)</b> |           |           |           |                                |                          |
| 01-410-5021 Staff Salary          | 88,718    | 14,730    |           |                                | 103,448                  |
| 01-410-5110 FICA                  | 8,407     | 693       |           |                                | 9,100                    |
| 01-410-5121 Retirement            | 8,302     | 375       |           |                                | 8,677                    |
| 01-410-5160 Insurance             | 15,918    | 710       |           |                                | 16,628                   |
| 01-410-5011 Dept Head             | 19,281    |           | (3,930)   |                                | 15,351                   |

**CIVIC CENTER (413)**

|                          |        |       |  |  |        |
|--------------------------|--------|-------|--|--|--------|
| 01-413-5021 Staff Salary | 33,036 | 3,950 |  |  | 36,986 |
| 01-413-5110 FICA         | 4,924  | 315   |  |  | 5,239  |
| 01-413-5121 Retirement   | 4,863  | 275   |  |  | 5,138  |

**COUNTY-WIDE OPERATING (414)**

|                       |         |        |          |  |         |
|-----------------------|---------|--------|----------|--|---------|
| 01-414-5340 Insurance | 545,160 |        | (17,118) |  | 528,042 |
|                       |         | 21,048 | 21,048   |  |         |

TRANSFER FROM INSURANCE FOR AUTHORIZED POSITIONS GRADE/STEP IN MAINTENANCE AND CIVIC CENTER, AND FUND ADDITIONAL NEW AUTHORIZED POSITION IN MAINTENANCE

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**13663 AWARD CONTRACT FOR COUNTYWIDE DUMPSTERS**

Cindy Casparis, Purchasing Agent, presented bids submitted by BFI and Longhorn Disposal - BFI has the current contract and submitted the low bid - recommends awarding the countywide dumpster contract to BFI. A motion was made by Commissioner Barton, seconded by Commissioner Payne to award contract for countywide dumpster to BFI. All voting "Aye".

**13664 APPROVE PAYMENT OF COMP TIME FOR EXTENSION OFFICE EMPLOYEE IN EXCESS OF 240 HOURS AND DISCONTINUANCE OF ADDITIONAL COMP TIME**

The Hays County Personnel Policy states that the maximum comp time should not exceed 240 hours for regular employees - an employee in the extension office will have 279.5 hours at the end of February - she will need Commissioners' Court approval as per policy - the policy also stated that any comp hours over 60 must be authorized by the court. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of comp time for Extension Office employee in excess of 240 hours and discontinuance of additional comp time. All voting "Aye".

**13665 AUTHORIZE COUNTY RIGHT OF WAY AGENTS TO BEGIN NEGOTIATING AND PURCHASING RIGHT OF WAY ON COUNTY ROADS 122,131, 222, 215, 181, 234 , AND 101 AS PART OF THE ROAD BOND IMPROVEMENT PROGRAM**

Public hearings have been held regarding improvements to these roads and Rick Miller requests that the county's right-of-way agents be authorized to begin purchasing right of way along the following Phase I roads:

- (1)CR 122      (2)CR 131      (3)CR225-Lime Kiln Road      (4)CR222-Hilliard Road
- (5)CR215-Purgatory Road      (6)CR181-Fischer Store Road      (7)CR234-Centerpoint Road
- (8)CR101-Fitzhugh Road

A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize County Right-of-Way Agents to begin negotiating and purchasing right-of-way on County Roads 122, 131, 225, 222, 215, 181, 234, & 101 as part of the road improvement program. All voting "Aye".

**13666 APPROVE COMMISSIONERS' COURT MINUTES OF JANUARY 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve the Commissioners' Court minutes of January 1995 as presented by the County Clerk. All voting "Aye".

**13667 APPROVE PAYMENT OF INVOICE FOR PARADISE VALLEY DRAINAGE**

Payment of invoice in the amount of \$410.88 to Doucet & Associates out of the Road Construction Fund was shown on the list of invoices as payment for Pleasant Valley drainage - this was an error and should have been "Paradise Valley drainage" - Auditor's office will correct the entry. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve payment of invoices in the amount of \$410.88 to Doucet & Associates for Paradise Valley drainage out of Road Construction Funds. All voting "Aye".

**13668 PLATTING VARIANCE GRANTED - BALLARD TRACTS /10 ACRES ON O'NEIL RANCH ROAD**

A variance request from C. E. Ballard, owner of 10 acres (Tract-8 O'Neil Ranch - an unrecorded subdivision) of land out of the GC & SF RR Co. Survey was discussed on February 27, 1995. Mr. Ballard would like to gift 1.23 acres to his son Andrew S. Ballard to be used for residential purposes. Allen Walther, Environmental Health Director, gave staff approval for granting the variance. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to grant a platting variance to C. E. Ballard and allow division of 10 acres out of the GC & SF RR Co. Survey into a 1.23 acre and 8.78 acres tract - survey plat & metes and bounds description to be attached to deed for recording. All voting "Aye".

**13669 PLATTING VARIANCE GRANTED - SELVERA 10 ACRE TRACT ON CR 266 & CAMINO WAY**

Carmen Selvera had appeared before the Court requesting this variance on November 14, 1994 - she wants to give her daughter 0.75 acres for residential purposes - the Court advised her to first obtain a variance from the City of San Marcos (its in their ETJ). Commissioner Rodriguez advised that the City of San Marcos has no objection to this division of property. Allen Walther, Environmental Health Director, advised that no survey of the property has been presented to date. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to grant a platting variance to Alex Selvera on a 10 acre tract out of the Rebecca Brown Survey to allow division of 0.75 acres to Sarah Cruz contingent on providing a survey plat with metes and bounds description. All voting "Aye".



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**13670 AUTHORIZE OVERTIME FOR TWO EMPLOYEES IN JUSTICE OF THE PEACE PCT. 1 PLACE 1 OFFICE**

J.P. 1-1 Macel Sullivan submitted a request for overtime for two of her employees - she advised that because of the Speed Step Grant revenue has jumped from \$16,628.90 in January to \$33,223.83 in February - she anticipates this to continue throughout the year - their workload has increased to the point where the two clerks cannot keep up - rather than ask for another employee, she requests that Dora Gonzales and Virginia Ibarra be permitted to work an additional hour twice a week to catch up - to be discontinued when the Step Program is no longer in effect. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to authorize overtime for two employees in Justice of the Peace Pct. 1 Place 1 office to be funded out of the JP1-1 budget. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

**13671 APPROVE PURCHASE OF COMPUTER EQUIPMENT AND SOFTWARE FOR THE JUSTICE OF THE PEACE PRECINCT 4 OFFICE**

J.P. 4 Rex Baker III appeared before the Court requesting authorization to purchase a computer and software for his office. Data Processing Administrator presented cost for purchase: PC = \$ 1,495.00 Software (Microsoft Office 4.2) = \$ 451.00. Purchase to be made out of Computer Services budget. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve purchase of computer equipment and software for Justice of the Peace Pct. 4 office. All voting "Aye".

**13672 AMEND SUBDIVISION ORDINANCE RE: NOTES, SIGNATURE BLOCKS, ADD APPLICATION FORM AND CHECKLISTS**

Patsy Greiner, Environmental Planner, submitted amendments and additions deleting the short form and adding the notes for the ETJ, Floodplain, and Recharge Zone - also amending signature blocks for water/septic and adding an application form and checklists to assist the developers - also submitted were amendments to the fee schedule to reflect changes by the County Clerk and to consolidate and update the review fees. A discussion was had regarding the fee schedule - Court is not ready to adopt the fees this date - Commissioner Barton advised that he would like to check around with other counties to see what they charge and refer to the DMG Fee Study before considering adoption of proposed fees. A motion was made by Commissioner Barton, seconded by Commissioner Payne to adopt amendments to the Hays County Subdivision Ordinance as proposed by the Environmental Health Dept. All voting "Aye".

**SHORT FORM**

**DELETE this entire section on page 2 as Commissioners Court now requires a minimum of two (2) readings.**

**FIRST READING - Preliminary Plan**

- 8. **Areas of Special Flood Hazard as shown by the current Hays County Flood Insurance Rate Maps and the NOTE:**

**(A) or (No) portion of this subdivision lies within the boundaries of the 100-year floodplain as delineated on Hays County Community Panel # \_\_\_\_\_.**

**DELETE last paragraph on page 4 which refers to fees.**

**SECOND READING - Final Plan**

- 8. **Boundaries of incorporated city limits and/or extraterritorial jurisdictions and the NOTE:**

**(A) or (No) portion of this subdivision lies within the boundaries of any municipality's corporate city limits or area of extra territorial jurisdiction.**

- 9. **Boundaries of the Recharge Zone of the Edwards Aquifer as provided by the Texas Water Commission official maps and the NOTE:**

**(A) or (No) portion of this subdivision lies within the boundaries or within one-half (1/2) mile of the Edwards Aquifer Recharge Zone.**

**If the proposed development lies over or within one-half (1/2) mile of the Recharge Zone of the Edwards Aquifer, special consideration may be necessary. An approved Texas Natural Resources Conservation Commission Water Pollution Abatement Plan may be required.**

\*\*\*\*\*

**THIRD READING - Record Plat**

In paragraph #2 -

**CHANGE:** the term "County Administrator" to "County Clerk" and  
**DELETE:** the phrase "of fifty dollars (\$50.00) per page".

(Substitutes previously approved subsections found on page 3, 4 & 5 of the FOURTH AMENDED SPECIFICATIONS regulating filing of subdivision plats adopted April 1, 1991.)

**22. Sewage Disposal/Individual Water Supply Certification, to-wit:**

No structure in this subdivision shall be occupied until connected to a public sewer system or to an on-site wastewater system which has been approved and permitted by the Hays County Health Department.

No structure in this subdivision shall be occupied until connected to a private water well or approved community water supply system.

No construction or other development within this subdivision may begin until all Hays county Development Permit requirements have been met.

\_\_\_\_\_  
Allen G. Walther  
Director of Environmental Health

**23. Public Water Supply System Certification, to-wit:**

No structure in this subdivision shall be occupied until connected to the \_\_\_\_\_ (Water Supply System Name) an approved public water supply system.

\_\_\_\_\_  
Allen G. Walther  
Director of Environmental Health

\_\_\_\_\_  
Date

\_\_\_\_\_ (Water Supply System Name) an approved public water supply system, has adequate quantity to supply this subdivision and provisions have been made to provide services to each lot in accordance with the policies of the water supply system.

\_\_\_\_\_  
(Name and Title of Official)  
(Water Supply System Name)

\_\_\_\_\_  
Date

(Substitutes Subsection 22 & 23 on pages 9 & 10 of the FOURTH AMENDED SPECIFICATIONS regulating filing of subdivisions plats adopted April 1, 1991.)

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To be submitted prior to Second Reading approval

# \_\_\_\_\_ Date Submitted: \_\_\_\_\_

SUBDIVISION APPLICATION for Hays County, Texas

PROPOSED NAME OF SUBDIVISION: \_\_\_\_\_ TOTAL NUMBER OF LOTS: \_\_\_\_\_ TOTAL ACREAGE OF LOTS: \_\_\_\_\_ PROPOSED NAMES OF NEW ROADS: \_\_\_\_\_

LETTER OF CREDIT EXPIRATION DATE: \_\_\_\_\_ DATE PLAT FILED: \_\_\_\_\_

NAME OF OWNER: \_\_\_\_\_ Address: \_\_\_\_\_ Telephone No. \_\_\_\_\_

NAME OF SURVEYOR: \_\_\_\_\_ Address: \_\_\_\_\_ Telephone No. \_\_\_\_\_

PERSON TO APPEAR AT COMMISSIONERS COURT: \_\_\_\_\_

PROPERTY ADDRESS/LOCATION: \_\_\_\_\_ CURRENT LEGAL DESCRIPTION: \_\_\_\_\_ CURRENT LAND AREA: \_\_\_\_\_ ACRES CITY ETJ: \_\_\_\_\_ (no) \_\_\_\_\_ (yes) City Name: \_\_\_\_\_

UTILITY CHECKLIST

Applicant must take copy of plat to each utility for review and comment. Original signatures required.

ELECTRIC UTILITY: Company Name: \_\_\_\_\_ Approved As-Is: \_\_\_\_\_ Easement Required: \_\_\_\_\_ Define Required Easement: \_\_\_\_\_ Signature: \_\_\_\_\_ Title: \_\_\_\_\_

TELEPHONE UTILITY: Company Name: \_\_\_\_\_ Approved As-Is: \_\_\_\_\_ Easement Required: \_\_\_\_\_ Define Required Easement: \_\_\_\_\_ Signature: \_\_\_\_\_ Title: \_\_\_\_\_

WATER UTILITY (If Applicable): Company Name: \_\_\_\_\_ Approved As-Is: \_\_\_\_\_ Easement Required: \_\_\_\_\_ Define Required Easement: \_\_\_\_\_ Signature: \_\_\_\_\_ Title: \_\_\_\_\_

SEWER UTILITY (If Applicable): Company Name: \_\_\_\_\_ Approved As-Is: \_\_\_\_\_ Easement Required: \_\_\_\_\_ Define Required Easement: \_\_\_\_\_ Signature: \_\_\_\_\_ Title: \_\_\_\_\_

POSTAL SERVICE: Postal Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Title: \_\_\_\_\_

\*\*\*\*\*

**SUBDIVISION PLAT CHECKLISTS**

**1ST READING:**

- Typical Lot Dimensions
- Street ROW Widths
- Proposed Land Use
- Adjoining Owners
- Land Use of Contiguous Tracts
- Topography
- Flood Hazard Boundaries
- Master Development Plan
- North Arrow/Location Map
- Name of Owner/Developer of Property
- Total Acreage/Number of Lots
- Area of Road ROW & Length of Roads
- Responsibility of Road Maintenance
- Non-Duplicate Subdivision Name
- Non-Duplicate Road Names

**2ND READING:**

- 1st Reading Requirements
- Lot & Block Numbers
- New Street Geometry
- Statement of Utilities Provision
- Acreage to Two Decimal Places
- Name Surveyor/Engineer
- Location & Size of Drainage Structures
- Utility & Drainage Easements
- City Limits & ETJ's
- Recharge Zones
- Restrictive Covenants
- Tax Certificate
- Proposed Home Owners Association (if applicable)
- Preliminary Road Design Criteria

**3RD READING:**

- 1st & 2nd Readings
- Road Construction Plan & Specifications
- Lengths of Roads/Areas of ROW
- Bearings & Dimensions of Lots
- Location, Width & Use of all Dedicated & Proposed Easements (within or adjoining)
- Original Survey Lines/School District Boundaries
- Monumentation of all Corners
- Names & Widths of all Adjoining Streets

**13673 REJECT OFFER ON PROPERTY TAKEN FOR DELINQUENT TAXES (LOT 7 BLOCK 2 DAN MCKIE ADDITION, SAN MARCOS)**

County's Delinquent Tax Attorney Chester Young received a bid of \$3,000.00 for property listed on the tax roll for \$17,000.00 - more than \$6,000.00 in back taxes are owed on the property and Attorney recommends rejecting the bid (Tax Suit #4187). A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to reject offer on Lot 7 Block 2 Dan McKie Addition in the City of San Marcos (Delinquent Tax Suit #4187). All voting "Aye".

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The Commissioners Court convened into closed Executive Session to discuss contracts for the construction of a Hays County Juvenile Services Facility, and a Criminal Justice Computer System( 10:00 A.M. - 12:30 P.M.) Court reconvened into open meeting at 1:30 P.M. to take action on the following items.

**13674 ADOPT ORDER AUTHORIZING A CONTRACT FOR A CRIMINAL JUSTICE COMPUTER SYSTEM AND MAKING FINDINGS OF FACT**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt Order Authorizing a Contract for a Criminal Justice Computer System and making findings of fact. All voting "Aye".

\*\*\*\*\*

**ORDER AUTHORIZING CONTRACT FOR  
CRIMINAL JUSTICE COMPUTER SYSTEM  
AND MAKING FINDINGS OF FACT**

**WHEREAS**, the Commissioners Court of Hays County (the "Commissioners' Court") is interested in acquiring a new computer system to serve the County's departments that are part of the criminal justice system; and

**WHEREAS**, Hays County (the "County") does not have a suitable computer system for its departments in the criminal justice system, and the existing system is outdated and cannot reasonable be expected to be operational if it is moved to a new location; and

**WHEREAS**, the Commissioners Court has determined that it is necessary to obtain a fully functional system for use in the criminal justice system to be in place when the new offices at the former H.E.B. location are opened; and

**WHEREAS**, the Sheriff and District Attorney have confirmed that the new computer system is necessary to protect the public safety; and

**WHEREAS**, the County Purchasing Agent has explored alternative sources for the software and hardware needed for the system; and

**WHEREAS**, the County Purchasing Agent has confirmed that the only software needed for the system that meets the County's needs is available from The Software Group, Inc.; and

**WHEREAS**, the County Purchasing Agent has confirmed that the only hardware needed for the system that meets the County's needs is available from several sources, it is desirable to have one vendor responsible for the installation of the entire system, both hardware and software; and

**WHEREAS**, the County Purchasing Agent has confirmed that the Software Company can provide the entire system for a cost of \$ 699,692.00; and

**WHEREAS**, the County Purchasing Agent has conducted a survey and reports that the price for the hardware proposed by the Software Company is competitive with other vendors and in some instances is significantly less expensive; and

**WHEREAS**, the County Purchasing Agent has recommended that we award the contract to the Software Company for a total cost of \$ 699,692.00 without requesting competitive bids; and

**WHEREAS**, the Commissioners' Court has obtained an opinion of counsel on its authority to award this contract without seeking competitive bids; and

**WHEREAS**, the Commissioners' Court finds that the contract for the purchase and installation of a criminal justice computer system is necessary to protect the public safety of the residents of Hays County; and

**WHEREAS**, the Commissioners' Court finds that in order to place the criminal justice computer system on line in a timely manner, it is necessary to award the contract without requesting competitive bids; and

**WHEREAS**, the Commissioners' Court finds that the complete criminal justice system, including hardware, software and installation, is available from the Software Company at a price of \$ 699,692.00 and

**WHEREAS**, the County Purchasing Agent has recommended that the Commissioners' Court contract with the Software Company without seeking competitive bids; and

\*\*\*\*\*

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, THAT:

- 1. The foregoing recitals are found to be true and correct and are incorporated herein as findings of facts by the Commissioners' Court.
- 2. The contract for a complete criminal justice computer system is necessary to preserve and protect the public health and safety of the residents of Hays County, and therefore, the contract for the criminal justice computer system, including hardware, software and installation, shall be exempt from the requirements of Section 262.023 of the Texas Local Government Code.
- 3. The contract with the Software Company for a complete criminal justice computer system, including hardware, software and installation, at a total price of \$699,692.00 and hereby is approved.

ADOPTED this 6th day of March, 1995.

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**13675 APPROVE USE OF W. F. SMITH COMPANY FOR APPRAISAL WORK RELATED TO THE ROAD IMPROVEMENT PROGRAM**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve use of W. F. Smith Company for appraisal work related to the Road Improvement Program. All voting "Aye".

**13676 ADOPT ORDER AUTHORIZING CONTRACTS FOR SURVEYING AND AERIAL PHOTOGRAPHY COMPONENTS FOR THE GEOGRAPHIC**

Commissioner Molenaar voiced his concerns about order allowing contracts based on public health and safety issue. District Attorney Marcos Hernandez spoke of opinion of Bickerstaff, Heath & Smiley regarding this issue. Judge Etheredge spoke of justification regarding FEMA issue (monumentation). Commissioner Payne spoke of not being prepared to go with full-blown GIS for Hays County. Commissioner Molenaar stated that he is in favor of monumentation - unclear about all the issues regarding GIS.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt Order Authorizing Contracts for Surveying, Aerial Photography and Coordination Components for the Geographic Positioning System and making Findings of Fact. Commissioner Rodriguez, Commissioner Barton and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No".

\*\*\*\*\*

**ORDER AUTHORIZING CONTRACTS FOR SURVEYING, AERIAL PHOTOGRAPHY AND COORDINATION COMPONENTS FOR THE GEOGRAPHIC POSITIONING SYSTEM AND MAKING FINDINGS OF FACT**

**WHEREAS**, the Commissioners' Court of Hays County (the "Commissioners Court") is interested in acquiring a geographic positioning system to better provide for the health and safety of the residents of Hays County (the "County"); and

**WHEREAS**, a geographic positioning system requires the placement of monument markers throughout the County ("monumentation") and the plotting of the locations of the monument markers throughout the county by survey and aerial photography; and

**WHEREAS**, the Monumentation and aerial photography must be done during a period when foliage is at a minimum in order to create accurate maps of the County; and

**WHEREAS**, the Commissioners Court has determined that unless it immediately begins the initial phase of Monumentation and aerial photography necessary to establish a geographic positioning system, Spring foliage will return and the County will have to delay implementation for another year, and

**WHEREAS**, the geographic positioning system is needed to enhance the County's 9-1-1 system and permit emergency vehicles to pinpoint destinations within the County; and

**WHEREAS**, the County needs to establish a geographic positioning system to tie digital flood plain maps to actual ground sites to better identify flood prone areas; and

**WHEREAS**, the Hays County Sheriff's Department has recommended, with other law enforcement officials, to establish a geographic positioning system to better track criminal activity; and

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WHEREAS, the geographic positioning system will assist the County to better track potential pollution problems from identifying the exact location of water wells, septic systems and cesspools above the Edwards Aquifer Recharge Zone; and

WHEREAS, the Commissioners Court has designated GIS Consultants, Inc. as its consultant to assist in the implementation of the geographic positioning system, including the recommendation of possible providers of the surveying and aerial photography services; and

WHEREAS, the Commissioners Court has reviewed the recommendations and determined that Geodetix Inc. of San Antonio can provide the surveying services within the time required to complete the project before the arrival of the Spring foliage; and

WHEREAS, the Commissioners Court has reviewed the recommendations and determined that Aero Custom Photos of Bulverde can provide the aerial photography services within the time required to complete the project before the arrival of the Spring foliage; and

WHEREAS, the Commissioners Court has confirmed that the Geodetix, Inc. can provide the surveying services for a cost of \$8,500; and

WHEREAS, the Commissioners Court has confirmed that Aero Custom Photos can provide the aerial photography services for a cost of \$23,700; and

WHEREAS, the Commissioners Court has confirmed that GIS Consultants, Inc. can provide coordination, planning and execution of this process for a cost of \$13,000; and

WHEREAS, the Commissioners Court has reviewed the prices of other providers proposed by its consultant and finds that Geodetix, Inc. for the surveying and Aero Custom Photos for the aerial photography are competitive with other providers of such services; and

WHEREAS, the Commissioners Court finds that the acquisition of a geographic positioning system is necessary to protect the public safety of the residents of the County, and that in order to protect the health and safety of the residents of the County, the contracts for the surveying, aerial photography and coordination components of the geographic positioning system project should be awarded immediately; and

WHEREAS, the Commissioners Court finds that in order to place the geographic positioning system on line in a timely manner in order to protect the health and safety of the residents of the County, it is necessary to award the contract for surveying, the contract for aerial photography, and the contract for coordination without requesting competitive bids; and

WHEREAS, the Commissioners Court finds that the surveying component of the project is available from Geodetix, Inc. at a price of \$8,500; and

WHEREAS, the Commissioners Court finds that the aerial photography component of the project is available from Aero Custom Photos at a price of \$23,700; and

WHEREAS, the Commissioners Court finds that the coordination component of the project is available from GIS Consultants, Inc. at a price of \$13,000.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS THAT:

1. The foregoing recitals are found to be true and correct and are incorporated therein as findings of fact by the Commissioners' Court.
2. The contract for the surveying component of the geographic positioning system is necessary to complete the project in order to preserve and protect the public health and safety of the residents of Hays County, and therefore, the contract for the surveying component shall be exempt from the requirements of Section 262.023 of the Texas Local Government Code.
3. The contract for the aerial photography component of the geographic positioning system is necessary to complete the project in order to preserve and protect the public health and safety of the residents of Hays County, and therefore, the contract for the aerial photography component shall be exempt from the requirement of Section 262.023 of the Texas Local Government Code.
4. The contract for the coordination component of the geographic positioning system is necessary to complete the project in order to preserve and protect the public health and safety of the residents of Hays County, and therefore, the contract for the coordination, planning and execution component shall be exempt from the requirements of Section 262.023 of the Texas Local Government Code.

\*\*\*\*\*

5. The contract with Geodetix, Inc. for the surveying component of the geographic positioning system at a total price of \$8,500 be and hereby is approved.

6. The contract with Aero Custom Photos for the aerial photography component of the geographic positioning system at a total price of \$23,700 be and hereby is approved.

7. The contract with GIS Consultants, Inc. for the coordination component of the geographic positioning system at a total price of \$13,000 be and hereby is approved.

ADOPTED this 7th day of March, 1995.

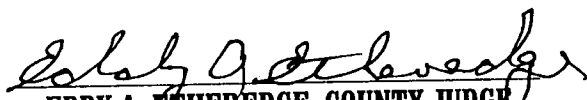
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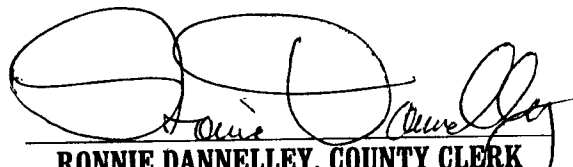
**13677 AUTHORIZE NEGOTIATIONS WITH RECOR FOR CONSTRUCTION OF A JUVENILE SERVICES FACILITY NOT TO EXCEED \$920,000.**

Commissioner Barton spoke of work done to reduce construction costs. Commissioner Molenaar spoke in support of the facility. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge to negotiate with RECOR for construction of a Juvenile Services Center not to exceed \$920,000.00. All voting "Aye".

Court adjourned until Monday March 13, 1995 at 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF April, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 13th DAY OF MARCH A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13678 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 220,466.86 as presented by the County Auditor. All voting "Aye".



\*\*\*\*\*

|                       |              |                    |               |                   |              |
|-----------------------|--------------|--------------------|---------------|-------------------|--------------|
| State Shared Rev      | \$ 177.64    | Auditors Ofc       | \$ 455.80     | Treasurers Ofc    | \$ 3.87      |
| Juvenile Probation    | \$ 279.34    | Indigent Care      | \$ 22,387.87  | Transfer Station  | \$ 91.47     |
| Building Maint.       | \$ 2,171.74  | Personal Health    | \$ 25.00      | Civic Center      | \$ 9.18      |
| Countywide Oper       | \$ 84,754.26 | Tax A/C            | \$ 209.72     | District Clerk    | \$ 99.85     |
| County Clerk          | \$ 80.18     | Sheriff's Office   | \$ 8,504.55   | Jail Operations   | \$ 23,887.02 |
| County Judge          | \$ 272.33    | Human Resources    | \$ 25.00      | District Attorney | \$ 282.50    |
| J.P. 1-1              | \$ 48.20     | J.P. 1-2           | \$ 32.84      | J.P. 2            | \$ 578.56    |
| J.P. 4                | \$ 113.20    | J.P. 5             | \$ 3.53       | D.P.S.            | \$ 610.97    |
| Constable 1           | \$ 29.78     | Constable 2        | \$ 53.54      | Constable 5       | \$ 142.50    |
| Dist Court Operations | \$ 6,200.77  | Co & JP Crt Oper   | \$ 4,539.64   | Veterans Admin    | \$ 163.65    |
| Computer Svcs         | \$ 9,974.97  | Co Crt @ Law 2     | \$ 123.00     | TJPC CCAP Grant   | \$ 10.00     |
| Historical Surv Grant | \$ 1,117.50  | Dunbar Grant       | \$ 1,500.00   | DARE (DA) Grant   | \$ 117.04    |
| R&B Operations        | \$ 35,860.69 | Precinct 1         | \$ 222.00     | Precinct 2        | \$ 664.56    |
| Precinct 3            | \$ 0.64      | Precinct 4         | \$ 55.00      | Rec Mng/Co Clerk  | \$ 118.69    |
| Health Svcs Grants    | \$ 2,493.47  | Hot Check Fee Fund | \$ 31.80      | Law Library Fund  | \$ 44.25     |
| Juvenile Det Fac      | \$ 584.55    | Adult Prob Oper    | \$ 7,848.19   | Adult Prob Fac    | \$ 206.06    |
| D.A. Reimb Trust      | \$ 3,437.43  | *Gen Fund Credit * | * \$ 177.48 * |                   |              |

**13679 APPROVE BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS**

The following budget amendments were proposed (Budget Amendment No. 95-017):

J.P. 1-1 - Transfer to allow authorized hours (8) and overtime hours for clerks for balance of FY95.

Building Maintenance - Transfer \$1,000 for balance of cost for maintenance vehicle (total \$11,000) from vehicle maintenance line item.

Extension Office - \$ 420.75 compensatory + \$263.25 adjust step - transfer from within budget to allow authorized compensatory payment and account for step adjustment.

District Court Operations - Transfer \$500 to budget telephone line item for cost of mobile phone from "SOS" trial @ Courts bldg and for balance of Fy95.

Co & JP Court Operations - \$260.00 additional for copier - transfer for printing from trial expense - fund authorized copier lease @ LEC/JP 1-1 jury room from county-wide unspecified equipment.

District Attorney - Transfer for printing special 3-part forms from misc. line item.

J.P. 1-2 - Transfer for special forms printing from data processing supplies

R&B Pct. 4 - Transfer for expense that is actual office supplies - budgeted as office equipment.

Records Management/Co Clk - \$1825 transfer to purchase 8 CD-ROM disk drives and installation from office equipment.

TDH/MCH & TDH/PPIP Grants - \$1,500.00 transfer for separate PI accounting for PPIP Grants into contract services.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Budget Amendment No. 95-017 as presented by the County Auditor. All voting "Aye".

AMENDMENT  
NO. 95-017  
FY 95 BUDGET  
03/13/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS AMENDED    |

**JUSTICE OF PEACE 1-1 (424)**

|                            |        |            |              |        |
|----------------------------|--------|------------|--------------|--------|
| 01-424-5021 Staff Salaries | 43,983 | 455        |              | 44,438 |
| 01-424-5110 FICA           | 5,656  | 54         |              | 5,710  |
| 01-424-5121 Retirement     | 5,585  |            | (440)        | 5,145  |
| 01-424-5321 Dues & Bonds   | 300    |            | (69)         |        |
|                            |        | <u>509</u> | <u>(509)</u> |        |

TRANSFER TO ALLOW AUTHORIZED OVERTIME FOR BALANCE OF FY 95

**BUILDING MAINTENANCE (410)**

|                       |        |       |       |        |
|-----------------------|--------|-------|-------|--------|
| 01-410-5713 Vehicles  | 10,000 | 1,000 |       | 11,000 |
| 01-410-5272 Veh Sply  | 800    |       | (500) | 300    |
| 01-410-5413 Veh Maint | 2,400  |       | (500) | 1,900  |

TRANSFER TO FUND BALANCE OF TRUCK

\*\*\*\*\*

AMENDMENT  
NO. 95-017  
FY 95 BUDGET  
03/13/95  
Page 2

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

EXTENSION SERVICES (403)

|                            |        |     |       |        |
|----------------------------|--------|-----|-------|--------|
| 01-403-5021 Staff Salaries | 40,981 | 684 |       | 41,665 |
| 01-403-5110 FICA           | 4,073  |     | (350) | 3,723  |
| 01-403-5121 Retirement     | 4,023  |     | (334) | 3,689  |

TRANSFER TO ALLOW AUTHORIZED COMPENSATORY PAYMENT AND ACCOUNT FOR MERIT

DISTRICT COURT OPERATIONS (436)

|                           |        |     |       |        |
|---------------------------|--------|-----|-------|--------|
| 01-436-5489 Telephone     | 0      | 500 |       | 500    |
| 01-436-5305 Trial Expense | 30,000 |     | (500) | 29,500 |

BUDGET FOR MOBILE PHONE FROM TRIAL EXPENSE

COUNTY AND JP COURT (437)

|                           |       |     |       |       |
|---------------------------|-------|-----|-------|-------|
| 01-437-5211 Office Sply   | 500   | 200 |       | 700   |
| 01-437-5305 Trial Expense | 2,000 |     | (200) | 1,800 |

TRANSFER FOR PRINTING FROM TRIAL EXPENSE

|                          |   |     |  |     |
|--------------------------|---|-----|--|-----|
| 01-437-5473 Copier Lease | 0 | 260 |  | 260 |
|--------------------------|---|-----|--|-----|

COUNTY-WIDE OPERATIONS (414)

|                       |        |  |       |        |
|-----------------------|--------|--|-------|--------|
| 01-414-5711 Equipment | 39,457 |  | (260) | 39,197 |
|-----------------------|--------|--|-------|--------|

FUND AUTHORIZED COPIER AT LEC/JP 1-1, JURY ROOM FROM COUNTY-WIDE

DISTRICT ATTORNEY (423)

|                      |     |     |       |     |
|----------------------|-----|-----|-------|-----|
| 01-423-5461 Printing | 475 | 250 |       | 725 |
| 01-423-5391 Misc     | 500 |     | (250) | 250 |

Transfer for special 3-part forms and judgments

JUSTICE OF PEACE 1-2 (425)

|                             |     |     |       |     |
|-----------------------------|-----|-----|-------|-----|
| 01-425-5461 Printing        | 600 | 300 |       | 900 |
| 01-425-5221 Data Processing | 500 |     | (300) | 200 |

TRANSFER FOR SPECIAL FORMS PRINTING

FUND NO. 03

FUND TITLE ROAD & BRIDGE GENERAL

PRECINCT 4 (442)

|                         |     |     |       |     |
|-------------------------|-----|-----|-------|-----|
| 03-442-5211 Office Sply | 200 | 100 |       | 300 |
| 03-442-5711 Office Eqpt | 425 |     | (100) | 325 |

TRANSFER FOR EXPENSE DEEMED SUPPLY RATHER THAN EQUIPMENT

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AMENDMENT  
NO. 95-017  
FY 95 BUDGET  
03/13/95  
Page 3

FUND NO. 10

FUND TITLE HEALTH SERVICES GRANTS FUND

| LINE ITEM - EXPENDITURES                   | APPROPRIATION | AMENDMENT    |                | APPROPRIATION |
|--------------------------------------------|---------------|--------------|----------------|---------------|
|                                            | BEFORE        | INCREASES    | DECREASES      | AS            |
|                                            | AMENDMENT     |              |                | AMENDED       |
| <b>TDH/WOMEN AND CHILDREN HEALTH (469)</b> |               |              |                |               |
| 10-469-5219 Sply and Operating             | 21,500        |              | (750)          | 20,750        |
| 10-469-5391 Other Expenses                 | 15,000        |              | (750)          | 14,250        |
| <b>TDH/PIIP GRANT (725)</b>                |               |              |                |               |
| 10-725-5448 Contract Svcs                  | 0             | <u>1,500</u> |                | 1,500         |
|                                            |               | <u>1,500</u> | <u>(1,500)</u> |               |

TRANSFER TO SEPARATE EXPENSE AS PROGRAM INCOME NOW SEPARATED

FUND NO. 08

FUND TITLE RECORDS MANAGEMENT FUND

| <b>RECORDS MANAGEMENT/COUNTY CLERK (445)</b> |        |       |         |        |
|----------------------------------------------|--------|-------|---------|--------|
| 08-445-5712 Data Proc Eqpt                   | 11,850 | 1,800 |         | 13,650 |
| 08-445-5718 Software                         | 3,950  | 25    |         | 3,975  |
| 08-445-5711 Office Eqpt                      | 28,540 |       | (1,825) | 26,715 |

TRANSFER FOR 8 EACH CD-ROM DISK DRIVES & INSTALLATION

**13780 ACCEPT INTERNAL AUDIT REPORT OF JUSTICE OF THE PEACE PCT. 3**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to accept the internal audit report of Justice of the Peace Pct. 3 office. All voting "Aye".

**13781 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE - "COPSMORE" PROGRAM FOR UP TO \$400,000.00.**

Grants Administrator Richard Salmon advised that grant funds are available from the U.S. Dept. of Justice to implement the "Cops on the Beat" provisions of the Violent Crime Control and Law Enforcement Act of 1994. Grants awarded under COPSMORE are restricted to the purchase of technology or equipment, the procurement of support resources or the payment of overtime which will increase the number of sworn officers engaged in community policing and further the achievement of a community policing mission. Up to \$400,000.00 in equipment and software costs of the total \$694,000 listed in the proposed Hays County Criminal Justice System may qualify. Basically the county will be able to get those items at 25 cents on the dollar, for a project we intend to do anyway. This is a one year grant for equipment and software, no administrative funds for the county are allowed in the grant. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County to submit a grant application to the U.S. Department of Justice - COPSMORE Program for up to \$400,000.00. All voting "Aye".

**13782 APPROVE PURCHASE OF EIGHT (8) QUAD SPEED CD-ROM DRIVES OUT OF COUNTY CLERK'S RECORD MANAGEMENT FUNDS**

County Clerk Ronnie Dannelley requested authorization to purchase eight Quad Speed CD-ROM disk drives to upgrade PC's in his office to CD-ROM capabilities - funds are available in the County Clerk's Record Management Funds (\$1,800.00 for drives & \$25.00 for software). A motion was made by commissioner Barton, seconded by Commissioner Molenaar to approve purchase of eight (8) Quad Speed CD-ROM drives for the County Clerk's office out of Records Management Funds (Dept. 08-445). All voting "Aye".

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**13783 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS DEPARTMENT OF TRANSPORTATION - ENHANCEMENT PROGRAM AND TO EXECUTE A CONTRACT**

Richard Salmon, Grants Administrator, advised that this is the ISTEPA Grant from the Texas Dept. of Transportation to rehabilitate and restore the Hays County Courthouse and landscape the grounds. The rehabilitation of the courthouse will enhance the viability of the historic downtown area of San Marcos and promote tourism, which is the fastest growing segment of the local economy. Matching funds being provided are part of the bond approved funds of \$1.8 million. The total project cost, of grant and bond funds, is \$4.04 million. Design, approval of plans and letting/bidding is estimated to take 9 months with construction now estimated at 12 to 14 months. The original estimate for construction was 24 months. The Texas Dept. of Transportation is allowing us to do our own bid letting, which speeds up the project by about 3 months. Hays County will receive approximately \$250,000 in administrative funds on this project. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge to accept grant award from the Texas Department of Transportation - Enhancement Program and to execute a contract for \$ 2,322,313.00. All voting "Aye".

**13784 APPROVE REVISED CONTRACT WITH COMMUNITY ACTION, INC.**

Judge Etheredge advised that executive sessions have been held regarding employees and personnel issues. A letter was submitted from Frank Arredondo, Executive Director of Community Action, Inc. along with "Co-location Procedures" that are to be appended to the present Agreement between the county and CAI. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve revisions to contract with Community Action, Inc.. All voting "Aye".

**CO-LOCATION PROCEDURES  
HAYS COUNTY/COMMUNITY ACTION, INC.**

**"Provide an atmosphere to promote interaction among all employees"**

**I. Employees:**

- A. Work Day (same as county hours)
- B. Holidays (same as county)
- C. Work Area - designated area and common areas
- D. Keys - tenant/landlord courtesy - use of common area
- E. Orientation:  
 During new employee orientation, the immediate supervisor should explain the co-location arrangement and how interaction will occur on work related matters. Emphasis should be made on which organization employs personnel. In addition, an explanation should be made that policies and procedures may be different between the organization.

**II. Personnel Issues:**

- A. Minor issues  
 Should be handled at the lowest level of management and proceed to the next level until satisfaction is obtained.
- B. Major issues  
 Should be addressed immediately by upper management

**In the Workplace:**

- 1. Sexual harassment/discrimination
- 2. Acts of violence
- 3. Use of firearms
- 4. Theft
- 5. Possession and/use of Alcohol/Drugs
- 6. Illegal Discrimination

**13785 APPROVE PURCHASE OF TWO DOLLY'S FOR MAINTENANCE DEPT. OUT OF UNSPECIFIED EQUIPMENT**

County Maintenance Supervisor Ron Knott has requested authorization to purchase two dolly's out of building maintenance unspecified equipment line item - items include a convertible hand truck (\$208.75) and a noseplate extension (\$33.45) for a total of \$242.20. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve purchase of two dolly's for Maintenance Dept. in the amount of \$242.20 out of countywide unspecified equipment line item. All voting "Aye".

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**13786 APPROVE PURCHASE OF TWO CHAIRS AND A COMPUTER CART OUT OF COUNTY CLERK'S RECORD MANAGEMENT FUNDS**

County Clerk Ronnie Dannelley requested approval to purchase two chairs (to replace broken ones) in the Records Building and a computer cart to hold new equipment in the Courts Division (cost will not exceed \$550). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve purchase of two chairs and a computer cart out of County Clerk's Record Management Funds. All voting "Aye".

**13787 APPROVE RFP AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR PROPOSALS FOR A LANDSCAPE ARCHITECT FOR THE DRIPPING SPRINGS TRIANGLE PROJECT**

County Auditor Bill Herzog advised that proposals will be obtained for landscape architect services for the Dripping Spring Triangle project - funding will be by a Texas Dept. of Transportation Grant and the Dripping Springs Chamber of Commerce. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve RFP and authorize the County Auditor to advertise for proposals for a Landscape Architect for the Dripping Springs Triangle Project. All voting "Aye".

**13788 RIVER MEADOWS SECTION V RESUB OF LOT 33 - FIRST READING AND CALL FOR PUBLIC HEARING**

Property Owner Mark Roden presented the resubdivision of Lot 33 of River Meadows Section V - creating two lots (Lot 33A & 33B) on CR178 (River Road) - resubdivision is permitted by deed restrictions in this subdivision. Allen Walther, Environmental Health Director, gave staff approval. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "River Meadows Section V Resub of Lot 33" on first reading and call for a public hearing to be held March 27, 1995 at 9:00 A.M. All voting "Aye".

**13789 KYLE HEIGHTS SUBDIVISION - FIRST READING APPROVAL**

David Williamson of Byrn & Associates presented "Kyle Heights" subdivision on first reading - they have reduced this development from 69 lots to 64 lots to make five (5) lots per private easement (60' Shared Access Driveways). Commissioner Payne spoke of the county not having yet adopted standards for driveways. Commissioner Molenaar stated that he has no problem with SAD (Shared Access Driveways) as long as the developer and property owners understand that the county will not be responsible for road maintenance unless and until the property owners bring the driveways up to county road standards. Commissioner Barton voiced his concerns about the number of driveways accessing CR205 - we need to minimize the impact of driveways if possible. Road Director Darrel Brown spoke of his concerns about the amount of traffic that will be created by this development onto CR205 - will cause it to deteriorate rapidly. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Kyle Heights" subdivision on first reading with the understanding that some revisions are necessary prior to the next reading. All voting "Aye".

**LEA ACRES RESUB OF LOT 5 (5A & 5B) - PUBLIC HEARING HELD**

Judge Etheredge called the public hearing open regarding the resubdivision of Lot 5 in Lea Acres subdivision as requested by property owner Gerald R. Nutt - this lot is being split through a mutual divorce agreement. Allen Walther, Environmental Health Director, advised that no final survey plat has been submitted. Judge Etheredge called the public hearing closed. No action taken.

**PUBLIC HEARING TO CONSIDER INCREASING THE SPEED LIMIT ON PORTIONS OF MCCARTY LANE**

Judge Etheredge called the public hearing open to consider increasing the speed limit on a portion of McCarty Lane - a petition was submitted by The Siesta Verde Homeowners Association requesting that the speed limit on McCarty Lane between the areas of Philo Street of Turkey Hollow subdivision and Paso Del Robles of the Siesta Verde subdivision from the now posted 30MPH speed limit to 40MPH. Road Director Darrel Brown stated that with the current conditions on McCarty Lane he recommends that the 30MPH speed limit not be changed - this road is on Phase 2 of the Road Bond Issue and we may want to consider a change in the speed limit at that time. Judge Etheredge closed the public hearing - no action was taken.

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**13790 ESTABLISH TRAFFIC REGULATIONS IN HILL COUNTRY RANCHES SUBDIVISION AND ON CR221 & 183**

Judge Etheredge called the public hearing open to consider increasing the speed limit and relocating Yield signs in Hill Country Ranches subdivision. Marian Strange appeared before the Court on January 30, 1995 requesting that the speed limit on CR338 (Plainview) be increased to 50MPH and that the Yield sign on CR343 (Lakeside Drive) be put on Rabbit Road. Road Director Darrell Brown recommended that speed limit not exceed 40MPH and that a Stop sign be placed on Rabbit Road (do away with Yield sign). Judge Etheredge called the public hearing closed. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to establish traffic regulations: 40MPH speed limit and 25MPH advisory signs on curves in Hill Country Ranches subdivision and on CR221 & CR183 and to place a STOP sign on Rabbit Road at its intersection with CR343 (Lakeside Drive). All voting "Aye".

**13791 PUBLIC HEARING AND ACTION REGARDING CHANGING ROAD NAMES IN THE HILLCROFT SUBDIVISION**

Judge Etheredge called the public hearing open to consider changing the names of CR310 (Link Lane, Meadow Lane, Scenic Way, & Summit Drive West) to "Hillcroft Loop" for addressing purposes. Commissioner Payne spoke of letter he received from a property owner in the Hillcroft subdivision that was concerned about emergency services in that area. Ruth Collins, resident on Summit Drive West, spoke of expense to change their mailing address - felt like everyone in the subdivision is familiar with the current street names and they have not experienced any problems receiving services - opposed to changing the street names. Patsy Greiner, Mapping/Addressing, spoke of the 9-1-1 numbering system which will require a change in the addresses anyway - the single name of "Hillcroft Loop" would more accurately reflect the consecutive numbering along the roadway. Ike Herrington, resident of Hillcroft, stated that he was not aware of the road number changes that are required - if residents will put their street number on their residences it would make it easier to locate them along with the appropriate street name - spoke of need for deputies that are familiar with their patrol areas - does not support a change in street names. Doris Jerry spoke in opposition to changing the street names - stated that she was not aware of any problems with receiving emergency services. Judge Etheredge called the public hearing closed. A motion was made by Commissioner Payne, seconded by Judge Etheredge to leave street names as they are on CR310 in Hillcroft Subdivision and to instruct Road Department to install street name signs as soon as possible. All voting "Aye".

**PUBLIC HEARING TO CONSIDER INCREASE IN RATES FOR COMMERCIAL HAULERS AT THE WIMBERLEY TRANSFER STATION**

Judge Etheredge called the public hearing open to consider increasing rates for commercial haulers at the Wimberley Transfer Station. Commissioner Payne advised that Hays County has not had an increase in transfer station fees since 1986 - our fees are below those being charged by surrounding landfills and transfer stations with the exception of one (they do not accept commercial trucks) - because of difficulty in scheduling boxes to be exchanged (an empty one for a full one) it is his recommendation that the County discontinue receiving commercial loads or consider a higher fee to commercial haulers (increase to \$5 per cubic yard) - our largest container is a 42 cy box and we have been asked to take a 20 cy load from just one truck - overloading such as this will inconvenience the majority of users. Jerry Pinnix, Transfer Station worker, spoke of space taken up by commercial haulers (33% of intake is commercial) and the time involved to getting an empty container (unable to get BFI to respond to calls on the weekend). Ms. Peterson (Durham-Peterson Disposal Service) spoke of service they provide to residents in the Wimberley & Dripping Springs areas - they are being asked to call the transfer station before bringing in their garbage - feels like their employees are being harassed by Transfer Station employees. Wes Bradbury, Transfer Station Employee, stated that he had asked the drivers to call in before they come on Saturdays because of the overload problems and difficulty in getting empty containers - Saturday is one of the biggest days for area residents to bring in their garbage. The Court asked that Ms. Peterson stay for an Executive Session to discuss personnel matters. Judge Etheredge called the public hearing closed. No action this date.

**REQUEST BY CINCO DE MAYO TO REDUCE CIVIC CENTER RENTAL FEE**

A written request was submitted by Albert Sierra, Co-Chairman of the Cinco De Mayo Celebration, requesting consideration for the reduction of rent for the use of the Civic Center for their celebration - James Hotz, Civic Center Manager, has given them a quote for the rental in the amount of \$ 7,910.00. Judge Etheredge spoke of reduce rental fee allowed last year - Mr. Hotz has requested that the Court authorize rental payment to be made and not allow purchase of additional chairs in lieu of payment. Judge Etheredge advised that he had no problem with reducing the rental rate for a civic organization (50% reduction). Commissioner Payne spoke in opposition to reducing revenues at the Civic Center - would perhaps support a 25% reduction. No action taken this date.

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**13792 HAYS COUNTY GRIEVANCE COMMITTEE SELECTIONS**

Ronnie Dannelley, County Clerk, advised that additional selections are needed for the Hays County Grievance Committee in order to get the required nine members. Judge Etheredge selected the following out of the 1994 Grand Jury Pool: John Arround Easley (Wimberley), Sue Franklin (Wimberley), Beverly Jo Hamaker (Kyle), Phyllis Devereaux (San Marcos), Raymond Alton Biggs (Wimberley), Lisa Gayle Pearson (Buda), Virginia Castro (San Marcos), and Nancy Rowan Stevens (Kyle).

**13793 RELINQUISH OWNERSHIP TO LOT 7 BLOCK 2 DAN MCKIE ADDITION IN THE CITY OF SAN MARCOS TO THE SAN MARCOS AREA FOOD BANK**

Last week the Court rejected a \$3,000.00 offer for property which has been appraised at \$17,000.00 and has more than \$6,000.00 owed on it in back taxes - the San Marcos Area Food Bank has expressed in interest in the property and the Delinquent Tax Attorney had received a preliminary bid to buy the property for the amount of taxes owed. Alma Biggs, SM Area Food Bank, appeared before the Court - spoke of their current building having been condemned - requested donation of Lot 7 Block 2 Dan McKie Addition - they are in the process of obtaining a grant for a facility and it would help if they had a lot for the new facility to be built on. Judge Etheredge advised that the County is the Trustee for this delinquent tax property, however, the City of San Marcos and The San Marcos CISD are also owed taxes and they would have to agree to donating the property and waiving their taxes. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to relinquish County ownership and waive the taxes due on Lot 7 Block 2 of the Dan McKie Addition in the the City of San Marcos to the San Marcos Area Food Bank contingent on the same approval by the City of San Marcos and the San Marcos Consolidated Independent School District. All voting "Aye".

**13794 AWARD CONTRACT FOR RENOVATION OF THE OLD H.E.B BUILDING INTO A CRIMINAL JUSTICE FACILITY**

Architect Ron Balderach presented Bid Tabulations:

| BIDDER                  | BASE BID      | ALT # 1<br>PAINT | ALT # 2<br>ACOUST | ALT # 3<br>CLG GRID | ALT # 4<br>PAINT CMU | ALT # 5<br>CAMERAS | ALT # 6<br>CARD KEY | ALT # 7<br>INTERCOM |
|-------------------------|---------------|------------------|-------------------|---------------------|----------------------|--------------------|---------------------|---------------------|
| Austin Canyon Corp.     | \$ 489,000.00 | \$ 5875          | \$ 3244           | \$ 3769             | \$ 2840              | \$ 25,872.00       | \$ 14,720.00        | \$ 9,960.00         |
| C.P.Sutler Construction | \$ 533,000.00 | \$ 5600          | \$ 3000           | \$ 1000             | \$ 2750              | \$ 29,000.00       | \$ 16,000.00        | \$ 10,000.00        |
| Hillman Constructors    | \$ 599,000.00 | \$ 5450          | \$ 3670           | \$ 6300             | \$ 2214              | \$ 31,886.00       | \$ 17,447.00        | \$ 11,551.00        |
| K-W Construction Inc.   | \$ 498,000.00 | \$ 5600          | \$ 4000           | \$ 2000             | \$ 3000              | \$ 17,000.00       | \$ 27,700.00        | \$ 10,700.00        |
| KCM Construction        | \$ 459,000.00 | \$ 2,365         | \$ 3630           | \$ 440              | \$ 2090              | \$ 25,173.50       | \$ 13,788.50        | \$ 9,361.00         |
| McGoldrick Construction | \$ 517,000.00 | \$ 5700          | \$ 17,000         | \$ 3000             | \$ 2800              | \$ 30,000.00       | \$ 15,400.00        | \$ 7,700.00         |
| R.L. Wade Construction  | \$ 638,000.00 | \$ 8300          | \$ 2550           | \$ 3400             | \$ 5600              | \$ 28,100.00       | \$ 15,400.00        | \$ 9,500.00         |
| Stokes Construction Co. | \$ 455,554.00 | \$ 3688          | \$ 2295           | \$ 808              | \$ 2894              | \$ 16,719.00       | \$ 16,743.00        | \$ 10,470.00        |

Alternate #1 is to paint the canape - Alternate #2 is to address acoustics in the courtrooms - Alternate #3 is for installation of drop ceilings - Alternate #4 is to paint the back of the building - Alternate #5 is for cameras throughout the building that will be monitored by Sheriff's Deputy at front of building - Alternate #6 is for a card key system to be used for security purposes - Alternate #7 is for intercom system for communicating with the Sheriff's Deputy stationed in the front of the building. Mr. Balderach spoke of possibly using county personnel for Alternates #1-4 - he felt like Alternates #5-7 are essential to secure the building. County Auditor Bill Herzog advised that funds available for this renovation project are \$368,000.00 and additional funds will be necessary if contract is awarded as presented. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to award the contract for the renovation of the old H.E.B. building into a Criminal Justice Facility to Stokes Construction Company in the amount of \$ 455,554.00 (Base Bid). All voting "Aye".

**13795 AUTHORIZE THE ROAD DEPARTMENT TO PROCEED WITH DRAINAGE STRUCTURE ON CR 184 (SILVER CREEK ROAD)**

Road Director Darrel Brown spoke of plans developed for an aluminum arch structure by K. C. Engineering - recommending going with a corrugated metal drainage structure instead - this project was to be a part of Phase II of the Road Bond project, however, it is needed as soon as possible. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to authorize the Road Department to proceed with installation of a corrugated metal drainage structure on CR184 (Silver Creek Road). All voting "Aye".

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**EXECUTIVE SESSION**

The Court convened into closed Executive Session to discuss Personnel Matters. No action was taken.

**BUDGET WORKSHOP**

Judge Etheredge spoke of newly Elected Officials - we need to let them know that they will need to budget items in the future. Discussion was had regarding the following:

**Proposed Projects**  
**Capital Improvements**

**Construction**

- Annex 1st Floor renovation & elevator
- Courthouse renovations
- Old Jail Renovation
- Adult Probation Office
- Hi/Lo Building, HEB finish out
- County Clerk's Building
- Americans w/Disabilities (ADA) for all county buildings
- Election Office Renovation
- Additional Central Storage (LEC)
- D.S. Triangle & Satellite Office
- Civic Center
- NAACP parking lot
- Human Services Building
- Loop: San Marcos
- RR12 ROW
- Major Roads
- Central Shop: Road Dept.
- Wimberley Bypass

**Technology**

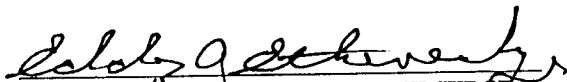
- Integrated computer system
- Georgraphic Information system

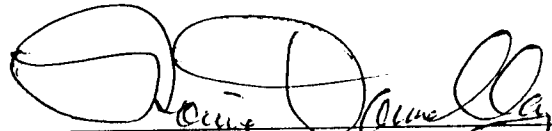
**Other Issues**

- Juvenile detention operation
- Hospital property (sale, lease, etc.)
- Road Bond Phase 2
- FEMA lawsuit
- Fire/EMS funding
- Legal Aid
- South Hays Fire Dept. relocation
- Agenda process and pre-agenda meeting
- Set scope of work for Infrastructure Committee
- Appointment process
- Subdivision Ordinance
- Pct. 2 Substation
- ATS: regional planning for Transp.
- 5-mile Dam
- Other Parks
- S.O. 5-Year Plan
- Grants Eco Development
- Legislative Agenda
- ETJ & Regional Land/Water Planning
- Unified Road Dept.

Judge Etheredge spoke of requests that will be made for new employees, copy machines, fax machines, etc. - would like to work on a policy statement. There will be new properties on the tax roll (some tax abatements that will be expiring) and there has been quite a bit of new construction throughout the county. Discussion was had regarding upgrading roads without widening the r-o-w.

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF April, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 20TH DAY OF MARCH A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Payne (Senior Commissioner) presided over the meeting due to the absence of the County Judge.

Human Resources Director George Aitken introduced new county employees Ron Knott (Maintenance Supervisor) and Delana "Dee Dee" Rodgers (County Clerk's Office).

13796 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 236,907.65 as presented by the County Auditor. All present voting "Aye".

|                      |               |                    |              |                   |              |
|----------------------|---------------|--------------------|--------------|-------------------|--------------|
| Vouchers Payable     | \$ 7,641.08   | Fines              | \$ 168.00    | Refunds/Voids     | \$ 20,093.73 |
| Auditor's Ofc        | \$ 221.72     | Treasurer's Ofc    | \$ 610.75    | Extension Ofc     | \$ 338.18    |
| Grants Admin         | \$ 182.88     | Juvenile Probation | \$ 2,926.29  | Election Admin    | \$ 1,531.94  |
| Indigent Care        | \$ 1,370.30   | Transfer Station   | \$ 4,249.04  | Bldg. Maintenance | \$ 11,621.33 |
| Environmental Health | \$ 998.88     | Personal Health    | \$ 647.74    | Civic Center      | \$ 1,585.12  |
| Countywide Oper      | \$ 42,700.60  | Tax A/C            | \$ 678.53    | District Clerk    | \$ 304.50    |
| County Clerk         | \$ 147.90     | Sheriff's Ofc      | \$ 2,605.87  | Jail Operations   | \$ 17,652.40 |
| County Judge         | \$ 359.11     | Human Resources    | \$ 179.17    | Co Crt @ Law 1    | \$ 15.35     |
| Dist. Attorney       | \$ 968.25     | J.P. 1-1           | \$ 329.33    | J.P. 1-2          | \$ 175.85    |
| J.P. 2               | \$ 114.01     | J.P. 3             | \$ 122.15    | J.P. 5            | \$ 77.96     |
| D.P.S.               | \$ 217.63     | Constable 1        | \$ 176.33    | Constable 3       | \$ 112.01    |
| Constable 5          | \$ 161.35     | Dist Court Oper    | \$ 5,649.60  | Co & JP Cr Oper   | \$ 694.14    |
| Veterans Admin       | \$ 266.13     | Computer Svcs      | \$ 2,824.33  | Co Crt @ Law 2    | \$ 2.97      |
| Juv Svcs Grant       | \$ 40.00      | Prot Hmkr Grant    | \$ 25.00     | Fire Marshal/EMC  | \$ 33.49     |
| TABC                 | \$ 115.26     | Dist Crt Reporter  | \$ 38.83     | CCAP Grant        | \$ 6,126.87  |
| Legal Aid Ofc        | \$ 175.00     | Dunbar Grant       | \$ 10,056.13 | DA DARE Grant     | \$ 101.53    |
| Gen Fund Credit      | * \$ 126.78 * | Fines              | \$ 75.00     | R&B Operations    | \$ 3,472.17  |
| Precinct 1           | \$ 370.38     | Precinct 2         | \$ 528.60    | Precinct 3        | \$ 37.48     |
| Precinct 4           | \$ 149.58     | Rec Mng/Co Clk     | \$ 2.34      | Health Svcs Grant | \$ 4,466.03  |
| Road Construction    | \$ 42,084.72  | Foster Care Fund   | \$ 22,995.62 | Adult Prob Oper   | \$ 14,804.90 |
| Adult Prob Fac       | \$ 613.05     |                    |              |                   |              |

13797 APPROVE COMMISSIONERS' COURT MINUTES OF FEBRUARY 1995

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioners' Court Minutes of February 1995 as presented by the County Clerk. All present voting "Aye".

13798 APPROVE PURCHASE OF EQUIPMENT FOR THE SHERIFF'S OFFICE

Chief Deputy Sheriff Don Montague submitted a request for approval to purchase a copy stand and light arms in the amount of \$ 269.90 (part of a photography process that will allow creation of negatives and better quality picture from any snapshot) and a 6-bay charger for hand held radios - funds are available in the Sheriff's Dept. Misc. equipment line item (unspecified equipment). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of a copy stand and light arms and a 6-bay charger as requested by the Sheriff's Department (\$723.40 out of unspecified equipment line item #01-418-5719). All present voting "Aye".

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**13799 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR FUEL, HAULING OF SOLID WASTE, AND LUBRICANTS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for fuel, hauling of solid waste, and lubricants. All present voting "Aye".

**13800 DENY TAXPAYER'S REQUEST TO WAIVE PENALTY AND INTEREST ON DELINQUENT TAXES**

Tax Assessor-Collector Luanne Caraway submitted a copy of request from Rena Tambella (owner of Lot 20 Crown Estates) to waive penalty and interest for tax years 1992-1994 due to an address change made by the CAD - CAD does not admit that this was a clerical error made by their office - taxpayer did not inquire about their tax bills until March 1995 - recommends that request be denied. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to deny taxpayer's request to waive penalty and interest on delinquent taxes due on Lot 20 Crown Estates. All present voting "Aye".

**13801 AUTHORIZE THE PURCHASING AGENT TO RENT A TEMPORARY BUILDING TO HOUSE THE SAN MARCOS-HAYS COUNTY EMS INC.**

An office is needed for the San Marcos-Hays County EMS by April 1st - Court agreed to rent a temporary building and put it near slab by the old hospital property until a more permanent facility can be built. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Purchasing Agent to rent a temporary building to house the San Marcos-Hays County EMS Inc. All present voting "Aye".

**13802 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON CR 221 & CR 183**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held on April 3, 1995 at 9:00 A.M. to establish traffic regulations on CR 221 & CR 183. All present voting "Aye".

**13803 APPROVE APPOINTMENT OF BOB GWYNN TO REPLACE GENE OLDHAM ON THE NORTH HAYS COUNTY EMS BOARD**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve appointment of Bob Gwynn to replace Gene Oldham on the North Hays County EMS Board as recommended by Commissioner Payne. All present voting "Aye".

**13804 RUTHERFORD SUBDIVISION - FIRST READING APPROVAL**

Clinton E. & Carolyn E. Rutherford are owners of 14.97 acres out of the Thomas B. Lee Survey located on Glosson Ranch Road (30' r-o-w) - they are subdividing this acreage into 3 lots (Lot 1=3.3683 ac Lot 2=1.5070 ac. Lot 3=4.00 ac). Allen Walther, Environmental Health Director, stated that Glosson Ranch Road (AKA Harber Road) is a county maintained road that leads to the Harber Subdivision (unrecorded subd). Commissioner Payne suggested requiring 15 feet of additional right-of-way be dedicated on the plat to this roadway. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Rutherford Subdivision" on first reading with requirement that 15 feet of additional right-of-way be dedicated for roadway purposes. All present voting "Aye".

**13805 ROSE SUBDIVISION - APPROVE VACATION OF PLAT**

Larry C. Guthrie and Kerry Pryor Parnell, Owners of Lots 1 & 2, Rose Subdivision (Volume 4 Pg. 17 Plat Records), submitted a request to abandon and vacate this subdivision (revert back to acreage: 5.936 acre tract in the Richard Haley Survey - AKA Lot 3 Section 1 Bear Creek Oaks Unrecorded Subd). Erin Foster appeared representing the Bear Creek Oaks Property Owners Assoc. and advised that the easements will need to be released - the Property Owners Association approves the vacation/abandonment of the Rose Subdivision. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve vacation of the Rose Subdivision plat as recorded in Volume 4 Page 17 of the Hays County Plat Records. All present voting "Aye".

MARCH 20, 1995

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**13806 MADRONE RANCH SECTION II-A LOTS 1-6 & 8-18 - 2ND & 3RD READING APPROVAL**

The first reading was for a Section II which had lots 4-6 and 8-47. Mr. Blocker would now like to get final approval for the lots which front on existing county roads. In the future, Section II-B will be lots 19-47 which require road construction. Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Madrone Ranch Section II-A" on second and third readings. All present voting "Aye".

**13807 APPROVE ROAD CONSTRUCTION IN THE OAK MEADOWS SUBDIVISION**

David Williamson, Surveyor/Engineer, appeared along with James Ahern, Property Owner, regarding road construction standards - on February 10, 1986 the Court granted a variance on paving roads in the Oak Meadows Subdivision and approve a 26' gravel roads (Volume M Page 291 Commissioners' Court Minutes - Resolution #8113) - no construction bond was required - James Ahern purchased the property in October 1994 and the seller represented to him that all necessary approvals had been obtained and that the incomplete roads could be completed without further approval - seller further represented that the county approved the roads being built without a security bond or any form of engineering drawings or construction plans. Mr. Aherns stated that the additional cost of building paved roads would be prohibitive (paved roads would cost more than the sales value of the lots). David Williamson stated that detailed grades and plans would be costly. Road Director Darrell Brown spoke of subdivision requirement for timely completion of roads. Mr. Ahern stated that that pertains to bond requirements and no bond was required. Commissioner Barton stated that we need to clarify the extent of the road variance - should drainage requirements be met? - we do need to honor the 26' gravel road variance but not necessarily all other requirements such as drainage. Commissioner Molenaar spoke of need to honor the original agreement. District Attorney Marcos Hernandez spoke of need to research what policies were being enforced in 1986 - if no bond was required, how can you enforce their requirements - it is his opinion that only the road width and paving was waived (authorized 26' gravel roads) - all other requirements should be met. Mr. Ahern spoke of lots with no access until these roads are built - spoke of road maintenance fee required by the Homeowners Association provisions - four new roads (private) need to be built (2 @ 400' 2 @ 800'). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve construction of 26 foot gravel roads as previously approved by the Commissioners' Court, waive construction bond and engineering plan, and require 10 year flood frequency on drainage with cross section on drainage areas. All present voting "Aye".

**13808 APPROVE SALARY INCREASE FOR TEMPORARY EMPLOYEES (SMALL CONSTRUCTION JOBS)**

Commissioner Payne spoke of having downsized his construction crew (laid off one of the temporary employees and Robert Valentine will be working on a limited basis as needed) - recommended increasing the salary for remaining two temporary employees by \$1.00 per hour and provide tools and travel expense to one of them (Mr. Harwell) - the increase will be to \$13 an hour for one and \$8 for the other. County Maintenance Supervisor Ron Knott spoke of obtaining proposal to do ADA study of all county buildings - proposal will give cots estimates regarding parking, ramping, restrooms, etc.. Court advised that all Purchase Orders must go through Ron Knott for construction jobs being done by temporary employees. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve salary increases for two temporary employees by \$1.00 per hour and provide tools and travel expense to Bryan Harwell. All present voting "Aye".

**13809 APPROVE A FULL-TIME POSITION IN THE TAX ASSESSOR-COLLECTOR'S DEPARTMENT FOR THE DRIPPING SPRINGS SUBSTATION**

Tax A/C Luanne Caraway spoke of having received approval for an additional RTS workstation from the Texas Dept. of Transportation for our motor vehicle department to be placed in Dripping Springs - this computer should be delivered within 90 days and she would like to hire someone now to train in the San Marcos office and be ready to go to work when the computer is installed - funds are available in the budget for the salary and benefits. Commissioner Molenaar spoke in support of this position - this employees would also help with other duties in various offices in the substation (i.e. Commissioner, Environmental Health, etc.). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve a full-time position in the Tax Assessor-Collector's Department for the Dripping Springs Substation. All present voting "Aye".

**13810 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A LEASE AGREEMENT FOR THREE YEARS FOR ADULT PROBATION OFFICES**

Purchasing Agent Cindy Casparis presented a Lease agreement with Chautauqua Center Inc. for office space at 700 North LBJ Drive, San Marcos, Texas - proposed lease is for 62¢ per square foot (currently paying 70¢ psf) - Lessor proposes that County will be responsible for repairs to air conditioning, heating, electrical, and plumbing. Court did not agree that county should be responsible for major repairs to the building. Lynda Turley, Chief Adult Probation Officer stated that the office space is adequate for growth, however, it is located approximately 3 miles from the courthouse which could create problems within the court system. John Osgood, Jr.(Leasing Manager/Partner) spoke of this being a common commercial lease - Lessee can repair or

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or replace equipment such as air conditioning, heating, electrical, and plumbing - the rent can be increased if the Lessor will be responsible for these items - stated that everything is in good condition and has a 60 day guarantee - would not take a lease for less than 3 years - stated that the property is for sale. Commissioner Payne spoke of not wanting to be responsible for major repairs to the air conditioning, electrical, or plumbing - the county will perform routine general maintenance only. The Court and Mr. Osgood agreed that the Lessor will take care of any major repairs over \$300.00 per occurrence. Commissioner Barton advised that he is related to Mr. Osgood, therefore he will be abstaining on the vote. A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to authorize the County Judge to enter into a lease agreement with Chautaugua Center, Inc. for three years with stipulation that Lessor will be responsible for any major repairs over \$300.00 per occurrence. Commissioner Rodriguez, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Barton abstained.

**13811 SET REDUCE RENTAL FEE FOR CIVIC CENTER USE TO CINCO DE MAYO AND CHILYMPIAD**

Frank Arredondo and Albert Sierra appeared on behalf of Viva!Cinco De Mayo Inc. requesting a rental fee reduction - Civic Center Manager Jim Hotz has quoted them a rental fee of \$7,910.00, however, they were not given a breakdown of this fee - they would like to see the County set an annual fee that would be charged every year so they don't have to come before the Court every year requesting the reduction - explained that the primary focus for their organization is to provide high school scholarships (\$10,000 per year). Red Jureka appeared representing the Republic of Texas Chilympiad requesting a reduced rental fee for 1995 - they have been receiving a reduced fee of \$6,000.00 for the last several years - the 1994 fee will be paid prior to June 1, 1995. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to set a rental fee of \$4,000.00 for Cinco De Mayo and Chilympiad for use of the Civic Center and this fee is to continue until such time that the Court takes action to increase the fee. Commissioner Rodriguez, Commissioner Barton, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No".

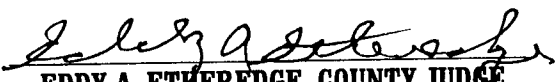
**DISCUSSION REGARDING WAIVING PENALTY AND INTEREST ON DELINQUENT TAXES AS THEY RELATE TO SPLIT PAYMENTS ON THE 1994 TAX YEAR**

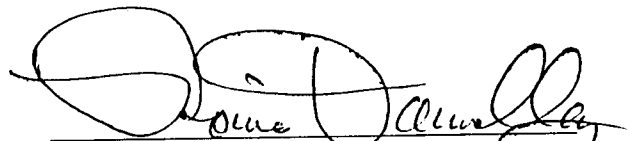
Commissioner Payne spoke of unhappy taxpayers who were not aware of discontinuance of split tax payments - adequate notice was not given to taxpayers for the county's decision to disallow split payments, this creating a hardship for taxpayers - would like to waive penalty & interest on second payment for those who paid first half prior to December 1, 1994. Tax A/C Luanne Caraway advised that they sent notices to taxpayers of discontinuance when they sent in split payments - apparently some of these taxpayers did not open the envelope with their receipts and the notice in it - if the county decides to allow split payments on 1995 taxes it will be necessary to get approval from the School District or discontinue tax collection for the school districts. No action taken this date.

**13812 ESTABLISH TRAFFIC REGULATION ON A PORTION OF MCCARTY LANE - 35 MPH SPEED LIMIT**

Commissioner Payne spoke of petition that was submitted by property owners in the Siesta Verde subdivision and the public hearing was held March 20, 1995 - the current speed limit is 30MPH. Darrel Brown, Road Director, requested that the speed limit be left at 30MPH - the road edges are in bad shape and this road is scheduled for Road Bond Improvements - the speed limit could be increased to 40MPH after the repairs are made. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to establish traffic regulation of 35 MPH Speed limit on McCarty Lane between the areas of Philo Street of Turkey Hollow subdivision and Paso Del Robles of the Sieste Verde subdivision. Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez voting "No".

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF April, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



MARCH 27, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 27TH DAY OF MARCH A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>LINDA C. FRITSCH</b>    | <b>DEPUTY COUNTY CLERK</b>  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13813 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 185,127.39 as presented by the County Auditor. All voting "Aye".

|                    |              |                     |              |                      |              |
|--------------------|--------------|---------------------|--------------|----------------------|--------------|
| Fines              | \$ 2.00      | Auditor's Office    | \$ 118.00    | Treasurer's Office   | \$ 279.80    |
| Extension Office   | \$ 363.14    | Juvenile Probation  | \$ 325.00    | Transfer Station     | \$ 340.99    |
| Building Maint.    | \$ 6,922.52  | Environ Health      | \$ 24,513.90 | Personal Health      | \$ 16.00     |
| Civic Center       | \$ 2,314.60  | Countywide Oper     | \$ 8,698.44  | Tax A/C              | \$ 50.00     |
| District Clerk     | \$ 332.33    | County Clerk        | \$ 509.38    | Sheriff's Office     | \$ 2,595.04  |
| Jail Operations    | \$ 10,302.92 | County Judge        | \$ 128.50    | Human Resources      | \$ 288.00    |
| Co Court at Law 1  | \$ 144.00    | District Attorney   | \$ 1177.55   | J.P. 1-1             | \$ 80.20     |
| J..P. 1-2          | \$ 56.80     | J.P. 2              | \$ 85.00     | J.P. 3               | \$ 47.89     |
| J.P. 4             | \$ 212.37    | J.P. 5              | \$ 99.55     | D.P.S.               | \$ 236.97    |
| Constable 1        | \$ 85.73     | Constable 3         | \$ 38.42     | Constable 5          | \$ 173.80    |
| Dist Court Oper    | \$ 8,162.17  | Co & JP Crt Oper    | \$ 4,203.33  | Computer Svcs        | \$ 1,256.65  |
| Dist Crt Reporter  | \$ 1.42      | TJPC CCAP Grant     | \$ 70.00     | Corridor Incub Grant | \$ 2,785.00  |
| Road & Bridge Oper | \$ 55,243.71 | Precinct 1          | \$ 263.11    | Precinct 2           | \$ 698.21    |
| Precinct 3         | \$ 238.39    | Precinct 4          | \$ 198.99    | Rec Preserv Fund     | \$ 5,980.00  |
| Health Svcs Grants | \$ 7,809.31  | Law Library         | \$ 80.25     | Road Construction    | \$ 13,642.31 |
| Courthouse Renov   | \$ 6,486.40  | Crths Security Fund | \$ 50.00     | Adult Prob Oper      | \$ 2,354.13  |
| Adult Prob Fac     | \$ 700.41    | Animal Control      | \$ 334.35    | D.A. Reimb Trust     | \$ 9,413.48  |
| Anticip Notes      | \$ 5,616.93  |                     |              |                      |              |

**13814 APPROVE BUDGET AMENDMENT NO. 95-018 FOR VARIOUS DEPARTMENTS**

The following budget amendments were proposed:

District Attorney - Transfer \$300 from staff realignment savings to fund additional legal books - fund \$200 for a replacement typewriter in office equipment line and \$500.00 for additional DWI video tapes in Misc. line also from staff realignment.

J.P. 5 - Distribute grade/step adjustment for (2) two staff into JP-5 department salary/retirement line for FY95, where budgeted in countywide (total is \$951 and additional \$20) - Transfer net savings in other personnel costs due to vacancy to additional cost to move office (telephone charge) and printing for newly elected official.

Tax Assessor-Collector - Transfer \$2,000 savings due to new computer system from office equipment maintenance to required data processing supplies for new system.

Adult Probation - CSR Grant - Transfer to supplies and utilities/equipment lines from salaries and fringe benefits per CJAD readjustment as approved to reflect a net expense reduction of \$244.

Jail Operations - Transfer funds in order to pay for Notary Bonds required for Officers per new DWI law (\$284).

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-018 as presented by the County Auditor. All voting "Aye".

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AMENDMENT  
NO. 95-018  
FY 95 BUDGET  
03/27/95

FUND NO. 01

FUND TITLE GENERAL

APPROPRIATION AMENDMENT APPROPRIATION  
BEFORE AS  
LINE ITEM - EXPENDITURES AMENDMENT INCREASES DECREASES AMENDED

DISTRICT ATTORNEY (423)

|                         |        |              |                |        |
|-------------------------|--------|--------------|----------------|--------|
| 01-423-5391 Misc        | 250    | 500          |                | 750    |
| 01-423-5213 Books       | 1,400  | 300          |                | 1,700  |
| 01-423-5711 Office Eqpt | 0      | 200          |                | 200    |
| 01-423-5160 Insurance   | 34,907 |              | (1,000)        | 33,907 |
|                         |        | <u>1,000</u> | <u>(1,000)</u> |        |

TRANSFER FROM STAFF REALIGNMENT SAVINGS (2,450), PARTIAL TO FUND ADDITIONAL BOOKS AND FUND REPLACEMENT TYPEWRITER IN OFFICE EQPT; AND ADDITIONAL DWI VIDEO TAPES IN MISC.

JUSTICE OF PEACE 5 (429)

|                          |        |     |  |        |
|--------------------------|--------|-----|--|--------|
| 01-429-5021 Staff Salary | 32,926 | 951 |  | 33,887 |
| 01-429-5121 Retirement   | 4,729  | 20  |  | 4,749  |

COUNTY-WIDE OPERATIONS (414)

|                           |         |            |              |         |
|---------------------------|---------|------------|--------------|---------|
| 01-414-5091 Salary Adjust | 106,521 |            | (971)        | 105,550 |
|                           |         | <u>971</u> | <u>(971)</u> |         |

ALLOW FOR GRADE/STEP CHANGES (2) FOR FY 95

JUSTICE OF PEACE 5 (429)

|                         |       |              |                |       |
|-------------------------|-------|--------------|----------------|-------|
| 01-429-5489 Telephone   | 1,000 | 800          |                | 1,800 |
| 01-429-5461 Printing    | 300   | 100          |                | 400   |
| 01-429-5211 Office Sply | 600   | 145          |                | 745   |
| 01-429-5110 FICA        | 4,789 |              | (436)          | 4,353 |
| 01-429-5160 Insurances  | 6,822 |              | (602)          | 6,213 |
|                         |       | <u>1,045</u> | <u>(1,045)</u> |       |

TRANSFER SAVINGS IN PERSONNEL COST DUE TO VACANCY TO UNANTICIPATED CHARGES FOR TELEPHONE SYSTEM AND PRINTING SET-UP COST (ONE-TIME) FOR NEW ELECTED OFFICIAL.

TAX ASSESSOR/COLLECTOR (415)

|                             |        |       |         |        |
|-----------------------------|--------|-------|---------|--------|
| 01-415-5221 Data Proc Sply  | 4,750  | 2,000 |         | 6,750  |
| 01-415-5421 Data Proc Maint | 13,550 |       | (2,000) | 11,550 |

TRANSFER SAVINGS DUE TO NEW SYSTEM IN MAINTENANCE TO REQUIRED SUPPLIES FOR NEW SYSTEM.

AMENDMENT  
NO. 95-018  
FY 95 BUDGET  
03/27/95  
Page 2

FUND NO. 34

FUND TITLE ADULT PROBATION OPERATING FUND

APPROPRIATION AMENDMENT APPROPRIATION  
BEFORE AS  
LINE ITEM - EXPENDITURES AMENDMENT INCREASES DECREASES AMENDED

GRANT FOR COMMUNITY SERVICE RESTITUTION (488)

|                                  |        |              |                |        |
|----------------------------------|--------|--------------|----------------|--------|
| 34-488-5219 Supplies & Operating | 1,182  | 2,000        |                | 3,182  |
| 34-488-5499 Facil, Util & Eqpt   | 1,658  | 4,050        |                | 5,708  |
| 34-488-5021 Staff                | 59,520 |              | (5,770)        | 53,750 |
| 34-488-5110 FICA                 | 4,553  |              | (440)          | 4,113  |
| 34-488-5121 Retirement           | 3,324  |              | (84)           | 3,240  |
|                                  |        | <u>6,050</u> | <u>(6,224)</u> |        |

TRANSFER PER CJAD READJUSTMENT TO REFLECT AND REDUCE COUNTIES MATCHED AMOUNT BY \$244.00

FUND NO. 01

FUND TITLE GENERAL

JAIL OPERATIONS (419)

|                          |       |     |       |       |
|--------------------------|-------|-----|-------|-------|
| 01-419-5321 Dues & Bonds | 500   | 284 |       | 784   |
| 01-419-5391 Misc         | 3,000 |     | (284) | 2,716 |

TRANSFER FOR (4) NOTARY COSTS REQUIRED BY NEW DWI LAWS.

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**13815 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO DONATE RECYCLED ASPHALT PAVEMENT (RAP) TO HAYS COUNTY**

The County Road Department has requested that the State donate some RAP material from a state job near IH35 and Slaughter Lane. Russel Lenz with TXDOT said the State will donate the material if the county uses its contract hauler to remove the material directly from the job site. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to enter into an interlocal agreement with the Texas Department of Transportation to donate recycled asphalt pavement (RAP) to Hays County. All voting "Aye".

**13816 APPROVE UTILITY PERMITS TO BE ISSUED BY THE ROAD DEPARTMENT**

Road Director Darrel Brown presented the following Utility Installation Permits for approval:

|        |                      |                                            |
|--------|----------------------|--------------------------------------------|
| #95101 | To Entex Inc.        | Re: 4" gas line on Civic Center Loop       |
| #95201 | To Plum Creek Water  | Re: water line on Rolling Hills Drive      |
| #95202 | To Century Telephone | Re: telephone line on Stagecoach (CR136)   |
| #95301 | To P.E.C.            | Re: buried 7.2 KV Electric on Sunset Drive |
| #95302 | To Wimberley Water   | Re: water line on Green Acres Rd (CR279)   |
| #95403 | To GTE               | Re: telephone line on Fitzhugh Rd (CR101)  |

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Installation Permits #95101, #95201, #95202, #95301, #95302, and #95403 as submitted by the County Road Department. All voting "Aye".

**13817 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN GOLDEN WOOD WEST SUBDIVISION - A 30MPH SPEED LIMIT ON WESTVIEW TRAIL**

Commissioner Molenaar advised that the Goldenwood West Homeowners Association - represented by Delbert Bassett - are requesting a 30MPH speed limit be posted on Westview Trail. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held April 10, 1995 at 9:00 A.M. to establish traffic regulations in Goldenwood West Subdivision - a 30MPH Speed Limit on Westview Trail. All voting "Aye".

**13818 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO THE CAPITAL AREA PLANNING COUNCIL (CAPCO) - 911 ADDRESSING SIGN PROGRAM FOR UP TO \$180,000.**

This grant application to the Capital Area Planning Council - 911 Addressing Sign Program will provide funds to purchase equipment and materials/labor too install road signs for county maintained and privately maintained road intersections throughout the County. At this time Darrel Brown as identified a need for over 4,000 road signs and 1,900 poles. Equipment, supplies, and signs on hand for the County's 911 program will be used as matching funds for this grant application. Administrative funds for the County are not allowed in the grant. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County to submit a grant application to the Capital Area Planning Council (CAPCO) - 911 Addressing Sign Program for up to \$180,000.00. All voting "Aye".

**13819 AWARD PROFESSIONAL SERVICES CONTRACT TO JIM LINK CONSULTANTS FOR THE CAPITAL CITY CONTAINER PROJECT IN BUDA AND TO EXECUTE A CONTRACT FOR UP TO \$35,000**

Grants Administrator Richard Salmon advised that the grant is for sewer improvements to connect Capital City Container to the Buda sewer system. Grant funds have been approved by Texas Department of Commerce and contract will be received in one to two weeks. Hays County will receive up to \$15,000 in administrative funds to oversee the grant for the City of Buda. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award professional services contract to Jim Link Consultants for the Capital City Container Project in Buda and to execute a contract for up to \$35,000.00. All voting "Aye".

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**13820 ALLEGRE MONANTIAL RESUBDIVISION OF LOTS 1,2, 3, & 4 BLOCK F - FIRST READING AND CALL FOR A PUBLIC HEARING**

Neil Franklin presented the resubdivision of Lots 1-4 Block F of Allegre Monantial - Lots 1-A, 2-A, & 3-A are being created out of these four lots. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Allegre Monantial Resubdivision of Lots 1,2,3, & 4 Block F" on first reading and call for a public hearing to be held April 10, 1995 at 9:00 A.M. All voting "Aye".

**13821 LANIER RANCH RESUBDIVISION OF TRACT 1B OF THE REPLAT OF TRACT 1 OF LANIER RANCH ADDITION AMENDED - FIRST READING AND CALL FOR A PUBLIC HEARING**

Owner of Tract 1B Vyneta Cook proposes to resubdivide her tract into two (Lots 1B-A = 10 ac & 1B-B = 31.473 ac) - located at the end of Creekwood Drive. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Lanier Ranch Resubdivision of Tract 1B of the Replat of Tract 1 of Lanier Ranch Addition Amended" on first reading and call for a public hearing to be held April 10, 1995 at 9:00 A.M. All voting "Aye".

**13822 MIRANDA SUBDIVISION REPLAT OF LOT 2 - FIRST READING AND CALL FOR A PUBLIC HEARING**

George L. Miranda, owner of Lot 2 of the Miranda Subdivision, proposes to resubdivide his lot into three lots. Commissioner Barton spoke of access off of CR205 onto a 60 ft. wide road easement that becomes a 20 foot wide easement - there is no instrument for maintaining the road easement. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Miranda Subdivision replat of Lot 2" on first reading and call for a public hearing to be held April 10, 1995 at 9:00 A.M. All voting "Aye".

**13823 OAK MEADOWS SUBDIVISION REPLAT OF LOTS 4B, 4C, AND 20B - FIRST READING AND CALL FOR A PUBLIC HEARING**

Allen Walther, Environmental Health Director, advised that the resubdivision of these lots were previously approved (1986) and the plat were never filed - recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Subdivision replat of Lots 4B, 4C, and 20B" on first reading and call for a public hearing to be held April 10, 1995 at 9:00 A.M. All voting "Aye".

**13824 COVES OF CIMARRON SECTION TWO PHASE THREE - FIRST READING**

Owner Michael Thames, Inc. submitted a 40 lot subdivision - roads in the subdivision are: Prickly Pear Pass, Cloverleaf Cove, Bermuda Lane, and Poppy Cove. Staff recommends approval. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Coves of Cimarron Section Two Phase Three" on first reading. All voting "Aye".

**13825 GOLDENWOOD WEST SECTION IV - APPROVE ABANDONMENT OF PUBLIC UTILITY EASEMENT BETWEEN LOTS 100 AND 101-A**

Bruce B. Frazer, owner of Lots 100 & 101-A of Goldenwood West Section IV, has requested abandonment of two ten foot public utility easements along the common boundary line of these lots so that he can build a home on his property. A letter was submitted signed by Butch Zavodny, Engineer-OSP of GTE Telephone Operations Central Area advising that GTE has no objection to the abandonment of the 10 foot PUE. A Release of Easement has been executed by Pedernales Electric Cooperative, Inc. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve abandonment of two ten foot public utility easement along the common boundary line of Lots 100 and 101-A of Goldenwood West Section IV. All voting "Aye".

**13826 MOUNTAIN CREST UNIT 2 (LOTS 81-87) - FIRST READING**

Robert Randolph, owner of 7.835 acres out of the W. G. Goody Survey proposes Unit 2 of the Mountain Crest subdivision (7 lots) - roads are already in existence (Mountain Crest Drive, Hill Drive, Live Oak Drive and Crestview Drive). A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Mountain Crest Unit 2" on first reading. All voting "Aye".



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**VARIANCE DISCUSSION - ROBERT MALTSBERGER 1 ACRE ON RR12 SOUTH OF JACOBS WELL ROAD**

Robert Maltberger appeared before the Court requesting a platting variance to allow division of one acre out of an 11.19 acre tract on Ranch Road 12 south of Jacob's Well Road - it is in the City of Woodcreek's ETJ and they have granted their approval - there is currently mini storage units on this tract. Action to be taken on this request next week.

**VARIANCE DISCUSSION - RANCHO MADRONE/ED LONGCOPE**

Eddie Gumbert, Blanco Bend Development Co., appeared before the Court on behalf of Ed Longcope (property owner) - property consist of 180 acres on the south side of the Blanco River above Wimberley and 215 acres being a part of the Jim Winn Four Winns Ranch - the development plan for the property is for 50 or more acres of land for each tract, except for a 40 acre tract on the River to be platted as "Rancho Madrone" according to the Hays County Platting procedures (four 10 acre tracts) - the following variances are being requested:

1. A request for a variance to not plat the 400 acres but instead to survey each tract as it sells and file the survey of record. Each tract, except for the 40 acre tract on the Blanco River, will contain a minimum of 50 acres of land. Any resubdivision at a later date will be subject to platting and road requirements as set out by the County Commissioners' Court.

2. Winn Valley Drive is a county road and has been extended to said 215 acre tract and is partially a 60 ft. easement and partially a 40 ft. easement - this is the only access to the 215 acres - this is a 15 ft. wide caliche road with 6 inch base of caliche - the road crosses the creek at two locations and has 5 1/2 inch concrete crossings with two 24 inch culvert pipes at each crossing - riraped sides on 1 to 1 slope 6 gauge 6X6 wire mesh, 1/2 inch rebar around perimeter with two beams. Once the extension of Winn Valley Drive reaches the property it is requested that the Court allow a variance from the county specifications and that a S.A.D. is allowed to access the two or three proposed tracts (40 ft easement built to the same standards as the access easement to the property).

3. A road maintenance agreement will be established on both the SAD and the access easement from Winn Valley Drive. This SAD will access three tracts. SAD #1 will be defined by separate Deed instrument and will be restricted to ingress and egress only. The SAD will not be a separate lot but instead will be an easement over the three tracts it accesses.

4. The access easement to the 180 acre tract begins at Shade Road which is a 20 foot easement to Winn Ranch Road which turns into a 40 foot easement (952/889 947/215 947/219) leaving Winn Ranch Road and continues to the 180 acre tract. It is requested that a variance from the county specifications on roads be made and that the access easement continue on to four 50 acre tracts. The access easement from the Winn Ranch Road to the last tract of land sold will be built to the same specifications as the extension of Winn Valley Drive. This continuation of the access easement will be defined by separate Deed instrument and will be an easement over the tracts it accesses.

5. The SAD #2 will access the 40 acres along the river. This 40 foot access easement is an existing access easement for the adjoining property and is described in Volume 950 Page 127 of the Hays County Records. This request is to allow this existing easement of 40 feet to access a possible three tracts along the river. These tracts will be platted as a subdivision known as Rancho Madrone and will include four approximately 10 acre tracts. It is virtually impossible to build a county road to county specifications along the face of the mountain as can be seen on the topo. The mountain is too steep and there is not enough room to build a road with 30% grades on the sides. To clear cut and cut the mountain down would deface and ruin the beauty of the ridge for all the area across the river. A culdesac will be built at the end and will be as close to specification as possible.

It is understood that the already existing easement over the SAD #2 will in no way be effected.

6. Because of the slope of the ridge on the north side it is necessary to create SAD #3 which will be an access easement to the south side of the hill for the owners of the platted tracts and the property on the west line of the platted tracts. This easement access will not be an improved roadway but will be left a ranch road which the road maintenance agreement will not go into play unless the owners of said lots can not agree.

7. The 180 acre parcel has a 60 foot strip of land on the north side of the Blanco River but there is no low water crossing. A bridge would be necessary. The bluff along the river is very steep. A road would be extremely difficult. We ask that the alternate access from Shade Road by the primary access.

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Road Director Darrel Brown voiced his concerns about the 40 foot access easement and about Shade Road (private 20 ft. roadway) onto a public easement (Winn Valley Drive). Allen Walther, Environmental Health Director spoke of his concerns about the creek crossings in an unstudied area - road construction should be cleared through TNRCC. Commissioner Payne stated that there is nothing we can do about Shade Road (20' r-o-w) - the Blanco Bend Property Owners Association maintains the roadway. Commissioner Barton spoke of Bickerstaff, Heath, & Smiley Law Firm is working on the SAD (Shared Access Driveway) policy for the county and they have indicated that they are skeptical that we can enforce standards on SADs - would still like to continue moving forward on SADs policy. No action was taken at this time.

**13827 HAYS CITY ESTATES - SECOND READING**

Gil Kuykendall, owner of 140.89 acres, submitted his proposed subdivision consisting of ten lots located off FM150 and containing a 60 ft. roadway easement (Vol. 681 Pg 365) and shared access driveway for Lots 3, 4, 6, & 7. Discussion was had regarding allowing shared access driveways (SADs) without having adopted standards. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Hays City Estates" subdivision on second reading with the understanding that there may be a change required for third reading approval. All voting "Aye".

**13828 ESTATES OF TURKEY HOLLOW SECTIONS 1 & 2 - CHANGE SUBDIVISION NAME TO QUARRY SPRING SECTIONS 1 & 2 AND CHANGE STREET NAMES**

Developer Ed Longcope would like to change the name of his subdivision from "Turkey Hollow Sections 1 & 2" to "QUARRY SPRING SECTIONS 1 & 2" (the original subdivision received third readings on July 11, 1994 and has not yet been filed for record) - he would also like to rename the streets: Quarry Spring Drive and Fox Ridge Circle - would also like to post a Letter of Credit since roads are not completed and he would like to sell lots. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve change of subdivision name from "Estates of Turkey Hollow Sections 1 & 2" to Quarry Spring Sections 1 & 2, approve street name changes to Quarry Springs Drive and Fox Ridge Circle, and to accept a Letter of Credit for road construction. All voting "Aye".

**VARIANCE DISCUSSION - DAVE DAVIS REQUEST FOR SEPTIC TANK VARIANCE**

Summary: Mr. Dave Davis is dissatisfied with the response he has gotten to date from the Environmental Health Department and Commissioner Barton. He wishes to install an office for the sale of travel trailers on a very small lot (about 2,000 sq. feet) just east of Buda, near the intersection of FM2001 and I-35. Instead of building a septic tank, he wishes to use holding tanks in a travel trailer to hold the site's waste. Allen Walther, Environ Health Director, feels this would be equivalent to allowing portable toilets at a commercial site and is opposed to the project. Mr. Davis requested a hearing before the Court. Mr. Dave Davis appeared before the Court - stated that he has obtained approval from TNRCC allowing use of holding tanks in a travel trailer to hold the sites waste - because of the lot size, it is impossible to install a septic system - he will hire someone to come on a regular basis to remove waste (sewage pumping services) - this site will be used for RV sales and will be totally paved - State Law addresses procedures for cleaning up any accidental spills and authorizes use of holding tanks in special situations. Allen Walther stated that we have allowed holding tanks on a temporary basis but not on a permanent basis - he would like to get his questions answered by TNRCC before the Court takes any action.

**13829 DENY VARIANCE TO SEPTIC REQUIREMENTS REQUESTED BY BUD MINCE (SHALIMAR INVESTOR)**

Summary: Bud Mince, with Shalimar Realty Co. in Wimberley, would like a variance to septic requirements on a 0.5 acre commercial tract he is developing at the corner of RR12 and CR321. Allen Walther, Environmental Health Director, recommends denying a variance. Estimated flow is 1,600 gallons per day - if ultra-low flow toilets are used, the flow can be reduced to 1,200 GPD. Allen Walther's response to the variance request was as follows: Mr. Mince proposes developing a one acre parcel between his mini-storage facility and the one half acre parcel he sold to Joe Platt. The development is to include a 12 bed nursing facility and a number of offices. The total estimated wastewater flow is between 1200 and 1500 gallons per day. Based on our Hays County Rules, the maximum discharge for this site is 800 gallons per day. Additionally there does not seem to be sufficient area for placement of the absorption fields. Mr. Mince also plans to obtain a road easement through the one half acre he sold to Mr. Plat. That would reduce the lot below the minimum lot size of one half acre. Based on the above information, I cannot recommend approval of this development.

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Bud Mince appeared before the Court and stated that he has been trying for two years to get a copy of the county regulations from the Health Department and has been unable to get them - stated that he has obtained an Engineers Certification - explained his plans for a pre-care center for the elderly (would accommodate 10 people). Allen Walther spoke of design factors - the proposed design was from a Registered Sanitarian and not an Engineer - he is concerned about the amount of wastewater that would be generated - we need to limit discharge to 400 gallons per 1/2 acre per day as set out in the County regulations - spoke of Mr. Mince's proposal for a conventional septic system - feels like there was an error in bed calculation and the absorption field would need to be larger - this design has not been approved by the Hays County Environmental Health Dept. - concerned about density. Mr. Mince advised that he has two acres adjacent to this property which could be used as drain field - spoke of the amount of money he has already spent towards this project - he was of the opinion, after speaking with Mr. Pope of the Environmental Health Dept. on several occasions, that he could use his adjacent property as drain field with no problem. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to deny Bud Mince's request for a variance to the Hays County Septic requirements. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge voting "No".

### **13830 RUTHERFORD SUBDIVISION - SECOND & THIRD READING**

Property owner/developer is Clinton Rutherford - this is a three lot subdivision located on Glosson Ranch Rd - 15 feet of additional right-of-way is being dedicated on Glosson Ranch Road (an existing 30' roadway). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve the "Rutherford Subdivision" on second and third readings. All voting "Aye".

### **13831 RIVER MEADOWS SECTION 5 RESUB OF LOT 33 - PUBLIC HEARING - SECOND & THIRD READINGS**

Judge Etheredge called the public hearing open - staff recommended approval - public hearing was closed. This is a resubdivision of Lot 33 into two lots (33A & 33B) located on CR178 (River Road) - property owners are C. Mark Roden and Theresa H. Roden (895/47). A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "River Meadows Section 5 Resub of Lot 33" on second and third readings. All voting "Aye".

### **13832 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A CONTRACT WITH R&P ENGINEERING CO. FOR A ADA SURVEY OF HAYS COUNTY BUILDINGS**

Summary: The County is not in compliance with the American Disabilities Act and the Court has budgeted \$5,000 to prepare a compliance plan and budget. Maintenance Supervisor Ron Knott is recommending that we enter into a contract with R&P Engineering. The proposal from R&P is significantly less than other prices we were quoted (not to exceed \$4,900). The buildings that were visited for the purpose of preliminary service accessibility were: Courthouse Annex, Records Building, New Courts Building (old H.E.B.), Adult Probation Offices, County Extension Office, Environmental Health Building (new), Civic Center, Personal Health Dept., Elections Office, North Hays County Clinic, Road Department, Buda Offices, Dripping Springs Offices, and Wimberley Offices. They will provide sample copies and specifications for ramps, assigned parking, restrooms, elevator for Records Bldg., and fixtures necessary to meet ADA requirements - shall also provide number of handicap parking spots, costs estimates and plan to address them with budgets - for the Annex they will provide necessary solutions for personnel and other services out reach from first floor. Their charges are \$55 per hour, travel and print charges for total not to exceed \$4,900.00. Commissioner Molenaar asked if it was not possible that we could perform the study in-house. Ron Knott advised that he felt like it needs to be interpreted by a PE as he is not familiar with all requirements. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize the County Judge to enter into a contract with R&P Engineering Co. for an ADA Survey of Hays County facilities. All voting "Aye".

### **13833 OFFER \$1500 AS FINAL PAYMENT TO PSA FOR ARCHITECTURAL SERVICES ON THE JUVENILE DETENTION FACILITY**

County Auditor Bill Herzog advised that PSA has billed the County for the bidding negotiation phase of their contract (\$ 3,425) - contract stated that PSA "will assist in awarding and preparing contract for construction", however, this part of the contract was not performed. Commissioner Payne stated that he had attempted to call PSA and was unsuccessful - it is his opinion that PSA performed only 1/3 of the bidding negotiation phase of their contract. A motion was made by Commissioner Payne, seconded by Commissioner Barton to offer \$1,500.00 as final payment to PSA for architectural services on the Hays County Juvenile Detention Facility. All voting "Aye".

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**13834 INCREASE RATE CHARGED TO COMMERCIAL HAULERS AND RESTRICT DAYS FOR ACCEPTING HAULS FROM COMMERCIAL HAULERS AT THE TRANSFER STATION**

Commissioner Payne spoke of public hearing held two weeks ago in which he had recommended discontinuing commercial haulers altogether or raising the commercial rate charged at the Transfer Station - Hays County charges lower rates than other transfer stations - the average rate is \$5.00 - stated that he prefers that we not accept Commercial Haulers at all - if this is not acceptable to the Court, he recommends that rates be set for compacted (will make a recommendation at a later date) and non-compacted (\$5.00) hauls and to not allow 20 yard loads (not to exceed 10 yards) - he also recommended limiting the commercial haulers to 5 days a week (Monday through Friday) and not allow loads on Saturday (their busiest day for residential hauls). Ms. Peterson, Durham/Peterson Disposal, spoke of her concerns about not being able to make hauls on Saturdays. A motion was made by Commissioner Payne, seconded by Judge Etheredge to increase the rate charged to Commercial Haulers for non-compacted hauls to \$5.00 per cubic yard, to not accept over a 10 cubic yard compacted load, and to restrict commercial hauls to Monday through Friday only - effective immediately. All voting "Aye".

**13835 AUTHORIZE THE PURCHASING AGENT TO ADVERTISE FOR THE LEASE/PURCHASE OF A MOTOR GRADER FOR THE ROAD DEPARTMENT**


Darrel Brown, County Road Director, spoke of motorgraders that are down for maintenance - the 1960 CAT 12E motorgrader use by Kyle is down and the repairs will cost more than the equipment is worth - recommends going with a lease/purchase agreement for a motor grader - funds are available due to us not purchasing end dumps & tractor (\$24,000). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the Purchasing Agent to advertise for the lease/purchase of a motor grader for the Road Department. All voting "Aye".

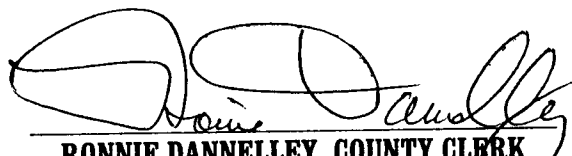
**EXECUTIVE SESSION**

The Court convened into Executive Closed Session to discuss personnel matters and contemplated litigation. The Court also conducted Department Head Evaluations in Executive Session. No actions taken.

Court adjourned until Wednesday March 29, 1995 at which time they will hold a joint meeting with the San Marcos City Council and the San Marcos Consolidated School District Board to discuss various issues.

MINUTES APPROVED IN OPEN COURT ON THE 17th DAY OF April, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

  
**RONNIE DANNELLEY, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**



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STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 29TH DAY OF MARCH A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN A WORKSHOP MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCHE   | DEPUTY COUNTY CLERK  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

The following workshop meeting was held jointly with the San Marcos City Council and the San Marcos C.I.S.D. Board of Trustees from 6:00 P.M. - 9:00 P.M. at the Dunbar Center, 801 Martin Luther King Drive, San Marcos, Texas. City of San Marcos Mayor Kathy Morris presided over the meeting.

San Marcos City Council Members present were: Mayor Kathy Morris, and Councilmen Ron Hart, Billy Moore, Fred Garza, Robert Mooney, and Joe Cox, Jr.

San Marcos C.I.S.D. Board of Trustees Members present were: Ruben Garza (President), Bernard Callendar, Tom Husbands, Reece Morrison, Michael Villalpando, Lupe Costilla, and Chuck Walts.

The following items were discussed:

Cooperative Purchasing of insurance, supplies, fuel and alternative fuel. County Judge Eddy Etheredge spoke of purchasing insurance, supplies, and fuel through cooperative purchasing which could reduce the costs. County Purchasing Agent Cindy Casparis spoke of the differences in laws that must be followed by the various entities - felt like costs could be reduced by cooperative purchasing - spoke of meeting that are regularly held by the Purchasing Agents for the County, City, School, and SWTSU. Mayor Morris and Ruben Garza spoke in support of cooperative purchasing - staff will study feasibility (6-8 weeks).

Proposed Social Services Coordinator. Mayor Kathy Morris spoke of need to identify what social services are out there in order to avoid duplication of services and to be able to make proper referrals. Councilman Joe Cox, Jr. presented a "Great Idea Sheet - National Leadership Network on Children, Families & Communities". Summary: there is little evident of systematic, integrated, coordinated administration of existing programs and activities or development of new ones, many of which seem to be grant or specific-interest driven. Programs are independently operated by the city, county, school district, and private groups. A critical first step is to develop a comprehensive inventory of existing programs, including a description of each program's objectives, target population, services provided, sources of funding, possible points of overlap with other programs, and points of contact. This information should be entered into a computer data base for on-line access by social service and youth professionals and other interest groups and individuals. The coordinating/administering agent will insure new programs are developed based on specific needs.. The responsibility for developing the data base inventory must be put in someone's job description. The next logical step is for political leaders to consider the centralized coordination and must provide a permanent position to perform this formidable - but essential - function. Commissioner Jeff Barton spoke of overlap in services in other communities and school districts in the county - spoke in support of this idea - county has a county directory of services, however, it is not as complete as it could possibly be. SMCISD President Ruben Garza spoke of his concerns about the cost of a permanent position - he currently coordinates with other agencies - spoke of nursing services provided to the schools by the county - spoke of Interagencies Council (representing non-profit agencies).

Update and discussion of City sewer surcharge program. SMCISD Supt. Tom Anderson advised that they are making efforts to lower the COD levels - commended the City Staff on their cooperation. An InterOffice Memo was presented listing the steps being taken by the school district based on recommendation by the city. County Judge Eddy Etheredge advised that the Law Enforcement Center has been put into compliance.

Future use of facilities/Shared Facilities. Mayor Morris asked about use of Lamar Gym and Auditorium. Dr. Tom Anderson spoke of need to reach an agreement for use of these facilities - they have been discussing a possible fee structure. Ruben Garza advised that the School Board is committed to making school facilities available. Chuck Walts stated that the schools belong to the taxpayers and they are made available whenever possible. Mayor Morris spoke of need for additional athletic practice fields - any available space would be appreciated. Judge Etheredge stated that there is available space at the Civic Center site.

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**Update and discussion of County Geographic Information System (GIS) Project.** Judge Etheredge spoke of needs analysis that was done - the study is complete and there is a need for GIS at the Central Appraisal District and the County that could be utilized by all government entities in the county. The seamless map would be housed at the Central Appraisal District. Judge Etheredge stated that a lack of understanding of GIS has created negative opinions - the feeling is that it will be too expensive. We have gone out for RFP's and the County has proceeded with aerial photography and monumentation. Judge Etheredge spoke of need for a joint meeting with all taxing entities who fund the CAD to consider moving forward with GIS - explained how GIS would work for all entities ("a library of information").

**San Marcos-Hays County EMS site.** Judge Etheredge spoke of decision to build a facility on the old hospital site - at one time there was a metal building located on this site and the slab is still there - they are currently attempting to get an extension on the current building until a new site is available - spoke of wastewater line problems. City Staffer Ron Patterson advised that a SUP process is possible.

**San Marcos Area Food Bank location.** Judge Etheredge spoke of delinquent tax property that is available - there is a Civil matter affecting the heirs of the property but the tax attorney advised that there should be no problems with obtaining ownership. Dr. Anderson stated his concerns about a gift deed. Judge Etheredge recommended going with a long term lease and the various entities will have to waive their taxes due - if we receive a legitimate offer we may have to seriously consider it.

**City building requirements, permits and inspection fees as they relate to public building projects.**

Judge Etheredge spoke of the number of projects the county has coming up within the city of San Marcos (Courthouse renovation, Justice Center renovation, Juvenile Services Center) - it is important that we have a good relationship with the City and with City Staff - requested waiver of fees - Judge Etheredge stated that we do want to communicate with City Staff and have their input, however, we would like to not have to go by all the City Rules when possible - the County would absolve the City from liability/responsibility. Mayor Morris stated that the City Fees are "cost of service" - it still costs the taxpayers money where City Staff is involved - the indemnity factor has legal questions - codes are designed to address public health and safety issues and the must be observed. Ruben Garza (SMCISD) spoke of it being counter productive to charge each other fees. Dr. Tom Anderson (SMCISD) spoke of sidewalks at Goodnight Junior High School - they will phase them in. A member of the audience asked about stripping Lime Kiln Road by Travis Elementary School and whether it is illegal to pass when there is no visible line. Judge Etheredge spoke of widening of Lime Kiln Road (Road Bond Project) which extends outside of the City Limits. Commissioner Russ Molenaar stated that the County is in the process of obtaining right-of-way on Lime Kiln and Hilliard Roads - we hope to have a public meeting soon. City Manager Larry Gilley advised that the City has no plans for Lime Kiln Road at this time - stripping depends on the width of the street (it will be considered) - the River Road Project has been designed and they are currently resolving utilities issues (will be presented to the City Council on April 10th). Chief of Police Kendrick advised that passing is not prohibited if there are no signs or stripes on the roadway. Mr. Gilley spoke of sidewalks around the schools being a funding issue - there might be funds available through an ISTE A Grant.

**City Drainage Master Plan and proposed improvements.** Mayor Morris advised that the City's Drainage Master Plan will cost approximately \$25 million. There is excessive water runoff and the City is committed to making the improvements - we could create a Utility District make improvements out of the General Fund/General Obligation Funds - have discussed costs to other entities - waivers would cost the City taxpayers. Councilman Fred Guerra stated that City/County/School taxpayers will be hit with all the increases - he is not convinced that imposing fees on other taxing entities is the way to go. Ruben Garza (SMCISD) stated that he would like to see an Interim Committee composed of members from the various entities - the school district is strapped for funds which are primarily for salaries and the kids. Mayor Morris spoke of everyone on tight budgets - sales taxes are most helpful - the taxpayers will have to pay for drainage projects.

**Review the site selection process used by the School District when selecting a new campus site.** The San Marcos CISD presented a copy of their adopted "Facilities Planning" - they will integrate with the City Master Plan. Mayor Morris suggested interfacing with the City and County Master Plans.

**Loop Project (FM 110).** Ruben Garza spoke of concerns regarding right-of-way and locations - want to hear concerns from landowners before offering support of this project. City Staffer Ron Patterson spoke of the City's major thoroughfare plan: proposes relocation of railroads east of I-35 which would address safety concerns regarding school and school buses - currently working with the State Highway Dept. - Railroad Company is currently considering the relocation - we have visited with some of the landowners - the Environmental Impact Study has been done for the entire loop and any changes in the route would require only a modification. The State Highway Dept. is initially looking at the East Loop (highest priority) - West Loop will be phased in. Billy Moore asked about environmental impact - the East Loop would minimize impact on residential areas, however, archaeological sites would need to be preserved. Ron Patterson stated that the Loop proposal will have grade separation crossings which would eliminate the need for trains to blow their whistles from Centerpoint Road to Kyle - the highway department will build a two lane road with the RR tracks running down the center of the roadway - there will be adequate right-of-way obtained for future widening. Chuck Walts (SMCISD) asked about hazardous chemicals they may be transported along this route and growth in the area. Ron Patterson stated that there has been no discussion of putting truck traffic on the loop - future land use could open up opportunities for development - we need to encourage growth corridors away from the fragile areas (recharge zone).

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Judge Etheredge spoke of the right-of-way being primarily outside of the City Limits, therefore, the County would be responsible for purchasing the r-o-w and fencing - this project would necessitate a bond issue. The County has already identified \$80 million in road improvements needed - not considering the Loop Project. Judge Etheredge spoke of cutting up farm land and creating problems with moving livestock and equipment - hazardous materials could create future problems - we have an obligation to represent the property owners outside the city limits - concerned about how right-of-way will be purchased by the railroad. Mayor Morris stated that the Loop Project will not be a priority with the State if it is not a priority with the City and the County. Commissioner Payne spoke of his reservations - he would like to see the West Loop done first to alleviate the traffic having to go through downtown. Tom Husbands (SMCISD) spoke of wanting know what the opposition is before they support the project. Judge Etheredge spoke of his interest in knowing Land Use Assumptions in this area and about floodplain issues. Ron Patterson advised that they will be addressing these issues. Commissioner Jeff Barton commended the City Staff on their proposal - spoke of Corridor Council's proposal to direct truck traffic east of Hays County which could be used for RR traffic - spoke of idea to use existing railroad lines for commuter trains (high speed rail). Lucky Tomblin asked about the time line for this project. Mayor Morris stated that they are waiting on RR consideration - the goal is a 3 year time period.

**Hunter Road.** A memo was submitted by Chief of Police James Kendrick regarding the traffic on Stagecoach Road at Hunter Road (leaving Hernandez Intermediate School) - after 3 days of observing traffic in the mornings, we found no instance where any vehicle had to wait in line on Stagecoach to get out onto Hunter for more than 5 minutes - it was his recommendation that no officers be assigned to work traffic at this location. Councilman Fred Guerra stated that he disagrees with the Police Chief's information - he considers this a very dangerous situation. Ruben Garza (SMCISD) stated that they will look into a joint cooperation agreement.

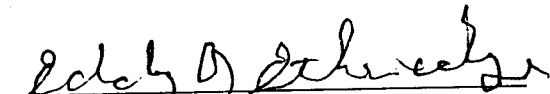
**Update and discussion of Broadway Street reconstruction project.** Broadway Street has been an issue in the community since before 1980. The School Board and City Council discussed the issue at its last joint meeting. There was general agreement that the City, County and School District could work together to find a solution. Engineering work to determine the need and approximate costs have been performed and according to testing and an engineer study, it will cost \$225,000.00 to build the road to City standards. Broadway is a major artery on the east side of San Marcos and is used daily by hundreds of residents as well as school traffic (an average of 1300 cars travel the road per day). The City has already contributed \$26,000.00 towards this project. The County is willing to resurface the existing road - does not address drainage concerns. Ruben Garza (SMCISD) requested a variance to city standards. Councilman Fred Garza stated that he concurs with Ron Hart that this issue needs to be resolved - he regrets that the tennis court has been build before the road drainage was dealt with. Ruben Garza stated that the School plans to do something to the road - it should be a City Street. Chuck Walts (SMCISD) stated that the School District is bad at maintaining roads and they would like for the City to take it over. Judge Etheredge stated that the County did participate with the City to improve Stagecoach Road at Hernandez Intermediate School and we do participate with the three other school district in road improvements - we have the flexibility to build roads and we can participate - \$107,000.00 was set aside for the Stagecoach Road project and \$16,000.00 is still available from these funds. County Road Director Darrel Brown spoke of recycling existing materials, adding base and using the existing curbs (\$19,000) - this may not be as long lasting as new construction but should be an 8 year road. Judge Etheredge stated that the County is willing to contribute up to \$20,000.00 (utilizing the \$16,000.00 that was not used for the Stagecoach Road Project). Larry Gilley spoke of the proposed work by the county would not meet city standards and the city would be required to reconstruction the roadway in the future - with proper drainage a city standard road will last 50 years. Reece Morrison (SMCISD) spoke of need to build a road that will last. It was agreed that the following contributions would be made to reconstruct Broadway Street to meet City standards: San Marcos CISD = \$ 100,000.00 City of San Marcos = \$ 100,000.00 County of Hays = \$ 20,000.00

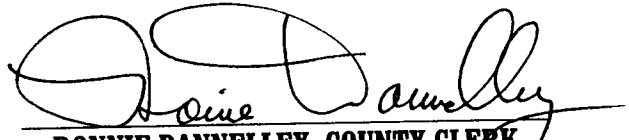
**Land use assumptions by the City and how they relate to the Master Plan Update and any future annexation, as well as current development outside the City limits and ETJ.** The City of San Marcos is in the process of updating its master plan. A 55 member Citizen's Advisory Committee has been working on the update, known as San Marcos Horizons. The committee has reached a consensus on a future thoroughfare plan which will be forwarded to the Planning & Zoning Commission within the next five weeks. The committee has now turned its attention to a future land use plan. Staff has recommended the Citizens Advisory Committee that the future land use map be amended every time the city annexes any land that would extend the city's ETJ. Hopefully, this process will keep the city's land use plan current as the city continues to grow. It will also assure that all territory falling under the joint subdivision authority of the city and Hays County will be guided by a plan for future land use. The final phase of the Citizens Advisory Committee's work will be the development of a 5 year annexation strategy for the city. Staff has already begun initial work on this plan and will present it to the committee over the coming weeks. The annexation plan will include a recommendation that all annexations be evaluated on a variety of factors that include: Ability to comply with the provisions of applicable State annexation laws, a cost-benefit analysis of the annexation, utility service considerations/service plan requirements, tax base consideration, voting rights act compliance in populated areas, and other policy considerations deemed important by the City Council. Judge Etheredge requested that the County be kept up to date on city annexations.

The Meeting was adjourned.

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MINUTES APPROVED IN OPEN COURT ON THE 17<sup>th</sup> DAY OF April, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 3RD DAY OF APRIL A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**YOUTH FOOTBALL LEAGUE**

John Gruenbein and Frank Calabrese appeared representing the Local Fraternal Order of Police (sponsors of Youth football, basketball, volleyball, & track). Frank Calabrese spoke of 7.5 acres on McCarty Lane that has been made available by Jim's Gym - plans are to put in two football fields and a track - a gravel driveway is needed to reach the property off McCarty Lane - requested county provide equipment and manpower to build the driveway and they will provide the materials. Officer Calabrese stated that they are 22 teams (16 in San Marcos, 2 in Buda, 2 in Kyle, and 2 in Wimberley). This was not an agenda item, therefore, the Court was unable to act on this request at this time.

**13836 APPROVE PAYMENT OF COUNTY INVOICES**

County Auditor Bill Herzog requested the additional of an \$18.00 permit fee to the City of San Marcos for the EMS building be added to the list of payments submitted. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of invoices in the amount of \$ 381,241.91 plus \$18.00 as proposed by the County Auditor. All voting "Aye".

|                   |               |                    |               |                      |              |
|-------------------|---------------|--------------------|---------------|----------------------|--------------|
| Fines             | \$ 60.00      | Auditor            | \$ 2,093.92   | Treasurer            | \$ 1,271.40  |
| Extension Ofc     | \$ 184.16     | Grants Admin       | \$ 3,087.96   | Juvenile Prob        | \$ 253.81    |
| Election Amin     | \$ 38.00      | Comm & Soc Svcs    | \$ 133,858.50 | Indigent Care        | \$ 2,000.01  |
| Transfer Station  | \$ 55.00      | Bldg. Maint.       | \$ 1,959.86   | Environ Health       | \$ 203.92    |
| Personal Health   | \$ 2,867.36   | Civic Center       | \$ 1,075.56   | Countywide Op        | \$ 17,540.73 |
| Tax A/C           | \$ 132.77     | District Clerk     | \$ 611.46     | County Clerk         | \$ 139.14    |
| Sheriffs Ofc      | \$ 7,649.82   | Jail Operations    | \$ 13,997.47  | County Judge         | \$ 137.85    |
| Human Resources   | \$ 90.90      | Co Crt @ Law 1     | \$ 39.20      | Dist Attorney        | \$ 174.47    |
| J.P. 1-1          | \$ 51.94      | J.P. 1-2           | \$ 301.83     | J.P. 2               | \$ 46.10     |
| J.P. 4            | \$ 35.40      | J.P. 5             | \$ 125.00     | D.P.S.               | \$ 557.25    |
| Constable 1       | \$ 41.70      | Constable 5        | \$ 28.99      | Dist Crt Oper        | \$ 1,768.39  |
| Co & JP Crt Oper  | \$ 250.00     | Veterans Admin     | \$ 22.30      | Computer Svcs        | \$ 1,094.70  |
| Co Crt @ Law 2    | \$ 20.26      | Fire Marshal       | \$ 54.55      | TABC                 | \$ 21.60     |
| Dist Court Reprtr | \$ 57.90      | Legal Aid Office   | \$ 126.80     | Dunbar Grant         | \$ 475.00    |
| R&B Operations    | \$ 39,567.36  | Precinct 1         | \$ 40.00      | Rec Mng/Co Clerk     | \$ 2,606.42  |
| Health Svcs Grant | \$ 29,613.50  | Law Library        | \$ 75.00      | Jail Construction    | \$ 1,722.81  |
| Road Construction | \$ 105,757.57 | Crths Renov & Rd I | \$ 597.50     | Anticip Notes I&S    | \$ 83.00     |
| Adult Prob Oper   | \$ 4,695.51   | Adult Prob Fac     | \$ 1,792.28   | Anticip Notes Constr | \$ 87.98     |

A motion was made by Commissioner Payne, seconded by Commissioner Molennar to delete \$185.25 payment to Doucet & Associates for work on Rocky Ranches Road (private road) from the Road Construction Fund. All voting "Aye".



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**13837 AMEND BUDGETS OF VARIOUS DEPARTMENT**

The following budget amendments were proposed by the County Auditor:

County Judge's Office - Fund (2) Grade/Step adjustments from County-wide Salaries adjustment and transfer into temporary salary for temporary personnel costs due to maternity leave. (\$1,350)

Indigent Care - Combine Department Head line into Staff Salaries under re-organization.

County Court at Law #1 & #2 - Budget CCL Judges reimbursement for salaries and fringe benefits that have been received to date (\$15,360).

Justice of the Peace 4 - Transfer \$1,360 of savings in personnel costs due to grade/step change for unanticipated costs for telephone system when office moved, and for one-time printing and 4 year bond for newly elected official.

TDH/Immunization Grant - Correct original budget per TDH, reduce personnel expenditures \$ 534.00.

A motion was made by Commissioner Barton, seconded by Commissioner Payne to amend budget of the County Judge, Indigent Care, County Court at Law #1 & #2, Justice of the Peace 4, and TDH/Immunization Grant as proposed by the County Auditor in Budget Amendment No. 95-019. All voting "Aye".

|                                                                                                                                    |                  |                  |                  |                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|------------------|-------------------------------------------------------------------|
|                                                                                                                                    |                  |                  |                  | AMENDMENT<br>NO. <u>95-019</u><br>FY 95 BUDGET<br><u>04/03/95</u> |
| FUND NO. <u>01</u>                                                                                                                 |                  |                  |                  |                                                                   |
| FUND TITLE <u>GENERAL</u>                                                                                                          |                  |                  |                  |                                                                   |
|                                                                                                                                    | APPROPRIATION    | AMENDMENT        | APPROPRIATION    |                                                                   |
|                                                                                                                                    | BEFORE           |                  | AS               |                                                                   |
| <u>LINE ITEM - EXPENDITURES</u>                                                                                                    | <u>AMENDMENT</u> | <u>INCREASES</u> | <u>DECREASES</u> | <u>AMENDED</u>                                                    |
| <br><u>COUNTY JUDGE (420)</u>                                                                                                      |                  |                  |                  |                                                                   |
| 01-420-5021 Staff Sal                                                                                                              | 38,320           | 2,850            |                  | 41,170                                                            |
| 01-420-5110 FICA                                                                                                                   | 6,415            | 100              |                  | 6,515                                                             |
| 01-420-5121 Retirement                                                                                                             | 6,336            |                  | (150)            | 6,186                                                             |
| 01-420-5213 Books                                                                                                                  | 300              | 50               |                  | 350                                                               |
| 01-420-5449 Temp Personnel                                                                                                         | 1,500            |                  | (1,500)          | 0                                                                 |
| <br><u>COUNTY-WIDE OPERATIONS (414)</u>                                                                                            |                  |                  |                  |                                                                   |
| 01-414-5091 Salary Adjust                                                                                                          | 105,550          |                  | (1,350)          | 103,414                                                           |
|                                                                                                                                    |                  | <u>3,000</u>     | <u>(3,000)</u>   |                                                                   |
| TRANSFER GRADE/STEP (2) ADJUSTMENTS FOR FY 95, AND TRANSFER SIX WEEKS TEMPORARY PERSONNEL COST FROM TEMPORARY PERSONNEL LINE ITEM. |                  |                  |                  |                                                                   |

|                                                                 |        |        |          |        |
|-----------------------------------------------------------------|--------|--------|----------|--------|
| <u>INDIGENT CARE (408)</u>                                      |        |        |          |        |
| 01-408-5021 Staff                                               | 16,924 | 15,263 |          | 32,187 |
| 01-408-5011 Dept Head                                           | 25,390 |        | (15,263) | 10,127 |
| CONSOLIDATE SALARIES INTO SINGLE LINE ITEM UNDER REORGANIZATION |        |        |          |        |

|                                    |        |       |  |        |
|------------------------------------|--------|-------|--|--------|
| <u>COUNTY COURT @ LAW #1 (422)</u> |        |       |  |        |
| 01-422-5011 Dept Head              | 44,250 | 6,676 |  | 50,926 |
| 01-422-5110 FICA                   | 8,903  | 511   |  | 9,414  |
| 01-422-5121 Retirement             | 8,792  | 493   |  | 9,285  |

|                                    |        |       |  |        |
|------------------------------------|--------|-------|--|--------|
| <u>COUNTY COURT @ LAW #2 (461)</u> |        |       |  |        |
| 01-461-5011 Dept Head              | 44,250 | 6,676 |  | 50,926 |
| 01-461-5110 FICA                   | 3,414  | 511   |  | 3,925  |
| 01-461-5121 Retirement             | 3,371  | 493   |  | 3,864  |

|                                             |   |                 |                 |        |
|---------------------------------------------|---|-----------------|-----------------|--------|
| <u>REVENUES:</u>                            |   | <u>DECREASE</u> | <u>INCREASE</u> |        |
| 01-333-3422 CCL Judges Salary Reimbursement | 0 |                 | 15,360          | 15,360 |
|                                             |   | <u>15,360</u>   | <u>15,360</u>   |        |

BUDGET SALARY/FUNDS RECEIVED FOR CCL JUDGES

|                                 |        |              |                |        |
|---------------------------------|--------|--------------|----------------|--------|
| <u>JUSTICE OF PEACE 4 (428)</u> |        |              |                |        |
| 01-428-5321 Fees & Bonds        | 100    | 200          |                | 300    |
| 01-428-5461 Printing            | 100    | 235          |                | 335    |
| 01-428-5489 Telephone           | 700    | 1,000        |                | 1,700  |
| 01-428-5110 FICA                | 3,632  |              | (325)          | 3,307  |
| 01-428-5160 Insurances          | 4,548  |              | (750)          | 3,798  |
| 01-428-5021 Staff               | 17,977 |              | (285)          | 17,692 |
| 01-428-5473 Copier Lease        | 1,300  |              | (75)           | 1,225  |
|                                 |        | <u>1,435</u> | <u>(1,435)</u> |        |

TRANSFER SAVINGS IN PERSONNEL COST DUE TO GRADE/STEP REPLACEMENT TO UNANTICIPATED CHARGES FOR TELEPHONE SYSTEM, PRINTING SET UP (ONE-TIME) & (4) FOUR YEAR BOND FOR NEW ELECTED OFFICIAL.

FUND NO. 10

FUND TITLE HEALTH SERVICES GRANTS

|                                     |        |  |              |        |
|-------------------------------------|--------|--|--------------|--------|
| <u>TDH/IMMUNIZATION GRANT (708)</u> |        |  |              |        |
| 10-708-5021 Staff                   | 16,905 |  | (465)        | 16,440 |
| 10-708-5110 FICA                    | 1,294  |  | (36)         | 1,258  |
| 10-708-5121 Retirement              | 836    |  | (33)         | 803    |
|                                     |        |  | <u>(534)</u> |        |

CORRECT ORIGINAL BUDGET PER TDH; REVENUE REMAINS AS BUDGETED.

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13838 APPROVE DECEMBER 1994 TREASURER'S REPORT

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve the December 1994 Treasurer's Report as presented. All voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
DECEMBER 31, 1994

|                                                              | General                     | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library        | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Notes<br>Series 1994 | Courthouse<br>Ren. & Road<br>Bond 1994 |
|--------------------------------------------------------------|-----------------------------|----------------------------|-----------------------|--------------------|----------------------------|----------------------|-----------------------------|--------------------------------------|----------------------------------------|
| CHECKING                                                     |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.                                                  | \$69,900.77                 | \$4,331.36                 | \$24.79               | \$11,868.09        | \$1,625.91                 | \$902,997.26         | \$5,726.17                  | \$3,085.93                           | \$1,567.02                             |
| M/M Int.                                                     | \$364.18                    | \$43.95                    |                       | \$28.91            | \$39.14                    | \$2,217.79           | \$25.92                     | \$5.96                               | \$5.73                                 |
| Deposits                                                     | \$2,100,988.66              | \$364,997.88               | \$2,021.18            | \$890.00           | \$271,374.75               | \$0.00               | \$22,589.96                 | \$3,300.00                           | \$91,600.00                            |
| Disbursements                                                | \$2,083,647.86              | \$355,396.01               | \$1,369.02            | \$670.70           | \$270,567.18               | \$4,619.76           | \$26,800.00                 | \$4,800.00                           | \$91,442.89                            |
| Ending Bal.                                                  | \$87,605.75                 | \$13,977.18                | \$676.95              | \$12,116.30        | \$2,472.62                 | \$900,595.29         | \$1,542.05                  | \$1,591.89                           | \$1,729.86                             |
| INVESTMENTS                                                  | TexPool                     | TexPool                    |                       |                    | TexPool                    |                      | TexPool                     | TexPool                              | TexPool                                |
| Begin. Bal.                                                  | \$3,180,370.84              | \$499,310.05               | \$0.00                | \$0.00             | \$487,288.73               | \$0.00               | \$10,228.87                 | \$205,494.42                         | \$5,590,661.97                         |
| M/M Int.                                                     | \$12,297.37                 | \$1,657.71                 |                       |                    | \$2,307.17                 |                      | \$60.73                     | \$881.54                             | \$23,896.28                            |
| Deposits                                                     |                             |                            |                       |                    | \$155,000.00               |                      | \$26,800.00                 |                                      |                                        |
| Disbursements                                                | \$889,000.00                | \$205,000.00               | \$0.00                | \$0.00             | \$47,250.00                | \$0.00               | \$37,089.60                 | \$3,300.00                           | \$91,600.00                            |
| Ending Bal.                                                  | \$2,303,668.21              | \$295,967.76               | \$0.00                | \$0.00             | \$597,345.90               | \$0.00               | \$203,075.96                | \$5,522,958.25                       | \$5,522,958.25                         |
| *****                                                        |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
|                                                              | Courthouse<br>Road Bond I&S | Jail<br>I&S                | Jail<br>Addition I&S  | Hays County<br>I&S | Public<br>Works I&S        | Springlake<br>I&S    | Pioneer<br>Trails<br>I&S    | Burnett<br>Road<br>I&S               | Anticipation<br>Notes<br>I&S           |
| CHECKING                                                     |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.                                                  | \$2,101.04                  | \$5,036.80                 | \$3,137.20            | \$1,523.96         | \$3,346.72                 | \$2,278.26           | \$1,661.51                  | \$256.22                             | \$4,646.32                             |
| M/M Int.                                                     | \$20.52                     | \$21.28                    | \$9.83                | \$13.23            | \$11.60                    | \$10.19              | \$4.36                      |                                      | \$21.96                                |
| Deposits                                                     | \$23,464.93                 | \$14,357.35                | \$14,681.69           | \$43,499.34        | \$5,528.18                 | \$7,146.72           | \$1,705.28                  | \$1,202.38                           | \$16,743.62                            |
| Disbursements                                                | \$24,000.00                 | \$17,855.00                | \$16,200.00           | \$43,463.90        | \$7,300.00                 | \$7,900.00           | \$1,200.00                  |                                      | \$19,800.00                            |
| Ending Bal.                                                  | \$1,586.49                  | \$1,560.43                 | \$1,628.72            | \$1,572.63         | \$1,586.50                 | \$1,535.17           | \$2,171.15                  | \$1,458.60                           | \$1,611.90                             |
| INVESTMENTS                                                  | TexPool                     | TexPool                    | TexPool               | TexPool            | TexPool                    | TexPool              | TexPool                     |                                      | TexPool                                |
| Begin. Bal.                                                  | \$30,948.01                 | \$131,067.49               | \$157,440.75          | \$70,410.61        | \$137,392.03               | \$16,894.36          | \$11,134.31                 | \$0.00                               | \$0.00                                 |
| M/M Int.                                                     | \$148.46                    | \$576.80                   | \$685.83              | \$233.62           | \$597.55                   | \$77.82              | \$43.30                     |                                      | \$12.27                                |
| Deposits                                                     | \$24,000.00                 | \$17,850.00                | \$16,200.00           | \$16,200.00        | \$7,300.00                 | \$7,900.00           | \$1,100.00                  |                                      | \$19,800.00                            |
| Disbursements                                                |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Ending Bal.                                                  | \$55,096.47                 | \$149,494.29               | \$162,826.58          | \$59,094.23        | \$145,289.58               | \$24,872.18          | \$10,077.61                 | \$0.00                               | \$19,812.00                            |
| TEMPORARY TRANSFERS: 10-95 GENERAL TO HEALTH SERVICES GRANTS | \$22,300.00                 |                            |                       |                    |                            |                      |                             |                                      |                                        |

*Michele Tuttle*  
Michele Tuttle  
Hays County Treasurer

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
DECEMBER 31, 1994

|               | Adult<br>Probation<br>Operating        | Adult<br>Probation<br>Facilities | Courthouse<br>Security       | Records<br>Management                | Records<br>Preservation       | Animal<br>Control | Sheriff's<br>Drug<br>Forfeiture | District<br>Attorney Drug<br>Forfeiture | District<br>Attorney<br>Reimburs. |
|---------------|----------------------------------------|----------------------------------|------------------------------|--------------------------------------|-------------------------------|-------------------|---------------------------------|-----------------------------------------|-----------------------------------|
| CHECKING      |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Begin. Bal.   | \$19,157.88                            | \$30,564.95                      | \$27,143.13                  | \$7,667.98                           | \$10,113.00                   | \$10.02           | \$1,555.74                      | \$4,217.12                              | \$9,058.48                        |
| M/M Int.      | \$180.36                               |                                  |                              | \$20.49                              |                               |                   | \$3.84                          |                                         | \$28.54                           |
| Deposits      | \$426,166.50                           |                                  | \$2,128.00                   | \$8,405.00                           | \$905.00                      | \$13,227.33       |                                 | \$760.98                                | \$13,751.19                       |
| Disbursements | \$368,441.68                           | \$7,433.82                       |                              | \$6,531.90                           |                               | \$3,152.10        |                                 | \$983.70                                | \$6,542.59                        |
| Ending Bal.   | \$77,063.06                            | \$23,131.13                      | \$29,271.13                  | \$9,561.57                           | \$11,018.00                   | \$10,085.25       | \$1,559.58                      | \$3,994.40                              | \$16,295.62                       |
| INVESTMENTS   | TexPool                                |                                  |                              | TexPool                              |                               |                   |                                 |                                         | TexPool                           |
| Begin. Bal.   | \$369,159.85                           |                                  |                              | \$42,179.53                          |                               |                   |                                 |                                         | \$93,370.72                       |
| M/M Int.      | \$2,242.90                             |                                  |                              | \$182.05                             |                               |                   |                                 |                                         | \$403.05                          |
| Deposits      | \$195,000.00                           |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Disbursements | \$25,000.00                            |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Ending Bal.   | \$541,402.75                           | \$0.00                           | \$0.00                       | \$42,361.58                          | \$0.00                        | \$0.00            | \$0.00                          | \$0.00                                  | \$93,773.77                       |
| *****         |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
|               | Historical<br>Commission<br>Trust Fund | Foster<br>Care                   | Health<br>Services<br>Grants | Texas Capital<br>Fund/<br>New Canaan | General<br>First<br>Southwest |                   |                                 |                                         |                                   |
| CHECKING      |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Begin. Bal.   | \$8,185.02                             | \$11.32                          | \$5,773.50                   | \$0.00                               | \$672.14                      |                   |                                 |                                         |                                   |
| M/M Int.      | \$18.95                                |                                  | \$104.89                     |                                      | \$1.05                        |                   |                                 |                                         |                                   |
| Deposits      | \$283.95                               | \$15,530.54                      | \$133,484.51                 | \$3,965.07                           |                               |                   |                                 |                                         |                                   |
| Disbursements |                                        | \$14,641.62                      | \$135,195.93                 | \$3,965.07                           |                               |                   |                                 |                                         |                                   |
| Ending Bal.   | \$8,487.92                             | \$900.24                         | \$4,166.97                   | \$0.00                               | \$673.19                      |                   |                                 |                                         |                                   |
| INVESTMENTS   | TexPool                                |                                  | TexPool                      |                                      | Discount Note                 |                   |                                 |                                         |                                   |
| Begin. Bal.   | \$0.00                                 | \$0.00                           | \$3,005.30                   | \$0.00                               | \$299,327.86                  |                   |                                 |                                         |                                   |
| M/M Int.      |                                        |                                  | \$12.96                      |                                      |                               |                   |                                 |                                         |                                   |
| Deposits      |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Disbursements |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Ending Bal.   | \$0.00                                 | \$0.00                           | \$3,018.26                   | \$0.00                               | \$299,327.86                  |                   |                                 |                                         |                                   |

APRIL 3, 1995

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**13839 AUTHORIZE ORGANIZATIONAL ADJUSTMENTS IN THE PERSONAL HEALTH DEPARTMENT**

Summary: This Organizational Adjustment is to "fine tune" the department under the "one department head" concept recently approved by the Commissioners' Court. Adjustments proposed are as follows:

- (1) Change the Indigent Coordinator title to "Social Health Coordinator"
- (2) Upgrade Billing Clerk from grade 4 to grade 5 (based upon actual job duties)
- (3) Combines Statistical Clerk & Screening Clerk as one function, Grade 5
- (4) Creates Medical Asst. position for Physician, Grade 5
- (5) Deletes LVN position, Grade 7
- (6) Deletes Screening Clerk, Grade 3

Will create Grant Funding savings = \$ 14,760 per FY (\$7,380 FY95)

A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the Organizational Adjustments in the Personal Health Department as proposed. All voting "Aye".

**13840 AUTHORIZE PURCHASE OF A DOLLY FOR BUILDING MAINTENANCE**

Ron Knott, Maintenance Supervisor, requested authorization to purchase an Appliance Dolly (Truck) in the amount of \$216.50 out of unspecified equipment and supplies line item. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize purchase of an Appliance Dolly (Truck) in the amount of \$216.50 out of unspecified equipment and supplies line item. All voting "Aye".

**13841 AWARD ENGINEERING CONTRACT TO NEPTUNE WILKINSON ON THE CAPITAL CITY CONTAINER PROJECT IN BUDA AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT**

Grants Administrator Richard Salmon advised that this grant is for sewer improvements to connect Capital City Container, the largest box manufacturer in Travis County, to the Buda sewer system. Grant funds have been approved by the Texas Dept. of Commerce and the contract will be received in two weeks. Hays County will receive up to \$15,000.00 in administrative funds to oversee the grant for the city of Buda. A project manager has been selected and is being paid through the grant. Neptune Wilkinson, Inc. was selected as the engineer through the federal procurement process required of this grant. Funds are included in the grant for engineering. All procurement was done in conjunction with and reviewed by the Hays County Purchasing Department. Project duration estimated at 4 months. A motion was made by Commissioner Barton, seconded by Commissioner Payne to award Engineering Contract to Neptune Wilkinson on the Capital City Container Project in Buda and to authorize the County Judge to execute contract for up to \$32,000.00. All voting "Aye".

**13842 AWARD PROJECT MANAGEMENT SERVICE CONTRACT FOR THE RESTORATION OF THE COURTHOUSE TO PROJECT CONTROL INC. AND TO AUTHORIZE THE COUNTY JUDGE TO NEGOTIATE A CONTRACT**

Grants Administrator Richard Salmon advised that awarding the Project Management Contract is part of the selection process for the \$2.24 million ISTE A grant received by Hays County from the Texas Department of Transportation Enhancement Program. That grant along with the \$1.8 million in bonds will be used to restore and rehabilitate the courthouse. The Grants Department and Purchasing Dept. in conjunction with the Hays County Advisory Board reviewed proposals from seventeen project management firms from across the state and developed a short list of five (5) firms, based on TxDOT approved criteria. Each of the firms was asked to make a 30 minute presentation of qualifications to the advisory board. Project Control Inc. was their selection. Hays County's purchasing and grants department concur with that selection. Hays County will provide 20% of the negotiated contract, from voter approved bonds, and TxDOT will provide the remaining 80% from the ISTE A grant. Hays County will receive \$250,000.00 in administrative fees in this project. A motion was made by Commissioner Barton, seconded by Commissioner Payne to award the Project Management Service Contract for the restoration of the Courthouse to Project Control Inc. and to authorize the County Judge to negotiate a contract. All voting "Aye".

**13843 AUTHORIZE USE OF THE COURTHOUSE GROUNDS FOR "TEXAS NATURAL FESTIVAL WEEKEND"**

A letter was submitted by Kelly Frank of the Texas Natural Task Force requesting use of the Courthouse grounds on May 20 & 21, 1995 - they are also requesting permission to erect a large tent in the parking spaces on San Antonio Street beginning Wednesday May 17th and for use of the Courthouse rotunda for the Southwestern Writer's Collection, SWTSU exhibit (security will be provided during the day and night-time hours). A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize use of the Courthouse grounds as requested for the "Texas Natural Festival Weekend" from May 17 - 21, 1995. All voting "Aye".

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**13844 APPROVE RESTORATION OF RECORD VOLUMES, NEW CANVAS COVERS, EXTENSIONS, AND NEW BINDERS FOR COUNTY CLERK'S OFFICE**

Ronnie Dannelley, County Clerk, requested approval to spend \$8,430.00 out of County Clerk Records Management Funds to restore 34 volumes of permanent records - three quotes were obtained and low bidder was Nationwide Binding Co. in the amount of \$247.95 per volume. A motion was made by commissioner Barton, seconded by Commissioner Payne to approve restoration of record volumes in the County Clerk's Office to be paid out of Records Management Funds as requested. All voting "Aye".

**13845 ACCEPT INTERNAL AUDIT REPORT OF HAYS COUNTY HEALTH DEPARTMENT**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to accept the Internal Audit Report of the Hays County Health Department. All voting "Aye".

**13846 APPROVE SPECIFICATIONS FOR LEASE/PURCHASE OF A MOTORGRADER FOR THE ROAD DEPT.**

The Commissioners' Court authorized the bidding of a motorgrader on March 27, 1995 - bid specifications have been prepared and are ready for approval. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve specifications for lease/purchase of a motorgrader for the Road Department. All voting "Aye".

**DISCUSSION REGARDING ALLOCATION OF PROGRAM INCOME TO BE USED BY THE HEALTH DEPT.**

Julie Hornberger, RN/Director of Nursing, advised that each year the Commissioners' Court approve 100% of Program Income generated by the Health Dept. programs to be used for Health Dept. services - this allocation is required by the Texas Dept. of Health in order to receive grant funding. Commissioner Payne requested clarification regarding the funds if they are not allocated 100%. Julie Hornberger spoke of grants having been non-competitive - this is changing - State needs assurance that 100% of program income will be funneled back into services - she explained what funds are used for. County Auditor Bill Herzog spoke of recent exceptions (flu vaccines) which caused funds to be pulled from the County's general fund. Court decided to not take action this date and try to determine a proper formula to be used.

**13847 ACCEPT LETTER OF CREDIT ON "QUARRY SPRINGS" SUBDIVISION**

The Estates of Turkey Hollow was renamed "Quarry Springs" subdivision at last weeks meeting and the roads were to be finished before filing of the plat, however, Developer Ed Longcope's plans have changed and he would like to file the subdivision before the completion of the roads. A Letter of Credit was filed in an amount not to exceed \$150,000 (expiration date: May 3, 1995). Road Director Darrel Brown stated that he has visually inspected the road and has no problem with accepting the letter of credit. Commissioner Payne voiced his concerns about the letter of credit expiring on May 3, 1995 - will the roads be complete in thirty days? - advised that he will monitor progress on the roads. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to accept the Letter of Credit on "Quarry Springs" subdivision. All voting "Aye".

**13848 RANCHO MADRONE SECTION 1 - FIRST READING APPROVAL & GRANT ROAD VARIANCE**

Eddie Gumbert appeared on behalf of Ed Longcope (owner) - advised that large acreage tracts located outside of the four lot Rancho Madrone Section 1 subdivision will be platted as they are sold - the 40 ft. private easement to this property can be adjusted when future development occurs along it - requesting a road variance to allow 15 ft. wide road with 7.5 ft. shoulders and 10-year flood frequency for drainage (60 ft. wide right-of-way is dedicated). Allen Walther, Environmental Health Director, advised that TNRCC had been on site, however, their confirmation has not yet been received - need to clarify to the Court that Developer is not requesting a platting variance for the large tracts outside of this subdivision at this time (delete paragraph 1. of his original written request. Commissioner Payne spoke of the County not having an adopted policy for SAD's (Shared Access Driveways) which means the Court would have to grant a road construction variance. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Rancho Madrone Section 1" subdivision on first reading and grant a variance to road construction (road must meet a 10-year flood frequency for drainage). All voting "Aye".

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**13849 WHISPERING OAKS PHASE ONE - SECOND READING APPROVAL**

Tom Wisseman presented a 33 lot subdivision located off Nutty Brown Road for second reading - he would like to open a checking account requiring two signature (1 signature being a county person) as security for the roads to avoid additional costs to him. Road Director Darrel Brown stated that the road are public - culvert structures do meet county specifications. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Whispering Oaks Phase One" subdivision on second reading. All voting "Aye".

**13850 FOX RUN ESTATES REPLAT LOT 8 - FIRST READING AND CALL FOR A PUBLIC HEARING**

Current plat has setback note of 50 feet - Applicant wishes to reduce this to 20 feet on Lot 8. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Fox Run Estates Replat of Lot 8" on first reading and call for a public hearing to be held April 17, 1995 at 9:00 A.M. All voting "Aye".

**13851 K'S ADDITION - FIRST READING APPROVAL**

Ernest Kimbro is developing a four lot subdivision - no new roads - right-of-way is dedicated on the plat. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "K'S ADDITION" subdivision on first reading. All voting "Aye".

**13852 COVES OF CIMARRON SECTION TWO PHASE 3 - SECOND READING APPROVAL**

Commissioner Barton advised that the City of Buda has approved this 40 lot subdivision - a Letter of Credit is needed before granting third reading. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Coves of Cimarron Section Two Phase 3" on second reading. All voting "Aye".

**13853 COX ADDITION - SECOND AND THIRD READINGS**

This is a three lot subdivision developed by Jerry Cox located off Elliot Ranch Road on Oak Grove Drive - 5 ft. of additional right-of-way is dedicated along the roadways. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Cox Addition" on second and third readings. All voting "Aye".

**13854 PLATTING VARIANCE GRANTED TO ROBERT MALTSBERGER ON A ONE ACRE TRACT ON RR12**

Owner Robert Maltzberger is requesting a platting variance for a one acre tract of land out of an original 11.19 acres in the Warren G. Coody Survey located on RR 12 south of Jacob's Well Road - the City of Woodcreek has granted their approval. A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant a platting variance to Robert Maltzberger on a one acre tract out of an original 11.19 acre tract in the Warren G. Coody Survey. All voting "Aye".

**13855 HOLD PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS ON COUNTY ROADS 221 & 183**

Judge Etheredge called the public hearing open - no public input - public hearing was closed. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to establish traffic regulations of 35MPH speed limit on CR221 & CR183. All voting "Aye".

**13856 AGREE TO JOIN THE GREATER AUSTIN-SAN ANTONIO CORRIDOR COUNCIL**

Jim Shaw, Director of Development for the Corridor Council, appeared before the court and gave the following report: since Mexico began lowering its import tariffs, U.S. Exports to Mexico have more than tripled to the current \$44 Billion annual pace from \$12.4 Billion in 1986 - I-35 is the sole central land artery linking Canada through the U.S. to Mexico - 80% of all Mexican trade with the U.S. and Canada moves through Texas, 75% of that trade is by truck up I-35 - about 50% of all U.S. Exports bound for Mexico cross over on I-35 at Laredo, Texas onto Mexico's PanAmerican Highway leading to industrial centers - between 35,000 and 38,000 18-wheel trucks cross into and out of Mexico at Laredo each month, the majority traveling on I-35 - trade with Mexico related to NAFTA is projected by Federal and Texas officials to double by 2000 and double again by 2010 - recent analyses of NAFTA trade flows anticipate that Texas highways will carry an even larger percentage of this growing volume over the next two decades - I-35 crosses 21 Texas counties, including four of its six most populous, accounting for 6.2 million of the total 17 million Texans - I-35 provides access to all major Interstate routes running east to west across the U.S. - the Texas Comptroller of Public Accounts forecasts that vital Texas and Dallas/Fort Worth Industries will reap large benefits from expanding trade

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with Mexico - as a result of their strategic geographic location, Texas and Austin/San Antonio will see the number of their distribution centers increase as both become even more important gateways for trade between the U.S., Canada, and Mexico. - I-35 stretches for 1,500 miles within the U.S. and 580 miles in Texas, from Gainesville in the North to Laredo in the South - with the implementation of NAFTA, the importance of I-35 and the demands placed upon it will increase dramatically. Mr. Shaw stated that they are attempting to get everyone involved including the counties that are not directly on I-35 (i.e. Caldwell & Bastrop) because they will be affected. Judge Etheredge spoke of their being no infrastructure to support residential and industrial growth - a funding mechanism is needed. Mr. Shaw advised that they would be addressing some of these issues - if the County comes on board they could focus on these issues. Judge Etheredge stated that he has seen a change in the direction of the Corridor Council - we are currently funding two economic development councils and this would allow them to tap into the larger Council. A motion was made by Judge Etheredge, seconded by Commissioner Barton to join the Greater Austin-San Antonio Corridor Council and authorize payment of the \$5,000.00 membership fee out of the Hays County Economic Development funding. All voting "Aye".

**13857 APPROVE INCREASED RATES CHARGED BY THE SAN MARCOS-HAYS COUNTY EMS INC.**

The San Marcos City Council voted March 27, 1995 to increase EMS rates and the County must also approve them before they may go into effect. Tom Partin presented the proposed EMS charges as follows:

**A.L.S. EMERGENCY CALL - \$200.00** (CURRENT IS \$140)  
 call is receive as an emergency requiring an immediate response  
**A.L.S. EMERGENCY OR NON EMERGENCY TRANSFER - \$200.00** (CURRENT IS \$140)  
 Patient required advanced life support (cardiac monitor, tv monitor, medications, advanced airway management, etc.) during transport  
**NON EMERGENCY TRANSFER - \$ 150.00** (CURRENT IS \$115)  
 Stable patient requiring stretcher for transport between facilities.  
**MILEAGE (ALL) \$4.00 PER MILE** (CURRENT IS \$3.00 PER MILE)  
 Point of pickup to point of delivery  
**SUPPLIES** used are charged on a per item basis to all patients.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve increase in rates charged for services received from the San Marcos-Hays County EMS Inc. All voting "Aye".

**13858 AUTHORIZE LEASE OF A COPIER FOR JUSTICE OF THE PEACE PCT. 1 PLACE 2**

The copier being used in JP1-2 office was given to them by the District Attorney's office several years ago - it does not perform well and uses two cartridges of toner a month at \$80 each - parts are no longer available for this model - she has \$950.00 available in her budget to help fund this equipment. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize lease of a copier for Justice of the Peace Pct. 1 Place 2. All voting "Aye".

**13859 AUTHORIZE LEASE OF A COPIER FOR JUSTICE OF THE PEACE PCT. 5**

The current copier is old and inadequate for current needs - requested authorization to lease a copier and amend J.P. 5 budget with line item transfers to provide payment for lease as follows:

Line Item 01-435-5411 = \$500.00  
 Line Item 01-435-5321 = \$100.00  
 Line Item 01-435-5413 = \$100.00

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to authorize lease of a copier for Justice of the Peace Pct. 5 and approve budget amendment as proposed. All voting "Aye".

**13860 AUTHORIZE REMODELING PROJECT AT THE COURTHOUSE ANNEX FIRST FLOOR**

Commissioner Payne spoke of small construction project needed at the courthouse annex first floor to seal up the wall in the "red room" - project will be under the direction of the Maintenance Supervisor. Ron Knott, Mtc. Supv., stated that the bids are in for the Tax Office cabinet work - they will do the "red room" project last. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize remodeling project at the Courthouse Annex First Floor. All voting "Aye".

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**13861 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A PLATFORM SCALE FOR THE DPS WEIGH STATION ON SOUTH BOUND IH35**

The scale at the southbound weigh station of IH35 is broken and cannot be repaired - approximate cost for replacement is \$16,000-18,000.00 - additional funds are anticipated for DPS Weigh Station Officers in order to provide extended services and thereby increasing revenues for the county. A motion was made by Judge Etheredge, seconded by Commissioner Payne to approve specifications and authorize the County Auditor to advertise for bids for platform scales for the DPS Weigh Station on southbound IH35. All voting "Aye".

**13862 APPROVE ALTERNATE BIDS FOR RENOVATION OF CRIMINAL JUSTICE BUILDING**

Purchasing Agent Cindy Casparis presented the alternates bids for consideration:

- 1. Repaint metal canopy, handrail and lower window panels \$ 3,688.00
- 2. Courtroom acoustic wall treatment \$ 2,295.00
- 3. Suspended drop-in ceiling grid in the District Courtroom \$ 808.00
- 4. Repaint exterior rear of the building \$ 2,894.00
- 5. Install a Closed Circuit Television System \$16,719.00
- 6. Install a Card Key Access System \$16,743.00
- 7. Install an Intercom System \$10,470.00

A discussion was had on whether the acoustic wall treatment and suspended drop-in ceiling grid is necessary in the District Courtroom and also whether an Intercom System is needed. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve alternates #1, #3, #4, #5, and #6 and to allow Commissioner Payne and Judge Etheredge to make final judgment on alternates #2 & #7. All voting "Aye".

**13863 APPOINT NEW HAYS COUNTY EXTENSION AGENT**

Ed Koliba, District Extension Director for the Texas Agricultural Extension Service, introduced Billy Kniffen, current Extension Agent in Dewitt County. Billy Kniffen appeared before the Court. Court was satisfied with Mr. Kniffen's resume and welcomed him to Hays County. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept appointment of new Hays County Extension Agent Billy Kniffen. All voting "Aye".

**EXECUTIVE SESSION TO DISCUSS RIGHT-OF-WAY ACQUISITION**

Court convened into executive session to discuss right-of-way acquisition with Doucet & Associates Re: Hays County Road Improvements Project.

**13864 EXECUTIVE SESSION - DEPARTMENT HEAD EVALUATIONS**

Court convened into executive session to discuss Department Head Evaluations. Upon completion of closed session they reconvened into open session.. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to award merit increases to Director of Human Resources George Aitken, Grants Administrator Richard Salmon, and Director of Environmental Health Allen Walther. All voting "Aye".

Court was adjourned until April 10, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 15<sup>th</sup> DAY OF May, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 10TH DAY OF APRIL A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13865 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve payment of county invoices in the amount of \$ 69,672.06 as presented by the County Auditor. All voting "Aye".

|                      |             |                        |              |                       |             |
|----------------------|-------------|------------------------|--------------|-----------------------|-------------|
| Auditors Office      | \$ 1,248.35 | Extension Office       | \$ 12.66     | Grants Administration | \$ 435.00   |
| Juvenile Probation   | \$ 1,763.47 | Transfer Station       | \$ 49.36     | Building Maintenance  | \$ 1,923.01 |
| Environmental Health | \$ 37.00    | Civic Center           | \$ 228.95    | Countywide Oper       | \$ 8,240.56 |
| Tax A/C              | \$ 1,578.42 | District Clerk         | \$ 1,222.29  | County Clerk          | \$ 413.73   |
| Sheriffs Office      | \$ 861.35   | Jail Operations        | \$ 14,287.63 | County Judge          | \$ 71.92    |
| District Attorney    | \$ 737.71   | J.P. 1-2               | \$ 380.81    | J.P. 2                | \$ 274.09   |
| J.P. 4               | \$ 37.50    | J.P. 5                 | \$ 21.61     | DPS                   | \$ 709.54   |
| Constable 1          | \$ 54.63    | Constable 2            | \$ 42.18     | Constable 5           | \$ 103.58   |
| District Crt Oper    | \$ 2,737.57 | Co & JP Crt Oper       | \$ 6,385.34  | Veterans Admin        | \$ 21.45    |
| Computer Services    | \$ 1,533.72 | Prot Hmkr Grant        | \$ 306.63    | TABC                  | \$ 36.51    |
| TJPC CCAP Grant      | \$ 3,343.58 | Historical Survey Grnt | \$ 447.00    | Dunbar Grant          | \$ 300.00   |
| DARE Grant (DA)      | \$ 141.13   | Gen Fund Credit        | * \$ 40.84*  | R&B Oper              | \$ 5,391.01 |
| Precinct 1           | \$ 243.85   | Precinct 2             | \$ 597.21    | Precinct 4            | \$ 5.35     |
| Rec Mng/Co Clk       | \$ 124.62   | Health Svcs Grant      | \$ 314.98    | Adult Prob Oper       | \$ 6,456.68 |
| Adult Prob Fac       | \$ 263.82   | D.A. Reimb Trust       | \$ 6,327.10  |                       |             |

13866 AMEND BUDGET OF BUILDING MAINTENANCE, JUSTICE OF THE PEACE 1-2, AND COUNTYWIDE OPERATING

The following budget amendments were proposed:

Building Maintenance - Transfer personnel savings (\$800) and medical supplies (\$200) to Misc. equipment line item in order to fund three vacuum cleaners.

J.P. 1-2 & Countywide Operating - Transfer from County-wide Operations Grade/Step (\$500) due dept. for FY95, and \$525 from unspecified equipment for copier lease - balance of copier costs transferred from within the department budget.

A motion was made by Commissioner Barton, seconded by Judge Etheredge to amend budgets of Building Maintenance, Justice of the Peace 1-2, and County-wide Operating. All voting "Aye".

|                                    |                                |                     |                |                                                     |
|------------------------------------|--------------------------------|---------------------|----------------|-----------------------------------------------------|
|                                    |                                |                     |                | AMENDMENT<br>NO. 95-020<br>FY 95 BUDGET<br>04/10/95 |
|                                    | FUND NO. 01                    |                     |                |                                                     |
|                                    | FUND TITLE GENERAL             |                     |                |                                                     |
|                                    | APPROPRIATION BEFORE AMENDMENT | AMENDMENT INCREASES | DECREASES      | APPROPRIATION AS AMENDED                            |
| LINE ITEM - EXPENDITURES           |                                |                     |                |                                                     |
| <u>BUILDING MAINTENANCE (410)</u>  |                                |                     |                |                                                     |
| 01-410-5719 Misc Eqpt              | 1,125                          | 1,000               |                | 2,125                                               |
| 01-410-5021 Staff                  | 103,448                        |                     | (800)          | 102,648                                             |
| 01-410-5231 Medical Sply           | 2,880                          |                     | (200)          | 2,680                                               |
|                                    |                                | <u>1,000</u>        | <u>(1,000)</u> |                                                     |
| <u>JUSTICE OF PEACE 1-2 (425)</u>  |                                |                     |                |                                                     |
| 01-425-5021 Staff                  | 59,345                         | 500                 |                | 59,845                                              |
| 01-425-5473 Copier Lease           | 0                              | 1,100               |                | 1,100                                               |
| 01-425-5411 Off Eqpt Maint         | 700                            |                     | (375)          | 325                                                 |
| 01-425-5221 Data Proc Sply         | 200                            |                     | (200)          | 0                                                   |
| <u>COUNTY-WIDE OPERATING (414)</u> |                                |                     |                |                                                     |
| 01-414-5091 Salary Adjust          | 103,414                        |                     | (500)          | 102,914                                             |
| 01-414-5711 Off Eqpt               | 39,197                         |                     | (525)          | 38,672                                              |
|                                    |                                | <u>1,600</u>        | <u>(1,600)</u> |                                                     |



HAYS COUNTY COMMISSIONERS' COURT MINUTES

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13867 ACCEPT TREASURER'S REPORT FOR JANUARY AND FEBRUARY 1995

A motion was made by Commissioner Barton, seconded by Judge Etheredge to accept Treasurer's Report for January and February 1995 as presented. All voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
JANUARY 31, 1995

|                      | General                     | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library        | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Notes<br>Series 1994 | Courthouse<br>Pen. & Road<br>Bond 1994 |
|----------------------|-----------------------------|----------------------------|-----------------------|--------------------|----------------------------|----------------------|-----------------------------|--------------------------------------|----------------------------------------|
| <b>CHECKING</b>      |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.          | \$87,605.75                 | \$13,977.18                | \$676.95              | \$12,116.30        | \$2,472.62                 | \$900,595.29         | \$1,542.05                  | \$1,591.89                           | \$1,729.86                             |
| M/M Int.             | \$399.96                    | \$110.96                   |                       | \$23.01            | \$35.03                    | \$2,367.26           | \$72.78                     | \$3.84                               | \$11.75                                |
| Deposits             | \$4,671,571.97              | \$633,680.14               | \$1,822.13            | \$830.00           | \$114,500.00               |                      | \$223,765.54                | \$27,500.00                          | \$101,500.00                           |
| Disbursements        | \$4,734,690.89              | \$644,896.19               | \$1,377.12            | \$10,434.81        | \$115,366.20               | \$1,285.68           | \$223,500.00                | \$27,059.74                          | \$101,435.16                           |
| Ending Bal.          | \$24,886.39                 | \$2,872.09                 | \$1,121.96            | \$2,534.50         | \$1,641.45                 | \$901,676.87         | \$1,680.37                  | \$2,035.99                           | \$1,806.45                             |
| <b>INVESTMENTS</b>   |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.          | \$2,303,668.21              | \$295,967.76               | \$0.00                | \$0.00             | \$597,345.90               | \$0.00               | \$37,089.60                 | \$203,075.96                         | \$5,522,958.25                         |
| M/M Int.             | \$18,803.51                 | \$2,074.45                 |                       | \$19.90            | \$2,574.94                 |                      | \$639.19                    | \$950.19                             | \$25,922.55                            |
| Deposits             | \$3,225,000.00              | \$450,000.00               |                       | \$10,000.00        |                            |                      | \$223,500.00                |                                      |                                        |
| Disbursements        | \$1,061,000.00              | \$117,500.00               |                       |                    | \$114,500.00               |                      |                             | \$27,500.00                          | \$101,500.00                           |
| Ending Bal.          | \$4,486,471.72              | \$630,542.21               | \$0.00                | \$10,019.90        | \$485,420.84               | \$0.00               | \$261,228.79                | \$176,526.15                         | \$5,447,380.80                         |
| *****                |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
|                      | Courthouse<br>Road Bond I&S | Jail<br>I&S                | Jail<br>Addition I&S  | Hays County<br>I&S | Public<br>Works I&S        | Springlake<br>I&S    | Pioneer<br>Trails<br>I&S    | Burnett<br>Road<br>I&S               | Anticipation<br>Notes<br>I&S           |
| <b>CHECKING</b>      |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.          | \$1,586.49                  | \$1,560.43                 | \$1,628.72            | \$1,572.63         | \$1,586.50                 | \$1,535.17           | \$2,171.15                  | \$1,458.60                           | \$1,611.90                             |
| M/M Int.             | \$82.86                     | \$91.35                    | \$18.44               | \$54.47            | \$23.44                    | \$9.17               | \$5.98                      |                                      | \$59.27                                |
| Deposits             | \$232,432.52                | \$142,217.19               | \$31,516.27           | \$156,005.55       | \$54,759.52                | \$27,878.98          | \$251.20                    | \$2,795.09                           | \$165,854.39                           |
| Disbursements        | \$232,500.00                | \$142,005.00               | \$31,500.00           | \$155,600.73       | \$54,500.00                | \$27,500.00          |                             |                                      | \$165,500.00                           |
| Ending Bal.          | \$1,601.87                  | \$1,823.97                 | \$1,663.43            | \$2,031.92         | \$1,869.46                 | \$1,923.32           | \$2,428.33                  | \$4,253.69                           | \$2,025.56                             |
| <b>INVESTMENTS</b>   |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.          | \$55,096.47                 | \$149,494.29               | \$162,826.58          | \$59,094.23        | \$145,289.58               | \$24,872.18          | \$10,077.61                 | \$0.00                               | \$19,812.27                            |
| M/M Int.             | \$741.38                    | \$1,001.27                 | \$826.77              | \$591.31           | \$797.22                   | \$167.44             | \$47.51                     |                                      | \$439.01                               |
| Deposits             | \$232,500.00                | \$142,000.00               | \$31,500.00           | \$153,000.00       | \$54,500.00                | \$27,500.00          |                             |                                      | \$165,500.00                           |
| Disbursements        |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Ending Bal.          | \$288,337.85                | \$292,495.56               | \$195,153.35          | \$212,685.54       | \$200,586.80               | \$52,539.62          | \$10,125.12                 | \$0.00                               | \$185,751.28                           |
| TEMPORARY TRANSFERS: |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |

*Michele Tuttle*  
Michele Tuttle  
Hays County Treasurer

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
JANUARY 31, 1995

|                    | Adult<br>Probation<br>Operating        | Adult<br>Probation<br>Facilities | Courthouse<br>Security       | Records<br>Management                   | Records<br>Preservation       | Animal<br>Control | Sheriff's<br>Drug<br>Forfeiture | District<br>Attorney<br>Drug<br>Forfeiture | District<br>Attorney<br>Reimburs. |
|--------------------|----------------------------------------|----------------------------------|------------------------------|-----------------------------------------|-------------------------------|-------------------|---------------------------------|--------------------------------------------|-----------------------------------|
| <b>CHECKING</b>    |                                        |                                  |                              |                                         |                               |                   |                                 |                                            |                                   |
| Begin. Bal.        | \$77,063.06                            | \$23,131.13                      | \$29,271.13                  | \$9,561.57                              | \$11,018.00                   | \$10,085.25       | \$1,559.58                      | \$3,994.40                                 | \$16,295.62                       |
| M/M Int.           | \$90.09                                |                                  |                              | \$10.52                                 |                               |                   | \$3.85                          |                                            | \$33.64                           |
| Deposits           | \$202,623.80                           | \$18,000.00                      | \$2,187.00                   | \$27,426.00                             | \$1,765.00                    | \$2,000.00        |                                 |                                            | \$13,916.20                       |
| Disbursements      | \$277,691.59                           | \$40,801.36                      | \$30,000.00                  | \$35,049.44                             | \$11,000.00                   | \$12,059.96       |                                 |                                            | \$28,383.76                       |
| Ending Bal.        | \$2,085.36                             | \$329.77                         | \$1,458.13                   | \$1,948.65                              | \$1,283.00                    | \$25.29           | \$1,563.43                      | \$3,994.40                                 | \$1,861.70                        |
| <b>INVESTMENTS</b> |                                        |                                  |                              |                                         |                               |                   |                                 |                                            |                                   |
| Begin. Bal.        | \$541,402.75                           | \$541,402.75                     | \$0.00                       | \$42,361.58                             | \$0.00                        | \$0.00            |                                 |                                            | \$93,773.77                       |
| M/M Int.           | \$2,630.97                             | \$38.71                          | \$59.70                      | \$214.59                                | \$21.89                       | \$19.26           |                                 |                                            | \$475.27                          |
| Deposits           | \$95,000.00                            | \$35,500.00                      | \$30,000.00                  | \$12,500.00                             | \$11,000.00                   | \$10,000.00       |                                 |                                            | \$17,000.00                       |
| Disbursements      | \$95,000.00                            |                                  |                              | \$19,000.00                             |                               | \$2,000.00        |                                 |                                            | \$2,500.00                        |
| Ending Bal.        | \$544,033.72                           | \$35,538.71                      | \$30,059.70                  | \$36,076.17                             | \$11,021.89                   | \$8,019.26        | \$0.00                          | \$0.00                                     | \$108,749.04                      |
| *****              |                                        |                                  |                              |                                         |                               |                   |                                 |                                            |                                   |
|                    | Historical<br>Commission<br>Trust Fund | Foster<br>Care                   | Health<br>Services<br>Grants | Texas<br>Capital<br>Fund/<br>New Canaan | General<br>First<br>Southwest |                   |                                 |                                            |                                   |
| <b>CHECKING</b>    |                                        |                                  |                              |                                         |                               |                   |                                 |                                            |                                   |
| Begin. Bal.        | \$8,487.92                             | \$900.24                         | \$4,166.97                   | \$0.00                                  | \$673.19                      |                   |                                 |                                            |                                   |
| M/M Int.           | \$8.76                                 |                                  | \$43.37                      |                                         | \$2.76                        |                   |                                 |                                            |                                   |
| Deposits           | \$298.00                               | \$20,681.23                      | \$248,707.86                 | \$1,321.69                              |                               |                   |                                 |                                            |                                   |
| Disbursements      | \$6,500.00                             | \$7,646.05                       | \$250,928.24                 | \$1,321.69                              |                               |                   |                                 |                                            |                                   |
| Ending Bal.        | \$2,294.68                             | \$13,935.42                      | \$1,989.96                   | \$0.00                                  | \$675.95                      |                   |                                 |                                            |                                   |
| <b>INVESTMENTS</b> |                                        |                                  |                              |                                         |                               |                   |                                 |                                            |                                   |
| Begin. Bal.        | \$0.00                                 | \$0.00                           | \$3,018.26                   | \$0.00                                  | \$299,327.86                  |                   |                                 |                                            |                                   |
| M/M Int.           | \$25.60                                |                                  | \$315.99                     |                                         |                               |                   |                                 |                                            |                                   |
| Deposits           | \$6,500.00                             |                                  | \$160,000.00                 |                                         |                               |                   |                                 |                                            |                                   |
| Disbursements      |                                        |                                  | \$52,000.00                  |                                         |                               |                   |                                 |                                            |                                   |
| Ending Bal.        | \$6,525.60                             | \$0.00                           | \$111,334.25                 | \$0.00                                  | \$299,327.86                  |                   |                                 |                                            |                                   |

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
FEBRUARY 28, 1995

|                      | General                     | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library        | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Notes<br>Series 1994 | Courthouse<br>Pen. & Road<br>Bond 1994 |
|----------------------|-----------------------------|----------------------------|-----------------------|--------------------|----------------------------|----------------------|-----------------------------|--------------------------------------|----------------------------------------|
| <b>CHECKING</b>      |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.          | \$24,886.39                 | \$2,872.09                 | \$1,121.96            | \$2,534.50         | \$1,641.45                 | \$901,676.87         | \$1,880.37                  | \$2,035.99                           | \$1,806.45                             |
| M/M Int.             | \$1,566.69                  | \$264.00                   |                       | \$6.42             | \$99.17                    | \$1,995.71           | \$87.92                     | \$6.00                               | \$22.64                                |
| Deposits             | \$3,210,589.24              | \$862,375.43               | \$2,241.63            | \$760.00           | \$202,001.34               |                      | \$352,362.75                | \$2,500.00                           | \$35,000.00                            |
| Disbursements        | \$1,714,382.78              | \$215,422.87               | \$1,377.12            | \$1,029.43         | \$175,556.15               | \$59,889.79          | \$211,683.75                | \$2,934.80                           | \$35,127.07                            |
| Ending Bal.          | \$1,522,659.54              | \$650,888.65               | \$1,986.47            | \$2,271.49         | \$28,185.81                | \$843,782.79         | \$142,647.29                | \$1,607.19                           | \$1,702.02                             |
| <b>INVESTMENTS</b>   |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.          | \$4,486,471.72              | \$630,542.21               | \$0.00                | \$10,019.90        | \$485,420.84               | \$0.00               | \$261,228.79                | \$176,526.15                         | \$5,447,380.80                         |
| M/M Int.             | \$21,669.71                 | \$2,917.95                 |                       | \$45.89            | \$2,391.74                 |                      | \$727.12                    | \$807.49                             | \$24,867.72                            |
| Deposits             | \$425,000.00                | \$12,500.00                |                       |                    | \$84,500.00                |                      |                             |                                      |                                        |
| Disbursements        |                             |                            |                       |                    | \$38,500.00                |                      | \$178,728.79                | \$2,500.00                           | \$35,000.00                            |
| Ending Bal.          | \$4,933,141.43              | \$645,960.16               | \$0.00                | \$10,065.79        | \$533,812.58               | \$0.00               | \$83,227.12                 | \$174,833.64                         | \$5,437,248.52                         |
| *****                |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
|                      | Courthouse<br>Road Bond I&S | Jail<br>I&S                | Jail<br>Addition I&S  | Hays County<br>I&S | Public<br>Works I&S        | Springlake<br>I&S    | Pioneer<br>Trails<br>I&S    | Burnett<br>Road<br>I&S               | Anticipation<br>Notes<br>I&S           |
| <b>CHECKING</b>      |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.          | \$1,601.87                  | \$1,823.97                 | \$1,663.43            | \$2,031.92         | \$1,869.46                 | \$1,923.32           | \$2,428.33                  | \$4,253.69                           | \$2,025.56                             |
| M/M Int.             | \$71.37                     | \$70.74                    | \$27.87               | \$68.31            | \$36.03                    | \$6.34               | \$5.81                      |                                      | \$85.10                                |
| Deposits             | \$413,197.08                | \$139,355.39               | \$79,455.49           | \$136,304.66       | \$82,491.41                | \$23,295.60          | \$2,694.03                  | \$5,573.20                           | \$180,697.01                           |
| Disbursements        | \$311,548.33                | \$29,130.00                | \$53,800.00           | \$69,178.33        | \$38,772.50                | \$17,911.25          |                             |                                      | \$52,290.42                            |
| Ending Bal.          | \$103,321.99                | \$112,120.10               | \$27,346.79           | \$69,226.56        | \$45,624.40                | \$7,314.01           | \$5,128.17                  | \$9,826.89                           | \$130,517.25                           |
| <b>INVESTMENTS</b>   |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.          | \$288,337.85                | \$292,495.56               | \$195,153.35          | \$212,685.54       | \$200,586.80               | \$52,539.62          | \$10,125.12                 | \$0.00                               | \$185,751.28                           |
| M/M Int.             | \$709.24                    | \$1,263.18                 | \$749.25              | \$917.11           | \$813.49                   | \$240.56             | \$46.36                     |                                      | \$714.09                               |
| Deposits             |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Disbursements        | \$232,837.85                | \$29,000.00                | \$55,000.00           | \$15,250.00        | \$40,000.00                |                      |                             |                                      | \$52,000.00                            |
| Ending Bal.          | \$56,209.24                 | \$264,798.74               | \$140,902.60          | \$198,352.65       | \$161,400.29               | \$52,780.18          | \$10,171.48                 | \$0.00                               | \$134,465.37                           |
| TEMPORARY TRANSFERS: |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |

*Michele Tuttle*  
Michele Tuttle

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COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
FEBRUARY 28, 1995

|               | Adult Probation Operating        | Adult Probation Facilities | Courthouse Security    | Records Management             | Records Preservation    | Animal Control | Sheriff's Drug Forfeiture | District Attorney Drug Forfeiture | District Attorney Reimburs. |
|---------------|----------------------------------|----------------------------|------------------------|--------------------------------|-------------------------|----------------|---------------------------|-----------------------------------|-----------------------------|
| CHECKING      |                                  |                            |                        |                                |                         |                |                           |                                   |                             |
| Begin. Bal.   | \$2,085.36                       | \$329.77                   | \$1,458.13             | \$1,948.65                     | \$1,283.00              | \$25.29        | \$1,563.43                | \$3,994.40                        | \$1,861.70                  |
| M/M Int.      | \$41.90                          |                            |                        | \$7.72                         |                         |                | \$3.60                    |                                   | \$8.84                      |
| Deposits      | \$566,627.85                     | \$4,000.00                 | \$2,290.00             | \$11,185.00                    | \$1,420.00              | \$2,551.27     |                           |                                   | \$16,793.46                 |
| Disbursements | \$293,536.04                     | \$3,937.60                 | \$3,748.13             | \$8,779.01                     | \$2,703.00              | \$523.60       | \$1,567.03                | \$3,994.40                        | \$11,035.27                 |
| Ending Bal.   | \$275,219.07                     | \$392.17                   | \$3,748.13             | \$4,362.36                     | \$2,703.00              |                |                           |                                   | \$7,628.73                  |
| INVESTMENTS   | TexPool                          | TexPool                    | TexPool                | TexPool                        | TexPool                 | TexPool        |                           |                                   | TexPool                     |
| Begin. Bal.   | \$544,033.72                     | \$35,538.71                | \$30,059.70            | \$36,076.17                    | \$11,021.89             | \$8,019.26     |                           |                                   | \$108,749.04                |
| M/M Int.      | \$2,314.38                       | \$154.88                   | \$137.63               | \$156.19                       | \$50.45                 | \$36.39        |                           |                                   | \$487.86                    |
| Deposits      |                                  |                            |                        |                                |                         | \$2,000.00     |                           |                                   | \$2,800.00                  |
| Disbursements | \$196,250.00                     | \$4,000.00                 | \$30,197.33            | \$22,500.00                    | \$11,072.34             | \$6,055.65     | \$0.00                    | \$0.00                            | \$106,436.90                |
| Ending Bal.   | \$350,098.10                     | \$31,693.59                | \$30,197.33            | \$33,732.36                    | \$11,072.34             | \$6,055.65     | \$0.00                    | \$0.00                            | \$106,436.90                |
|               | Historical Commission Trust Fund | Foster Care                | Health Services Grants | Texas Capital Fund/ New Canaan | General First Southwest |                |                           |                                   |                             |
| CHECKING      |                                  |                            |                        |                                |                         |                |                           |                                   |                             |
| Begin. Bal.   | \$2,294.68                       | \$13,935.42                | \$1,989.96             | \$0.00                         | \$675.95                |                |                           |                                   |                             |
| M/M Int.      | \$4.86                           |                            | \$26.53                |                                | \$2.11                  |                |                           |                                   |                             |
| Deposits      | \$245.70                         | \$1,345.76                 | \$70,894.43            | \$1,321.69                     |                         |                |                           |                                   |                             |
| Disbursements | \$767.22                         | \$13,042.31                | \$69,466.47            | \$1,321.69                     |                         |                |                           |                                   |                             |
| Ending Bal.   | \$1,778.02                       | \$2,238.87                 | \$3,444.45             | \$0.00                         | \$678.06                |                |                           |                                   |                             |
| INVESTMENTS   | TexPool                          |                            | TexPool                |                                | Discount Note           |                |                           |                                   |                             |
| Begin. Bal.   | \$6,525.60                       | \$0.00                     | \$111,334.25           | \$0.00                         | \$299,327.86            |                |                           |                                   |                             |
| M/M Int.      | \$29.88                          |                            | \$494.55               |                                |                         |                |                           |                                   |                             |
| Deposits      |                                  |                            | \$46,000.00            |                                |                         |                |                           |                                   |                             |
| Disbursements |                                  | \$0.00                     | \$65,828.80            | \$0.00                         | \$299,327.86            |                |                           |                                   |                             |
| Ending Bal.   | \$6,555.48                       | \$0.00                     | \$65,828.80            | \$0.00                         | \$299,327.86            |                |                           |                                   |                             |

**13868 ACCEPT INTERNAL AUDIT REPORT OF TRANSFER STATION**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to accept Internal Audit Report of Transfer Station. All voting "Aye".

**13869 ACCEPT INTERNAL AUDIT REPORT OF DISTRICT ATTORNEY**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to accept Internal Audit Report of District Attorney. All voting "Aye".

**13870 APPROVE MERIT STEP INCREASES FOR DEPARTMENT HEADS**

The Court has held Executive Session and completed their Department Head Evaluations. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve one step merit increases for Human Resources Director George Aitken, Grants Administrator Richard Salmon, and Environmental Health Director Allen Walther. All voting "Aye".

**13871 AUTHORIZE USE OF THE COURTHOUSE LAWN ON APRIL 28, 1995 FOR PHI ALPHA DELTA PRE-LAW FRATERNITY**

Claudine Cisneros, member of Phi Alpha Delta Pre-law Fraternity at SWTSU, submitted a letter requesting use of the courthouse on the square to hold initiation services for their fraternity on Friday April 28, 1995 at 7:00 P.M. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize use of the Courthouse lawn on April 28, 1995 for the Phi Alpha Delta Pre-Law Fraternity initiation services. All voting "Aye".

**PUBLIC HEARING ON PROPOSED TRAFFIC REGULATIONS IN GOLDENWOOD WEST SUBDIVISION**

Notice was published for a public hearing to consider traffic regulations in the Goldenwood West subdivision. Judge Etheredge called the public hearing open. Mr. Bass? appeared representing the Homeowners Association - they are concerned about the safety of the residents (especially children and joggers) and are requesting a speed limit of 30MPH. The public hearing was closed. No action taken this date.

**13872 SPOKE HILL SECTION 1 RESUB OF LOT 5 - FIRST READING APPROVAL**

This is a resub of a lot in an Unrecorded Subdivision - no public hearing is required - five feet of additional right-of-way is dedicated (private road). A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Spoke Hill Section 1 Resub of Lot 5" on first reading (Lots 5-A & 5-B). All voting "Aye".

APRIL 10, 1995

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**13873 DOVE MEADOWS - FIRST READING APPROVAL**

Highgate Construction Co., Inc., owner of 65.24 acres off RM150, submitted a 97 lot subdivision to be known as "Dove Meadows - 60' streets to be public roadways - will be served by a Public Water system. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Dove Meadows" subdivision on first reading. All voting "Aye".

**VARIANCE DISCUSSION - 5 ACRES OUT OF 84 ACRES ON HIGHWAY 290 WEST**

Commissioner Molenaar spoke of this being a family division of property (5 acres out of 84 acres) - they have permission from the State Highway Department for access onto Hwy 290 - property is not located in the Dripping Springs ETJ and if it were it would be exempt under their ordinance. No action taken.

**VARIANCE DISCUSSION - RUTHERFORD RANCH DIVISION INTO 6 TRACTS**

A request for platting variance was submitted by Marshall Kuykendall, representing Pat Rutherford - this is a 2,792 acre ranch 8 miles west of Buda & Kyle - proposes to break the ranch into at least six parcels at most and use the present paved road system and the low water bridge as a private road system - should future owners wish to engage in more intensive subdivision projects then it shall be up to those future owners to revisit the commissioners for their new requests. Commissioner Barton advised that the developer is also asking for a variance to the width of the paved roadway. No action taken this date.

**13874 HERITAGE COUNTRY - SECOND READING APPROVAL**

Carroll Walker presented "Heritage Country" (50 lots) on second reading. Commissioner Molenaar spoke of impact this subdivision would have on Trail Driver road in Big Country Subdivision - the county is having to make repairs because of increased traffic - he asked Mr. Walker to consider assisting in these repairs. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Heritage Country" subdivision on second reading. All voting "Aye".

**13875 TRIPLE CREEK RANCH SECTION ONE - PLAT AMENDMENT**

Patsy Greiner, Mapping/Planning, advised that there are two amendments to the plat that was previously approved: (1) they are defining the roadways by lot and block number so as to convey them to the homeowners association for ownership, and (2) they are providing a leg of land to be part of Lot 48 so the lots will have access. Judge Etheredge suggested addition of note regarding limited ground water. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Triple Creek Ranch Section One Amended" subject to change in plat note regarding limited ground water supply. All voting "Aye".

**13876 HAYS CITY ESTATES - THIRD READING APPROVAL**

Allen Walther, Environmental Health Director, spoke of road access concerns - TNRCC has given their approval - the cul-de-sac is being considered as a private roadway (to be maintained by Homeowners Association) with a request for variance to construction standards to allow it to exist in its present condition. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Hays City Estates" subdivision on third reading and to grant a variance to private road standards for the cul-de-sac (shared access driveway). All voting "Aye".

**13877 OAKS MEADOWS REPLAT OF LOTS 4B, 4C & 20B - PUBLIC HEARING AND SECOND READING**

Judge Etheredge called the public hearing open. David Williamson, Byrn & Assoc., presented "Oaks Meadows Replat of Lot 4B (4B-1 & 4B-2), Lot 4C (4C-1 & 4C-2), and Lot 20B (20B-1 & 20B-2) for second reading. Public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lots 4B, 4C, & 20B " on second reading. All voting "Aye".

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**13878 K'S ADDITION - SECOND & THIRD READING APPROVAL**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "K's Addition" subdivision on second and third readings. All voting "Aye".

**13879 ALLEGRE MONANTIAL BLOCK F REPLAT LOTS 1-A, 2-A AND 3-A - PUBLIC HEARING, SECOND AND THIRD READINGS**

Judge Etheredge called the public hearing open. Neil Franklin presented Allegre Montantial Replat on second and third readings - replat is being filed to reflect actual lot lines. Public hearing was closed. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Allegre Monantial Block F Replat Lots 1-A, 2-A, & 3-A" on second and third readings. All voting "Aye".

**13880 LANIER RANCH REPLAT OF LOT 1B - PUBLIC HEARING, SECOND AND THIRD READINGS**

Judge Etheredge called the public hearing open. Ed Combs presented the replat of Lot 1B of Lanier Ranch. Public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lanier Ranch Replat of Lot 1B" on second and third readings. All voting "Aye".

**13881 MIRANDA SUBDIVISION REPLAT OF LOT 2 - PUBLIC HEARING, SECOND AND THIRD READINGS**

Judge Etheredge called the public hearing open. Charles Swart presented the replat of Lot 2 Miranda Subdivision on second and third readings. Public hearing was closed. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Miranda Subdivision Replat of Lot 2" on second and third readings. All voting "Aye".

**13882 WHISPERING OAKS PHASE 1 - THIRD READING APPROVAL**

Tom Weissmann presented "Whispering Oaks Phase I (lots 1,2, 33) Phase 2 (lots 3-17 & 27-32), and Phase 3 (lots 18-26) - he would like to record Phase 1 which would allow him to sell the three lots which front on the existing roadway - would like third reading approval also on Phase 2 & 3 contingent upon final acceptance of his roadway construction - would post the maintenance bond and record the plats at that time. Darrell Brown, Road Director, stated that road construction plans have not been approved - requested that Lots 1 & 33 not access Nutty Brown Road. Judge Etheredge requested that the plat include a note indicating limited ground water supply. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Whispering Oaks Phase 1" on third reading contingent on addition of limited ground water supply note and that Lots 1 & 33 not access Nutty Brown Road. All voting "Aye".

**13883 3-G ADDITION SECTION 4 - SECOND READING APPROVAL**

Surveyor Mike McMinn presented "3-G Addition Section 4" for second and third readings - the Homeowners Association will maintain roadway. The following statement was submitted regarding approval of the City of Niederwald:

February 22, 1995  
 Revised March 6, 1995

Article 974a of Vernon's Annotated Civil Statues, Section 3 provides that a plat submitted to the Planning Commission of a City shall have 30 days to approve said plat. In the event that said Commission does not disapprove said plat within said 30 days, said plat shall be deemed to have been approved by the Commission. If the Town requires further approval of the City's governing body (Town Council), said body shall have an additional 30 days to approve said plat. In the event that said governing body does not disapprove said plat within said 30 days, said plat shall be deemed to have been approved by the governing body.

The Subdivision Ordinance No. 070191-A as amended June 1, 1992 of the City of Niederwald states that the ordinance is regulated by said Article 974a.

The plat of 3-G RANCH ADDITION, SECTION FOUR was submitted to the Planning Commission of the City of Niederwald on December 7, 1994.

Being that said Commission did not vote to disapprove said plat prior to January 6, 1995, the plat shall be deemed to have been approved by reason of nonaction by the Planning Commission of the City of Niederwald on January 6, 1995.

Being that the City Council did not vote to disapprove said plat prior to February 5, 1995, the plat shall be deemed to have been approved by reason of nonaction by the City Council of the City of Niederwald on February 5, 1995.

Having been presented with this certification as required by said Article 974a, Section 3. I hereby state that the above facts are true and hereby approve the plat of 3-G RANCH ADDITION, SECTION FOUR, by reason of nonaction by the Planning Commission and the City Council of the City of Niederwald.

s/ Signed under Protest - Fern Howze  
 Fern Howze, Mayor

March 7, 1995  
 Date

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District Attorney Marcos Hernandez spoke of statement signed by Mayor Howze - there were questions raised by the Commission that could not be answered, therefore, no action was taken - since the commission and council meet only once a month the 30 days expired and their nonaction caused the approval of this subdivision. Road Director Darrell Brown stated that road plans have not been submitted and no bond has been filed. Commissioner Barton advised that third reading will not be given until the road issue has been addressed. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "3-G Ranch Addition Section 4" on second reading. All voting "Aye".

**13884 PLATTING VARIANCE GRANTED TO GARY BLYTHE FOR 2.752 ACRES ON SPOKE HOLLOW ROAD**

A survey drawing and metes and bounds description was submitted by Gary Blythe on 2.752 acres out of the L. C. Gibbs Survey located on Spoke Hollow Road. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a platting variance to Gary Blythe for 2.752 acres in the L. C. Gibbs Survey located on Spoke Hollow Road subject to payment of fees to Environment Health Dept. All voting "Aye".

**13885 AUTHORIZE FIRST SOUTHWEST COMPANY TO PROCEED WITH THE ISSUANCE OF THE GENERAL OBLIGATION BONDS, SERIES 1995, AND THE ANTICIPATION NOTES, SERIES 1995**

Dan Wegmiller of First Southwest Company presented a proposed timetable for issuance of \$8 million General Obligation Bonds, Series 1995 and Anticipation Notes, Series 1995 (see file) - June 19th is key date for receiving and awarding bids with receipt of proceeds by July 17th. Judge Etheredge requested a meeting with First Southwest Company on May 25th. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize First Southwest Company to proceed with the issuance of the General Obligation Bonds, Series 1995, and the Anticipation Notes, Series 1995. All voting "Aye".

**DISCUSSION REGARDING REQUEST TO RENAME "CLIFFSIDE DRIVE"**

A letter was submitted by Reba Smith, Postmaster for Wimberley, requesting that the road name "Cliffside Drive" be renamed - a "Cliffside Road" also exists, and the block range of Cliffside Road incorporates the range of Cliffside Drive - there are currently only two addresses on Cliffside Drive who would be impacted by the change - these are Reuther @ 260 Cliffside Drive and Pearson @ 290 Cliffside Drive. A letter was received from L. Reuther in opposition to this name change as follows: (1) the entire area is known as Cliffside, it abuts the cliffs along the Blanco River, so the name Cliffside is appropriate. (2) I run a business from this address and an address change would necessitate the expense of changing checks, stationery, business cards, etc. (3) Additionally, there is the personal inconvenience of notifying clients, and everyone else who communicates with me through the mail - this is my home, as well as the address of my business. (4) I like the name "Cliffside". Frankly, I do not like the name "Dobie".  
No action was taken this date.

**13886 ACCEPT OFFER ON DELINQUENT TAX PROPERTY - LOT 7 BLOCK 2 DAN MCKIE ADDITION, CITY OF SAN MARCOS**

The County has received an offer of \$12,000.00 on delinquent tax property (Lt. 7 Block 2 Dan McKie Addition in the City of San Marcos) - this amount exceeds the amount of taxes owed. Judge Etheredge, the City of San Marcos, and the San Marcos CISD recommend accepting the offer and work together to find an alternate location for the San Marcos Area Food Bank. A motion was made by Judge Etheredge, seconded by Commissioner Payne to accept offer of \$12,000.00 on delinquent tax property (Lot 7 Block 2 Dan McKie Addition in the City of San Marcos) and any balance will be divided equally between the taxing entities. All voting "Aye".

**13887 APPROVE RECORD STORAGE AND SERVICE AGREEMENT WITH HART INFORMATION SERVICES**

District Clerk W. H. Moore presented a proposed records storage and service agreement with Hart Information Services - master microfilm will be placed in their state-of-the-art storage facility. District Attorney Marcos Hernandez spoke of contract - indicates no liability for damages and no guarantee except for space - 30 day notice on fee increases. Commissioner Barton requested that on page 4 paragraph 5.a. first sentence the wording be changed : delete "the ordinary care" and add "due diligence" and on page 8 paragraph 12.e. that Travis County be changed to Hays County. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Record Storage and Service Agreement with Hart Information Services with changes requested. All voting "Aye".

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**13888 AUTHORIZE THE COUNTY JUDGE AND COMMISSIONER PRECINCT 1 TO NEGOTIATE ACQUISITION OF RIGHT-OF-WAY ON COUNTY ROAD 159 (AKA YARRINGTON ROAD)**

Judge Etheredge spoke of Yarrington property on CR159 which contains a gravel pit that needs to come into compliance for closure (guard rails or berry required by law) - in order for Mr. Yarrington to comply with the law he would infringe on County right-of-way - the County could acquire additional r-o-w and straighten out the exist 90° curves. Road Director Darrel Brown spoke of the traffic hazards created by the two 90° curves - recommended straightening these curves out to 30 & 40° - current traffic count on this road is 250 acres per day - proposed improvements to the roadway could provide an alternate traffic route to Highway 211 to avoid the heavy traffic situation on Highway 80. Judge Etheredge advised that Mr. Yarrington will obtain right-of-way on the opposite side of the roadway (Johnson property) and will pay for Engineering cost. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge and Commissioner Precinct 1 to negotiate acquisition of right-of-way on County Road 159 (AKA Yarrington Road). All voting "Aye".

**13889 AUTHORIZE USE OF COUNTY ASSISTANCE IN CONSTRUCTION OF A DRIVEWAY FOR ACCESS TO YOUTH SPORTS FIELD OFF MCCARTY LANE**

Frank Calabrase & John Gruenbein (Fraternal Order of Police) appeared before the Court requesting assistance in constructing a 373' driveway to the Youth Sports Field located off McCarty Lane by Jim's Gym. Commissioner Barton and Commissioner Molenaar spoke in support of participating in this project for a youth oriented non-profit organization. Mr. Calabrase advised that they are willing to pay county crews to perform the work with county equipment after regular work hours. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize use of county equipment and county personnel (to be paid by association or on a volunteer basis) for construction of a driveway for access to the Youth Sports Field located off McCarty Lane. All voting "Aye".

**13890 ADOPT RESOLUTION IN SUPPORT OF SENATE BILL 312 AND HOUSE BILL 1217 (RE: AFFIRM COUNTY'S AUTHORITY TO REGULATE SUBDIVISIONS)**

Commissioner Barton spoke of pending legislation that would affirm the authority of counties as it relates to subdivision rules requiring the platting of all lots being divided into two or more parts, whether new roads are involved or not. Pam Gosnay voiced her concerns about platting variances that are being granted. Commissioner Barton stated that large acreage developments should not be held to county road standards, however, we do want the authority to review them. A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt resolution in support of Senate Bill 312 and House Bill 1217. All voting "Aye".

**WHEREAS**, the Hays County subdivision rules require the platting of all lots being divided into two or more parts, whether new roads are involved or not; and

**WHEREAS**, this interpretation of the state subdivision statutes is supported by a recent District Court decision rendered by Judge Scott McGowan in Travis County, and by the findings in Cowboy County Estates v. Ellis County (1985), as well as by other reasonable interpretations of state statutes and the Constitution; and

**WHEREAS**, despite the clear overall intent of the Legislature and the related judicial decisions, confusion persists about the authority of counties to regulate certain simple subdivisions when no new roads or public grounds are layed out; and

**WHEREAS**, this confusion undoubtedly results from the inadvertant wording of Section 232.001(a) of the Texas Local Government Code (Ann.), and from a flawed Attorney General's opinion in 1989 that failed to adequately review all relevant case law and legislative history; and

**WHEREAS**, two bills are currently pending in the Texas Legislature that would affirm the authority of Hays and other counties by clarifying the wording of paragraph "a" and provide other housekeeping amendments to the statute; and

**WHEREAS**, such action is in the clear and urgent interest of the citizens of Hays County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Hays County Commissioners Court express and affirm its support for Senate Bill 312 by Sen. Wentworth, and for House Bill 1217 by Rep. Kuempel, and ask its representatives in the Legislature to use their influence to aid in the passage of one or the other of these measures; and

**FURTHER BE IT RESOLVED** that the Commissioners Court of Hays County should express its appreciation to its state associations, and to the Comal County Commissioners Court in particular, as well as to Sen. Wentworth and Rep. Kuempel, for their work to resolve this issue.

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**DISCUSSION REGARDING HB3193 (NORTH HAYS COUNTY WATER AUTHORITY)**

Commissioner Barton spoke of HB 3193 which would create a development district empowered to regulate their own rules - they would have more water authority than the county rules - the governing body would be appointed by State Officials. Judge Etheredge spoke of a growing need to address water, wastewater, and environmental issues at the local level. Gary Bradley, Circle C Development, spoke of having met with State Representative Alec Rhodes - property in Hays County has now been removed from the Bill - spoke of Circle C development planning regarding roads and utilities - water quality and quantity are a concern with the development - spoke of bringing water into the area from Lake Travis - Hill Country Water Supply has acquired water from them - they have set standards for set backs from creek beds and streams in order to reduce pollution - spoke of years spent studying septic tanks - determined that the best systems were the centralized sewer systems - spoke of tax base needed in order to be able to afford a centralized sewer system (commercial development is needed) - spoke of court case held in Hays County that favored property owners rights (S.O.S. trial) - the City of Austin has ignored this court action and the State Law - spoke of Circle C Homeowners opposing annexation by the City of Austin - he feels like the City of Austin has a double standard regarding protection of the aquifer - this Bill is about local property owners having control over their own area - property owners in Hays County may wish to annex into this district at a future date - urged the court to have dialog with their Representative. Judge Etheredge spoke of need for dialog with the property owners of Hays County - growth is rapid and we need to determine where we go to get quality water. Commissioner Barton voiced his concerns about setting up a jurisdiction that would undermine our ability to plan for the future and may allow substandard systems. Dee Dee Stevenson, Dripping Springs area resident and member of Texans for Hays County, spoke of need for a water system for the people and by the people - a surface water system is necessary - spoke of meetings held and surveys distributed - spoke of sewage problems in Dripping Springs every time it rains. Judge Etheredge spoke of need for local governments, State Legislators, School District, and Developers to work together - we are limited as a Commissioners' Court to deal with all these issues. Pam Gosnay spoke of inconsistency created by granting variances - requested input regarding the new subdivision specifications. Commissioner Molenaar spoke of holding workshops to address the subdivision ordinance - he has been involved in trying to solve problems with existing cesspools/septic tanks. Judge Etheredge stated that in the last year the Court has been involved in protecting property owners rights and what we are hearing now is "how we can control growth, etc.". Gary Bradley stated that if you're not taxed you won't get the service - the more density, the better the chance for services.

**13891 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN COVES OF CIMARRON, WOODS OF CIMARRON, AND CIMARRON PARK IN PRECINCT 2**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to call for a public hearing to establish traffic regulations in Coves of Cimarron, Woods of Cimarron, and Cimarron Park subdivisions in Precinct 2 to be held April 24, 1995 at 9:00 A.M. All voting "Aye".

**13892 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS: SET NEW WEIGHT LIMITS ON COUNTY ROADS**

The Road Department has prepared a list of County Roads and recommended load limits for consideration. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to call for a public hearing to establish traffic regulations: Set Load Limits on County Roads to be held April 24, 1995 at 9:00 A.M. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

**13893 AUTHORIZE INSTALLATION OF DRAINAGE CULVERT ON WINDMILL WAY NEAR BUDA**

Commissioner Barton spoke of letter he received from Charles Bond regarding his son-in-law's property on Windmill Way near Buda - his property has become inaccessible because of drainage improvements made by the county - his property had a vacant mobile home on it when the county dug new drainage ditches along the road and it is now impossible to access the property until a properly sized culvert is put in place and covered with base. Mr. Bond's family is returning to the area and wish to move in immediately and they contend that the county should have put a culvert in place on the site while it was doing the drainage work and that it is an unfair financial hardship on the family to be forced to buy, haul, put in place, and over a culvert now when their property was easily accessible before the county did its work. Current county road policy indicates that the county is only bound to replace a culvert where an adequate culvert was already in place. Commissioner Molenaar spoke of his conversation with Charles Bond (a friend of his) and his feelings are that if the county changed the integrity of the road and we installed culverts for other property owners in the area, this particular property owner should be treated the same. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to authorize installation of drainage culvert on Windmill Way near Buda as requested by Charles Bond. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Judge Etheredge voting "Aye". Commissioner Molenaar abstained.

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**PRESENTATION BY ENVIRONMENTAL HEALTH DIRECTOR REGARDING ON-SITE WASTEWATER FACILITIES (PAST-PRESENT-FUTURE)**

Environmental Health Director Allen Walther presented documentation regarding On-site Sewage Facilities - failure to accomplish effective treatment of domestic household wastewater will cause the degradation of our groundwater (drinking water) and our streams.

**How a conventional septic system works:**

- (1) Effluent flows by gravity to a treatment tank where bacteria break down the organic matter.
- (2) Clarified effluent flows to a drainfield or lateral lines for final disposal.

- Limitations:
- ◆ Only partial treatment of effluent - heavy loads of organics, bacteria, and viruses remain.
  - ◆ Poor distribution with little treatment in the soil.
  - ◆ Subject to failure from hydraulic overload.

**Low pressure dosing (LPD):**

Came into use approximately 8 years ago, primarily due to research by Dr. Bob Carlile and the University of North Carolina. Hays County has a very high success rate with LPD systems.

- (1) LPD Systems utilize a conventional septic tank with the addition of a pump tank with alarm. Effluent is pumped, or dosed, 3 to 6 times per day to a shallow pipe network. This greatly improves the distribution process by providing uniform, periodic doses.
- (2) While LPD systems do not improve septic tank effluent quality, they do improve the overall treatment quality through effluent treatment in the soil. Enhanced treatment will occur in the upper soil strata (the top 6 to 12 inches). This accomplishes denitrification, plant uptake of organic nutrients, and the natural destruction of bacteria and pathogens.
- (3) LPD systems generally use less materials (rock and loam) and require less excavation and site disturbance. Distribution lines can be a different elevations and can run between trees and closer to building foundations.

- Limitations:
- ◆ The use of mechanical components increases the need for system service and maintenance.
  - ◆ Cost: Design fees, equipment, and maintenance.

**Innovative Designs:**

Innovative designs generally improve both the treatment and distribution processes for OSSF's and provide the greatest opportunities for reuse of wastewater.

(1) Treatment:

After passing through a conventional septic tank, effluent goes to a second unit where it receives aerobic treatment. This greatly increases effluent quality and generally meets State Class I standards of 20 mg/1BOD and 20 mg/1TSS. The two most commonly used treatment processes are:

- (a) Extended aeration
- (b) Recirculating intermittent sand filters

(2) Distribution:


- (a) Pumped to a LPD pipe network.
- (b) Pumped to a subsurface drip emitter network.

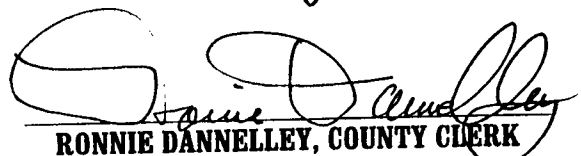
New technologies provide emitter lines with built-in pressure compensating turbulent flow emitters.

Limitations: Due to the complexity of these systems, ongoing maintenance and service is essential. The solution is a maintenance contract binding the property owner and as a condition of license.

Cost: Advanced system designs are both more costly to construct and to maintain.

MINUTES APPROVED IN OPEN COURT ON THE 15<sup>th</sup> DAY OF May, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

  
**RONNIE DANDELLEY, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 17TH DAY OF APRIL A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANDELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13894 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 196,942.91 as presented by the County Auditor. All voting "Aye".

|                     |              |                   |              |                    |              |
|---------------------|--------------|-------------------|--------------|--------------------|--------------|
| State Shared Rev    | \$ 305.45    | Fines             | \$ 194.00    | Auditors Ofc       | \$ 232.01    |
| Treasurers Ofc      | \$ 17.41     | Extension Ofc     | \$ 314.17    | Grants Admin       | \$ 77.03     |
| Juvenile Probation  | \$ 145.86    | Election Admin    | \$ 145.48    | Indigent Care      | \$ 2,188.51  |
| Transfer Station    | \$ 4,565.00  | Building Maint.   | \$ 3,919.49  | Environ Health     | \$ 711.68    |
| Personal Health     | \$ 369.59    | Civic Center      | \$ 131.15    | Countywide Oper    | \$ 18,185.90 |
| Tax A/C             | \$ 318.85    | District Clerk    | \$ 300.72    | County Clerk       | \$ 513.42    |
| Sheriffs Ofc        | \$ 3,918.62  | Jail Operations   | \$ 31,048.64 | County Judge       | \$ 370.02    |
| Human Resources     | \$ 249.79    | Co Crt at Law 1   | \$ 23.46     | District Attorney  | \$ 1,091.18  |
| J.P. 1-1            | \$ 73.12     | J.P. 1-2          | \$ 537.47    | J.P. 4             | \$ 12.50     |
| D.P.S.              | \$ 423.34    | Constable 1       | \$ 413.35    | Constable 5        | \$ 111.87    |
| District Court Oper | \$ 9,493.07  | Veterans Admin    | \$ 2.53      | Computer Svcs      | \$ 402.99    |
| Co Crt @ Law 2      | \$ 4.73      | Fire Marshal/EMC  | \$ 11.57     | TABC               | \$ 72.27     |
| Dist Crt Reporter   | \$ 109.36    | TJPC CCAAP Grant  | \$ 410.00    | Legal Aid Office   | \$ 482.37    |
| TDA/Corr Incub Grnt | \$ 67.08     | Dunbar Grant      | \$ 1,053.42  | DARE (DA) Grant    | \$ 215.00    |
| Gen Fund Credit     | * \$ 12.72 * | R&B Operations    | \$ 56,879.02 | Precinct 1         | \$ 480.00    |
| Precinct 2          | \$ 225.00    | Precinct 3        | \$ 200.00    | Precinct 4         | \$ 729.92    |
| R&B Gen Credit      | * \$ 30.00 * | Rec Mng/Co Clk    | \$ 1.31      | Health Svcs Grants | \$ 3,013.82  |
| Hot Check Fee       | \$ 20.00     | Road Construction | \$ 8,336.72  | Foster Care Fund   | \$ 20,044.52 |
| Adult Prob Oper     | \$ 7,868.38  | Adult Prob Fac    | \$ 274.65    | D.A. Reimb Trust   | \$ 9,799.63  |
| Anticipation Notes  | \$ 4,557.45  | New Canaan Grant  | \$ 1,321.69  |                    |              |

**13895 AMEND BUDGETS OF VARIOUS DEPARTMENTS (BUDGET AMENDMENT NO. 95-021)**

The following budget amendments were proposed:

Grants Administration (404) - transfer for needed expenses from personnel savings.

J.P. Pct. 2 - transfer \$700 from countywide for two grade/step adjustments for FY95, allow 3 days temporary employment due to staff training (\$150 + \$14), increase telephone from other items for cellular system cost and monthly expense.

J.P. Pct. 5 and Constable 5 - transfer \$700 between departments to fund authorized copier to be used by both departments.

Dept. of Public Safety (430) - transfer \$200 for cost of laboratory testing from contract programming.

Corridor Incubator Grant (720) - transfer cost of mobile phone for balance of grant year from equipment line.

Road & Bridge Operations - transfer a part of savings realized on TXDOT trucks (net savings was \$40,200), utilizing \$24,000 for authorized motor-grader replacement rental.

Adult Probation Operating (486) - adjust budget per CJAD for Substance Abuse Felony Punishment Facility (SAFPF) to allow longevity, correct for County retirement increase, adjust items to actual & record increase in revenue funding, allows a net \$6,074 in FY95 carryover balance.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve budget amendments as proposed by the County Auditor (Budget Amendment No. 95-021). All voting "Aye".

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AMENDMENT  
NO. 95-021  
FY 95 BUDGET  
04/17/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

GRANT ADMINISTRATOR (404)

|                                |       |            |              |       |
|--------------------------------|-------|------------|--------------|-------|
| 01-404-5212 Postage            | 125   | 125        |              | 250   |
| 01-404-5213 Books/Publications | 500   | 50         |              | 550   |
| 01-404-5488 Fax Line           | 100   | 130        |              | 230   |
| 01-404-5160 Insurance          | 6,822 |            | (305)        | 6,517 |
|                                |       | <u>305</u> | <u>(305)</u> |       |

TRANSFER PERSONNEL SAVINGS FOR NEEDED EXPENSE.

JUSTICE OF PEACE 2 (426)

|                            |        |       |       |        |
|----------------------------|--------|-------|-------|--------|
| 01-426-5021 Staff          | 34,634 | 850   |       | 35,484 |
| 01-426-5110 FICA           | 4,984  | 14    |       | 4,998  |
| 01-426-5331 Cont Ed        | 100    | 50    |       | 150    |
| 01-426-5489 Telephone      | 1,200  | 1,200 |       | 2,400  |
| 01-426-5160 Insurance      | 6,822  |       | (444) | 6,378  |
| 01-426-5411 Ofc Eqpt Maint | 1,000  |       | (870) | 130    |
| 01-426-5473 Eqpt Lease     | 1,000  |       | (100) | 900    |

COUNTY-WIDE OPERATIONS (414)

|                               |         |              |                |         |
|-------------------------------|---------|--------------|----------------|---------|
| 01-414-5091 Salary Adjustment | 102,914 |              | (700)          | 102,214 |
|                               |         | <u>2,114</u> | <u>(2,114)</u> |         |

TRANSFER FOR (2) GRADE/STEP ADJUSTMENTS FOR FY 95 (\$700), ALLOW THREE DAYS TEMPORARY FILL-IN FOR STAFF TRAINING (\$150), AND FOR CELLULAR AND INCREASED TELEPHONE SYSTEM/MONTHLY EXPENSE.

JUSTICE OF PEACE 5 (429)

|                          |   |     |  |     |
|--------------------------|---|-----|--|-----|
| 01-429-5473 Copier Lease | 0 | 700 |  | 700 |
|--------------------------|---|-----|--|-----|

CONSTABLE 5 (435)

|                           |       |            |              |       |
|---------------------------|-------|------------|--------------|-------|
| 01-435-5411 Eqpt Maint    | 500   |            | (500)        | 0     |
| 01-435-5321 Dues & Bonds  | 280   |            | (100)        | 180   |
| 01-435-5413 Vehicle Maint | 2,500 |            | (100)        | 2,400 |
|                           |       | <u>700</u> | <u>(700)</u> |       |

TRANSFER BETWEEN DEPARTMENTS TO FUND AUTHORIZED COPIER LEASE FOR BOTH DEPARTMENTS.

DEPARTMENT OF PUBLIC SAFETY (430)

|                                  |     |     |       |     |
|----------------------------------|-----|-----|-------|-----|
| 01-430-5391 Misc                 | 190 | 200 |       | 390 |
| 01-430-5423 Contract Programming | 500 |     | (200) | 300 |

TRANSFER FOR LAB TESTING CHARGES

CORRIDOR INCUBATOR GRANT (720)

|                            |       |     |       |       |
|----------------------------|-------|-----|-------|-------|
| 01-720-5391 Other Expense  | 2     | 400 |       | 402   |
| 01-720-5712 Data Proc Eqpt | 2,505 |     | (400) | 2,105 |

TRANSFER FOR MOBILE PHONE THRU GRANT YEAR

FUND NO. 03

FUND TITLE ROAD & BRIDGE GENERAL

OPERATIONS (438)

|                            |        |        |          |        |
|----------------------------|--------|--------|----------|--------|
| 03-438-5475 Road Eqpt Rent | 7,000  | 24,000 |          | 31,000 |
| 03-438-5713 Vehicles       | 57,500 |        | (24,000) | 33,500 |

TRANSFER PART OF AMOUNT OF SAVINGS REALIZED ON TXDOT TRUCKS FOR AUTHORIZED MOTOR-GRADER REPLACEMENT RENTAL

FUND NO. 34

FUND TITLE ADULT PROBATION OPERATING

OPERATING (486)

|                             |         |        |         |         |
|-----------------------------|---------|--------|---------|---------|
| 34-486-5061 Longevity       | 0       | 18,525 |         | 18,525  |
| 34-486-5121 Retirement      | 110,988 |        | (6,189) | 104,799 |
| 34-486-5110 FICA            | 105,050 | 1,417  |         | 106,467 |
| 34-486-5499 Facil,Util,Eqpt | 88,559  |        | (9,027) | 79,532  |

REVENUES

|                                  |         | DECREASE      | INCREASE      |         |
|----------------------------------|---------|---------------|---------------|---------|
| 34-334-3344 State Aid/Per Capita | 733,996 |               | 10,800        | 744,796 |
|                                  |         | <u>19,942</u> | <u>26,016</u> |         |

ADJUST BUDGET PER CJAD FROM ESTIMATED TO ACTUAL FY 95 FUNDS, TO REFLECT A NET INCREASE IN FUNDING AND CARRYOVER BALANCE.

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**13896 ESTABLISH TRAFFIC REGULATIONS IN GOLDENWOOD WEST SUBDIVISION: A SPEED LIMIT OF 30 MPH ON WESTVIEW TRAIL**

A public hearing was held April 10, 1995 - Commissioner Molenaar and the Road Department are in agreement with request from the Goldenwood West Homeowners for a speed limit of 30MPH. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to establish traffic regulation of 30MPH Speed Limit on Westview Trail in Goldenwood West Subdivision. All voting "Aye".

**13897 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO AN INTERLOCAL AGREEMENT TO PROVIDE FOR THE SALE AND PLACEMENT OF TRAFFIC SIGNS AT COST TO THE CITY OF UHLAND**

Mayor of Umland Dan Sorrells advises that the City of Umland has a need to purchase a single stop sign - the City may need to have it placed - from time to time the City may need other signs - the City is willing to reimburse the County for its full cost for the signs and placement. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize the County Judge to enter into an Interlocal Agreement to provide for the sale and placement of traffic signs at cost to the City of Umland. All voting "Aye".

**13898 AUTHORIZE USE OF THE COURTHOUSE LAWN AND UTILITIES FOR "VICTORY OVER VIOLENCE WEEK" EVENT SPONSORED BY DRUG FREE SAN MARCOS, SAN MARCOS CISD, AND SWTSU**

A letter was submitted by Amanda Ruiz, Chairperson - Neighborhood Sub-Committee - Partnership for a Drug Free San Marcos, requesting permission to use the Courthouse lawn and utilities (electrical outlets for the PA and sound system) for a "candlelight vigil" scheduled to take place on Tuesday, April 25 @ 7:45 P.M. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize use of the courthouse lawn and utilities for "Victory over Violence Week" event sponsored by Drug Free San Marcos, San Marcos CISD, and SWTSU. All voting "Aye".

**13899 CALL FOR A PUBLIC HEARING TO BE HELD MAY 1, 1995 AT 9:00 A.M. TO ESTABLISH TRAFFIC REGULATIONS: SPEED LIMITS IN RIVER OAKS SUBDIVISION**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to call for a public hearing to be held May 1, 1995 at 9:00 A.M. to establish traffic regulations: Speed Limits in River Oaks subdivision. All voting "Aye".

**13900 APPROVE COMMISSIONERS' COURT MINUTES OF MARCH 1995**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve the Commissioners' Court Minutes of March 1995 as presented by the County Clerk. All voting "Aye".

**13901 APPROVE UTILITY PERMITS ISSUED BY THE ROAD DEPARTMENT**

The following Utility Permits were submitted for approval:

- 95101 To Blue Bonnet Electric Coop. On CR232 (Redwood Road)
- 95203 To Plum Creek Water Co. On Rolling Hills Drive
- 95204 To Plum Creek Water Co. On Lawnsdale (Green Pastures)
- 95205 To Southwestern Bell On CR211 (Schubert Lane)
- 95206 To Goforth Water Supply Co. On CR126
- 95303 To Wimberley Water Supply On CR288 (Little Ranches Rd)
- 95404 To Southwestern Bell On Bonham Lane
- 95405 To Pedernales Electric Coop On Glosson Ranch Road
- 95406 To Southwestern Bell On Bonham Lane
- 95407 To Pedernales Electric Coop On CR195

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve Utility Permits issued by the Road Department as referenced above. All voting "Aye".

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**13902 APPROVE PURCHASE OF EQUIPMENT FOR ROAD DEPARTMENT OUT OF THAT DEPARTMENTS UNSPECIFIED EQUIPMENT LINE ITEM**

Road Director Darrel Brown requested approval to purchase two chain saws (\$170) and a Star Drill attachment for a Pionjar Hammer (\$218). A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve purchase of equipment for the Road Department out of that departments unspecified equipment line item. All voting "Aye".

**13903 AUTHORIZE COMMISSIONER PCT. 2 AND/OR ROAD DEPARTMENT TO PROVIDE CULVERT TO A NON-PROFIT ENTITY AT COST**

Summary: Mr. Refugio Arredondo represents a small, tax-exempt church in Kyle. In past eras the County often bought and emplaced culverts for such organizations in Pct. 2. Commissioner Barton informed Mr. Arredondo this could not be done. However, Commissioner Barton would like to sell a culvert to Mr. Arredondo's organization at cost, allowing them to take advantage of the county's buying power. The church would be wholly responsible for putting the culvert in place. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize Commissioner Pct. 2 and/or Road Department to provide a culvert to a non-profit entity at cost. All voting "Aye".

**13904 AUTHORIZE PURCHASE OF "COUNTY LAND RECORDER BOOK" OUT OF COUNTY CLERK'S RECORD MANAGEMENT FUNDS**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve purchase of "County Land Recorder Book" out of the County Clerk's Record Management Funds. All voting "Aye".

**13905 AUTHORIZE ROAD CONTRACT BETWEEN GOLDENWOOD PROPERTY OWNER'S ASSOCIATION, INC. AND HAYS COUNTY FOR RESURFACING THEIR ROADS**

The Goldenwood Property Owners Association is willing to pay \$36,200.00 to resurface roads in their subdivision - \$10,000.00 was previously put up when road were accepted for county maintenance - cost estimates for this project are:

|                   |                     |
|-------------------|---------------------|
| Materials         | \$ 39,000.00        |
| Labor             | \$ 8,526.00         |
| Equipment         | \$ 14,000.00        |
|                   | =====               |
| <b>TOTAL.....</b> | <b>\$ 61,526.00</b> |

Road Director Darrel Brown stated that these roads are currently being county maintained - would like to begin upgrading in May (structural and drainage). Commissioner Barton voiced his concerns about upgrading roads when dollars are put up and not upgrading roads in subdivision where there is no money to put up. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to authorize contract between Goldenwood Property Owner's Association and Hays County for resurfacing roads in the Goldenwood Subdivision. All voting "Aye".

**ROAD CONTRACT BETWEEN GOLDENWOOD PROPERTY OWNER'S ASSOCIATION, INC. ("GOLDENWOOD") AND COUNTY OF HAYS, STATE OF TEXAS ("COUNTY")**

**WHEREAS**, Goldenwood, pursuant to Declarations and Covenants of Goldenwood subdivision Sections 1, 2, 3, and 4, Hays County, Texas, recorded at Volume/Pages 374/425, 376/465, 389/550 and 440/886 Deed records of Hays County, Texas, administers the roads of the subdivisions as common properties of the property owners;

**WHEREAS**, by dedication Deed dated August 26, 1986, Hays County, Texas assumed responsibility for maintenance of the roads as public roads of Hays County, Texas;

**WHEREAS**, the roads in question are identified in the Hays County plat records at Vol. 2, pgs. 249, 250, 263, 264, 276, 311, 312; Vol. 3, pg. 203 and Vol. 4, pg. 67 consisting of the streets: Goldenwood Way, Shantivana Trail, Golden Oaks Lane, Sweet Wood Trail, Rivendell Lane, Hidden Springs Lane, Glenn Haven Path, Wild Wood Circle, Christal Cave Drive, Post Oak Glen, and mailstation turnaround;

**WHEREAS**, the roads have deteriorated since being accepted by the County and are in need of repair and rebuilding;

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NOW THEREFORE, Goldenwood and the County agree as follows:

1. THE WORK

- a. The County will rebuild, repair and restore the roads including, without limitation, the following work to be performed:
  - i. All ditching, culverting, drainage control, demolition and curbing necessary to comply with all County and State specifications for road integrity;
  - ii. Rework road base as necessary for road integrity;
  - iii. Apply black base and cold mix to all roads as necessary to ensure a solid foundation;
  - iv. Apply HFRS-2 and two layers of "top rock" to all roads;
  - v. Perform all road patch and preparation, culverting work and core analysis necessary to prepare roads for black base and cold mix, HFRS-2 and top rock;
  - vi. The estimated materials required for the work are as set forth on Exhibit "A" hereto.

2. COMPLETION OF THE WORK

- a. The work referenced herein, weather permitting, will be completed by the County as follows:
  - i. First Stage: From May 1995 to September 1995, County will perform all road patch and preparation, all culvert work, ditching, and core analysis to prepare for the two layers of black base and cold mix and will apply the black base and cold mix and chemicals and top rock on those roads which do not require road base work;
  - ii. Second Stage: From May 1996 to September 1996, County will complete all remaining road repair and reconstruction including road base work and resurfacing.

3. PAYMENT FOR THE WORK

- a. Payment by the Association to the County shall be as follows;
  - i. The Association will pay for materials used not to exceed the amount of \$ 36,200.00. The County will provide copies of delivery tickets and invoices for all materials to support the price ultimately paid by the Association. In no event shall the Association pay more than \$36,200.00 for all work to be performed. The County will provide and pay for all labor, machinery and any materials necessary to meet County and State standards which exceed the Association's obligation of \$ 36,200.00 towards materials.
  - ii. The Association will pay for materials used at each stage of the work as set forth above following completion thereof in accordance with a payment schedule to be established with the County Auditor.
- b. There will be no further costs to the Association for repair, maintenance or reconstruction of subdivision roads after the completion of this contract. The County will maintain the roads after the completion of this contract. The County will maintain the roads pursuant to County and State specifications for integrity with oiling, patch work, ditching, culverting and reconstruction as necessary to correct and prevent deterioration. The County Road Inspector shall have final approval of whether roads meet specifications.

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4. TAXES

- a. The County shall be responsible for all its workmen and materials including payment of their employer-paid taxes. The County shall pay all sales, consumer, use and other similar taxes for the work.

5. PERMITS AND NOTICES

- a. The County shall be responsible for the acquisition of all permits and approvals, if any, necessary to the performance of this contract and for compliance with all laws rules and regulations including environmental. Unless otherwise provided herein the County shall secure and pay for all permits and government fees, licenses and inspections necessary for the proper execution and completion of the work. The County shall give all notices and comply with all laws, ordinances, rules, regulations and lawful orders of any public authority bearing on the performance of the work.

6. WARRANTY

- a. County warrants to Goldenwood that all works be of good quality, free from faults and defects and in conformance with all good and workman-like standards. All work not conforming to these requirements may be considered defective and subject to rejection.

7. CLEAN UP

- a. The County shall at all times keep the work area free from accumulation of waste materials or rubbish caused by its operations. At the completion of the work the County shall remove all waste materials and rubbish from and about the project area as well as all tools, construction equipment, machinery and surplus materials.

8. INDEMNIFICATION

- a. To the fullest extent permitted by law, the County shall indemnify and hold harmless Goldenwood and its property owners, trustees and officers from and against all claims, damages, losses and expenses including but not limited to attorneys fees, arising out of or resulting from the performance of the work and this contract.

Agreed to this 17th day of April, 1995.



**VARIANCE DISCUSSION - BRYANT TRACTS (10 ACRES AND 115 ACRES) ON FM3237**

Arnold & Mattie Bryant own 125 acres out of the James Smith and T. F. Brewer Surveys on FM3237 in Wimberley - they wish to sell 115 acres and retain 10 acres for their homestead. Allen Walther, Environmental Health Director, spoke in support of granting a platting variance to the Bryants. No action taken this date.

**13906 RUBY RANCH SUBDIVISION - FIRST READING APPROVAL**

Commissioner Barton advised that there are concerns about the floodplain on some lots along Onion Creek - 80 feet of right-of-way will be dedicated for possible future thoroughfare to connect FM967 to FM150 - additional property would have to be acquired by the county in order to make this connection. Engineer Curtis Wilson spoke of need for infrastructure for an arterial roadway - lots 36-40 have access through Onion Creek - spoke of having redeveloped the floodplain data (if FEMA data is left in tack the floodplain would cover all of these lots) - Dripping Springs is currently under a moratorium on development and as soon as that is lifted they will submit the plat to them for approval - this subdivision is located approximately 16 miles from Dripping Springs and 6 miles from Buda. A discussion was had regarding the Dripping Springs ETJ. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Ruby Ranch" subdivision on first reading. All voting "Aye". The Court will be discussing the 80 foot road dedication and lots 36-40 floodplain issue at the next reading.

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**13907 CREEKSID SUBDIVISION - FIRST READING APPROVAL**

Property Owner Ralph Johnson presented "Creekside" subdivision on first reading. Commissioner Barton spoke of the existing private road contains a cloudy title - property owner is creating a legal access to other properties and will upgrade Creekside Drive - a Homeowners Association is being created for road maintenance - the subdivision is inter-related with "The Hill" subdivision. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Creekside" subdivision on first reading. All voting "Aye".

**13908 THE HILL - SECOND READING APPROVAL**

Property Owner Barbara Humble presented "The Hill" subdivision on second reading. Commissioner Barton spoke of the existing private road contains a cloudy title - property owner is creating a legal access to other properties and will upgrade Creekside Drive - a Homeowners Association is being created for road maintenance - the subdivision is inter-related with "Creekside" subdivision. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "The Hill" subdivision on second reading. All voting "Aye".

**13909 YORK CREEK RANCH - FIRST READING APPROVAL**

Allen Walther, Director of Environmental Health, stated that he has not yet received a flood study on the property. Property owner spoke of flag lots created so that they won't have to build a \$60,000.00 bridge across the creek. Allen Walther advised that they will still be required to build a road crossing. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "York Creek Ranch" subdivision on first reading. All voting "Aye". The Court urged the developer to construct a singular drive.

**13910 SPOKE HILL SECTION 1 REPLAT OF LOT 5 - SECOND & THIRD READING APPROVAL**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Spoke Hill Section 1 Replat of Lot 5 (Lots 5A & 5B) on second and third readings. All voting "Aye".

**13911 LEA ACRES RESUB OF LOT 5 - SECOND & THIRD READING APPROVAL**

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Lea Acres Resub of Lot 5" on second and third readings. All voting "Aye".

**13912 FOX RUN ESTATES REPLAT LOT 8 - PUBLIC HEARING, SECOND & THIRD READINGS**

Judge Etheredge called the public hearing open. Current Plat has setback note of 50 feet. Applicant wishes to reduce this to 20 feet on Lot 8. No public input was received and the public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Fox Run Estates Replat of Lot 8" on second and third readings. All voting "Aye".

**13913 PLATTING VARIANCE GRANTED TO JOHNNY WAYNE MOORE ON 5 ACRES ON HWY. 290 WEST**

Johnny Wayne Moore owns 84 acres in the L. W. Kingsley Survey and would like to convey 5.00 acres to his son David Moore for the proposed construction of his residence. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Johnny Wayne Moore on 5 acres out of an 84 acre tract in the L. W. Kingsley Survey. All voting "Aye".

**REQUEST FOR VARIANCE TO MINIMUM FLOOR ELEVATION IN 100-YEAR FLOODPLAIN**

James & Janet Ward appeared before the Court requesting a variance to the minimum finished floor elevation for a recent addition to their mobile home - there was no intent to disregard the county regulations - they were not aware that they were in the floodplain when they started a room addition (1 bedroom, playroom and storage - no plumbing involved). Allen Walther, Director of Environmental Health, advised that residence of James & Janet Ward is located in the 100-Year Floodplain and is currently below the base flood elevation level - the addition was built one foot below the existing structures level - the mobile home itself is below the base flood elevation and if the value of the addition exceeds 50% of the value of the existing structure it will be necessary to elevate the entire structure. Mrs. Wade spoke of having questioned the Real Estate Broker and the Title Company extensively during the purchase and closing of their property and was never told that the property was located in the floodplain - the addition was built by a Contractor - not one of these individuals claim responsibility for the oversight of advising property owners of the floodplain status. Mr. Wade spoke of his concerns about the expense to raise the addition. No action was taken - property owners to provide figures on actual value of mobile home & addition.

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**UPDATE REPORT ON DEFERRED COMPENSATION PROGRAM (PEBSCO)**

Mary Lou Borchers, Public Employee Benefit Service Corp.(PEBSCO), spoke of deferred compensation plan (IRS SEC 457) being a savings plan - life insurance is available - toll free number is provided to check on value of account - county participation is slowly rising - awareness is the key - she is currently working with Human Resources Dept. to get information out to county employees.

**DISCUSSION REGARDING "SHADE ROAD" IN PRECINCT 3**

Commissioner Payne advised that approximately 1/2 mile of private road (Shade Road - 20 ft. wide caliche road) is being used by the general public and is being maintained by the Blanco Bend Property Owners Association - the POA is willing to upgrade the road and dedicate it to the county - the county needs to establish standards that would be acceptable. Dorothy Gumbert appeared representing the property owners in Blanco Bend and spoke of other property owners that are using the road without contributing to the maintenance - she will attempt to get donation of additional right-of-way to widen the roadway.

**13914 AUTHORIZE MAINTENANCE COORDINATOR RON KNOTT TO CONTRACT WITH R&P ENGINEERING CO. FOR SERVICES RELATED TO REHABILITATION OF THE COURTHOUSE ANNEX ELEVATOR**

Maintenance Coordinator Ron Knott feels that if the county is going to spend a substantial amount of money to meet state licensing regulations, the court should consider further work to upgrade the elevator. He proposes hiring a firm to make recommendations on a repair plan for the elevator. A proposal was submitted by R&P Engineering Co.to review the State Inspection papers for deficiencies, review elevator manufacturers proposal and review our standard specifications and provide our opinion for the repair work. They would also review if old elevator should be abandoned for new elevator and provide specifications or additional work scope from the manufacturer, if deemed necessary to meet all the codes. Services will be charged at \$55 per hour, travel and print charges for a total not to exceed \$800.00. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize Maintenance Coordinator Ron Knott to contract with R&P Engineering Co. for services related to rehabilitation of the courthouse annex elevator. All voting "Aye".

**13915 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A CONTRACT WITH RABA-KISTNER-BRYTEST INC. FOR EVALUATING SUBGRADE FOR RECYCLING AS PART OF THE ROAD BOND PROGRAM**

A proposal was submitted by Raba-Kistner-Brytest Consultants, Inc. per request of Rick Miller (Doucet & Assoc.) regarding evaluating several alternatives to improve the engineering properties of existing subgrade soils and/or pavement base materials that may be reused during the reconstruction of various county roads - these alternatives include evaluating the use of lime, fly ash, and cement in expansive clay subgrades; evaluating the use of fly ash and cement for improving the engineering properties of the existing pavement materials that will be re-used during reconstruction; and evaluating the effectiveness of using one of the more common geogrid systems for incorporation in the base. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the County Judge to enter into a contract with Raba-Kistner-Brytest Consultants, Inc. for evaluating subgrade for recycling as part of the Road Bond Program with fee not to exceed \$4,500 payable out of road construction funds. All voting "Aye".

**13916 CHANGE ROAD STATUS TO "PRIVATE" IN THE CANYONS SUBDIVISION**

A petition was submitted by all the property owners in "The Canyons" subdivision as follows:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>WE THE UNDERSIGNED, do hereby petition the Commissioners' Court of Hays County, Texas, to relinquish all rights and jurisdiction over Rachel's Canyon Drive, located off County Road 164 in The Canyon's Subdivision, Hays County, Texas, to the property owners of said subdivision.<br/>Rachel's Canyon Drive will be considered a private road and will be maintained by property owners of The Canyon's Subdivision. The Canyon's Subdivision has eight lots, and at present time there are five property owners.</p> |                                                                                                                                                                   |
| <p>RESPECTFULLY SUBMITTED,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                   |
| <p>Terry J. Jackson, Lots 1,6,7 &amp; 8<br/>Frank G. Hutchinson, III, Lot 2<br/>Robert J. Jackson, Lot 3<br/>Deron C. Gustafson, Lot 4<br/>Richard R. Fortune, Lot 5</p>                                                                                                                                                                                                                                                                                                                                                     | <p>Kim A. Jackson, Lots 1,6,7 &amp; 8<br/>Diane E. Hutchinson, Lot 2<br/>Leslie M. Jackson, Lot 3<br/>Julie A. Gustafson, Lot 4<br/>Colleen A. Fortune, Lot 5</p> |

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to change the road status of "Rachel's Canyon Road" in The Canyons subdivision to a Private Road effective May 1, 1995 contingent upon the filing of a Homeowners Association document with the County Clerk. All voting "Aye".



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**WORKSHOP TO DEVELOP PLANS AND POLICIES FOR MOWING COUNTY R-O-W WITHIN SUBD.**

Road Director Darrel Brown spoke of there being no consistent policy on mowing r-o-w in subdivisions - generally they are not mowing all gravel roads - most subdivisions have paved roads and are fairly well maintained by the property owners. Commissioner Molenaar felt like we should not be mowing gravel roads where the property owners own to the center of the roadway. Darrel Brown spoke of his concerns about mowing close to homes because of flying debris from the mowers - the primary problem in subdivisions is where there are vacant lots . Commissioner Payne suggested not mowing in populated subdivisions. Commissioner Barton suggested now mowing in subdivisions with paved roads unless a request is made. Darrel Brown spoke of possibly contracting out mowing east of IH35 where there is a high concentration of johnson grass which requires constant attention - we will continue to mow gravel roads on a regular basis to make sure that road signs are visible - spoke of using herbicide Round-Up on county right-of-way (the Court agreed to this as long as it is used on road edges only). A discussion was had on street signage and subdivision inspections - road department needs to know how much money is spent on road bond improvement projects for future reference. Commissioner Molenaar suggested charging a fee for utility permits to cover cost of inspections.

**13917 SUPPORT LEGISLATION ALLOWING MORE FLEXIBILITY IN TAX COLLECTION**

Judge Etheredge spoke of Legislation that could be passed that would allow for residential properties (homesteads only) to take advantage of split payment of taxes - at this time we are unable to offer split payment of taxes because we collect taxes for the school districts and they are opposed to it for cash flow reasons - they may possibly agree to it if it affects residential/homestead properties only. A motion was made by Commissioner Barton, seconded by Judge Etheredge to go on record to request our State Representative to support legislation allowing more flexibility in tax collection and to furthermore request our County Tax Assessor-Collector to pursue this legislation. All voting "Aye".

**13918 REQUEST STATE REPRESENTATIVE ALEC RHODES TO SUBMIT LEGISLATION TO RESTRUCTURE THE HAYS COUNTY JUVENILE BOARD AND ALLOW COMPENSATION**

Judge Etheredge spoke of restructuring the Hays County Juvenile Board - take the two out-of-county District Judges off the membership and add the County Court at Law #2 Judge to the Board - both of the County Court at Law Judges are hearing juvenile cases - Judge Warner is requesting additional compensation for Board Members from \$300 per year to \$300 per month. The Board voted to not micro-manage the design of the Juvenile Services Facility - Day-to-Day operation of the facility will be the responsibility of the contracted management. A motion was made by Judge Etheredge, seconded by Commissioner Barton to request State Representative Alec Rhodes to submit legislation to restructure the Hays County Juvenile Board and allow compensation in an amount to be determined by the Commissioners' Court. All voting "Aye".

**13919 GO ON RECORD IN OPPOSITION TO HOUSE BILL 620 & SENATE BILL 389 RE: UTILITIES**

Commissioner Barton spoke of House Bill 620 & Senate Bill 389 which requires 48 hour notice to Utility companies prior to road repairs and shifts liability from utility companies to the County. A motion was made by Commissioner Barton, seconded by Commissioner Payne to go on record in opposition to House Bill 620 and Senate Bill 389. All voting "Aye".

**13920 GO ON RECORD IN SUPPORT OF HOUSE BILL 2897 & SENATE BILL 1167 RE: JAILS**

Commissioner Barton spoke of HB2897 & SB1167 which provides Jail Standards more flexibility to the design and operation of jails. A motion was made by Commissioner Barton, seconded by Judge Etheredge to go on record in support of House Bill 2897 & Senate Bill 1167. All voting "Aye".

**13921 GO ON RECORD IN SUPPORT OF HOUSE BILL 1849 & SENATE BILL 677 RE: OVERTIME**

Judge Etheredge spoke of HB1489 & SB677 allowing the Commissioners' Court to prohibit overtime. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to go on record in support of House Bill 1849 & Senate Bill 677. All voting "Aye".

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13922 SUPPORT OF SENATE BILL 6 RE: JUVENILE BOARD BUDGET

Discussion was had on SB6 Juvenile Justice Reform Bill which would give the Commissioners' Court full discretion over the Juvenile Board budget. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to send a letter of support for Senate Bill 6. All voting "Aye".

DISCUSSION REGARDING PENDING LEGISLATION

Commissioner Barton spoke of playground compliance legislation - Johnson Park has a public playground that may not comply - legislation limiting terms for county officials will probably go nowhere. Judge Etheredge spoke of legislation that could affect the Wackenhut Facility in Kyle - it would allow bidding process which could put Wackenhut out of business because their salary budget increases with long-term employees (new contractor would have lower salary costs). Discussion was had on SB10 Medicaid Reform Bill, SB438 which prohibits overweight limits on county roads, SB433 Juvenile curfews, SB411/HB175 reforms the "whistle blowers act" - Court supports all these bills. Bills that were discussed but no position was taken were HB 1878 Jury costs, SB246 Posting requirements, HB3 additional Attorney for capital crimes defendants. Also discussed was SB1372 Local Option Bill which gives County ordinance making authority by election.

Court was recessed until Wednesday April 19, 1995 for budget workshop.

MINUTES APPROVED IN OPEN COURT ON THE 15th DAY OF May, 1995.

Signature of Eddy A. Etheredge
EDDY A. ETHEREDGE, COUNTY JUDGE
HAYS COUNTY, TEXAS

Signature of Ronnie Dannelley
RONNIE DANNELLEY, COUNTY CLERK
HAYS COUNTY, TEXAS



STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 19th DAY OF APRIL A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- EDDY A. ETHEREDGE COUNTY JUDGE
PETER RODRIGUEZ COMMISSIONER, PCT. 1
JEFFERSON W. BARTON COMMISSIONER, PCT. 2
CRAIG D. PAYNE COMMISSIONER, PCT. 3
RUSS G. MOLENAAR COMMISSIONER, PCT. 4
RONNIE DANNELLEY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Note: Commissioner Molenaar was not present at the beginning of the meeting.

BUDGET WORKSHOP (FY96)

Judge Etheredge spoke of need to set direction for the coming year (Policy Statement). County Auditor Bill Herzog presented a list of Anticipation Notes:

Table with 2 columns: Item Description and Amount. Items include Justice Center Remodel (\$175,000), Records Building Elevator (\$100,000), Central Storage (\$70,000), Countywide Computer (\$700,000), GIS Monumentation (\$50,000), EMS building (\$100,000), Bomag Road Equipment - Road Dept. (\$350,000), ADA, Adult Prob finish out, NAACP parking lot, RR12, and ROW (\$205,000), TOTAL (\$1,750,000), and Juvenile Detention Construction (\$60,000).

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| ADDITIONAL TAX REVENUE REQUIRED             |                               |                                  |                                         |
|---------------------------------------------|-------------------------------|----------------------------------|-----------------------------------------|
| <u>Amount of<br/>Added Debt</u>             | <u>Term of Debt<br/>Issue</u> | <u>Apprx Annual<br/>Payments</u> | <u>Additional Tax<br/>Rate Required</u> |
| 1,750,000                                   | 7 years                       | \$ 300,000                       | = 1 1/2 ¢                               |
| 8,000,000                                   | 13 years                      | \$ 660,000                       | = 3 1/4 ¢                               |
|                                             |                               | \$ 960,000                       | 4 3/4 ¢                                 |
|                                             | Current Tax Rate              | 41.52                            |                                         |
|                                             | Additional Debt Rate          | 4.75                             |                                         |
|                                             | (11.4%)                       | 46.27                            |                                         |
| * Based on current year property valuations |                               |                                  |                                         |

Judge Etheredge spoke of possible additional staff that will be requested: District Court Part-time Bailiff, Justice Center Security Personnel (2 Sheriff Deputies and 1 front desk information person), fulltime maintenance person. Discussion was had n adding personnel and the consensus was to not add personnel. Judge Etheredge spoke of new legislation that might pass that would affect the Health Dept./Indigent Care. A plan will be submitted for future Civic Center development by Jim Hotz and the Youth Association Board. The old jail facility will need work done it no matter what we use it for. Extension Office has requested a part-time 4H Coordinator - this would reduce the overtime that is currently being experienced by Lois LaCaze in that office. The road department has equipment needs - long term patching is not being done - we need to develop a standard for the road department to follow and hold them to it. Commissioner Molenaar will be asking for an Administrative Assistant. County Auditor Bill Herzog stated that jail revenue will be down this year (need to drop \$200,000). Judge Etheredge spoke of parking at the Justice Center - we need to eliminate entrances from LBJ Drive and Guadalupe Street in order to pick up additional parking spaces and control thru traffic - landscaping is needed around the building. The City of San Marcos will not let us utilize the current slab with gas and water for the EMS building - plans are to build a facility similar to the Extension Office and Environmental Health office - the slab could possibly be used to park vehicles inside and for small office space, etc. and utilize only the wastewater pipes in the slab. Commissioner Rodriguez will meet with City personnel to obtain approval for this type of use of the slab. Commissioner Barton spoke of expecting a tax increase of approximately 5 cents to 10 cents - he read his proposed "Policy Statement". Judge Etheredge spoke of need to get more involved in long range planning regarding water, environmental issues, and development - proposed loop around San Marcos must be addressed - spoke of Loop 45 around Austin that could cause further growth in north Hays county- we need to get ready to lay down plans for a future bond issue - spoke of possibly rebuilding roads without increasing the right-of-way - people are not willing to wait for roads that will meet the future. Judge Etheredge spoke of infrastructure committee - they know their responsibility and they need some direction- the San Marcos Loop will be the county's responsibility - there is a possibility of commuter system through San Marcos (no freight traffic) - spoke of railroad crossings in Kyle and Buda. Commissioner Barton spoke of advantages of commuter trains from San Antonio. Winton Porterfield spoke of more money for the Road Department and additional consulting fees when no construction has been started - felt like it will be more difficult to get another bond issue passed. Judge Etheredge spoke of need for visual graphics to put together presentations for public meetings (overhead and paper). Commissioner Barton suggested allowing 25% roll-over amounts to encourage department to save money. County Auditor Bill Herzog spoke of additional accounting work required. Commissioner Payne stated that he does not want to see a tax increase except for that required by the bond issue. Commissioner Barton suggested offering departments/employees incentives to saving money.\*Commissioner Molenaar came to the meeting at this time.\* Judge Etheredge spoke of taxes generated: \$8.394 million come from ad valorem taxes out of a \$26.5 million dollar budget - the rest is generated from other sources - we are trying hard to hold property taxes down. Winton Porterfield asked what would happen if property values drop - how do you provide services with less money - we should spend the dollars now for infrastructure improvements while we can. Commissioner Barton spoke of needs that have been addressed since he became a Commissioner (personnel policy, unity road system, fee study, land inventory, etc.) - now is the time to build up our structure. Judge Etheredge stated that he is not anxious to see a tax increase, however, we need to continue moving forward in order to deal with growth - we cannot ignore the "old timers" but the "new comers" will be the decision makers because they are increasing in numbers. Commissioner Payne spoke in opposition to increasing personnel in law enforcement, environmental health, and road department. Commissioner Barton spoke of increase in development - we cannot continue to provide fast turn around on services without additional staff - more time is needed for inspections or provide additional inspectors. Commissioner Payne stated that he has a lot of citizens in his precinct that are on fixed incomes and he must represent their interests. Judge Etheredge spoke of need for a policy statement (Commissioners representation) to give direction in preparation of proposed budget - would be the basis for budget prepared by the County Judge and Auditor - so they will not have to totally revamp the proposed budget. Commissioner Molenaar spoke of need for quality services - we need to communicate with our constituents on services being provided and they need to see their tax money working for them - stated that he does not understand yet the mechanics of county revenues. Judge Etheredge stated that the Courts number one priority is roads - we have not given the road department an idea of what issues we want addressed - we need to know what their plans are for the funds requested. Commissioner Barton suggested calling in Department Heads and advising them of our goals for the future - they can then provide figures that can be considered in the budget process.

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Judge Etheredge spoke of need to have periodic meetings to build a "policy philosophy" and be available for discussion. Commissioner Barton suggested meeting with Departments that have related departments for joint meetings (i.e. Road Dept. & Environmental Health). Judge Etheredge suggested taking a 40 hour week every quarter to discuss long range planning. Commissioner Molenaar spoke of need to obtain figures on additional revenues being general by "speed step program" - this could possibly be used to fund additional law enforcement officers (a traffic division). The following "Budget Policy Statement" was agreed to:

TO: Hays County Elected Officials and Department Heads  
FROM: Hays County Commissioners' Court  
RE: 1995-96 Budget

We expect a tax increase next year based on the latest bond payments coming on-line for road construction and the courthouse, courts building renovations. In addition, mandated ADA improvements throughout the County, the new county-wide computer system and several miscellaneous projects, including construction of an EMS station in San Marcos, will add more than one million dollars to the budget.

At current tax values, this would require a tax increase of almost five cents. On top of this, Hays County's juvenile facility will go on-line this coming budget year, with an anticipated operating budget in the neighborhood of half a million dollars, or about two and one-half cents on the tax rate.

All this added to cost-of-living and merit raises for employees, inflationary pressures on routine operating expenses, and other plans in progress, could mean a tax increase of 10 cents, or more than 20 percent, if taxable values remain stable, and if other budgeted are funded based on current year budgets and existing five-year plans.

As you might expect, the Commissioners; Court at this point feels a 10-cent tax hike is unacceptable.

New construction and a rise in taxable values should help, but not enough. Obviously, we are all going to have to work together to put together a tight budget this year. The truth is, we have spent a great deal recently to improve the workplace - better pay and better benefits; better computers; and in many cases, more people.

We know that population growth continues to stress us all. But we see this as a NO GROWTH and consolidation year for many of our departments. We are looking for department heads and front-line employees to help us find innovative ways to save tax dollars. We want this to be an open dialogue. The debate is not over. At this time, the priorities as we see them are:

**ROADS** - Continue the road bond program and make the unified road system work this year. We desperately need new equipment and think this is the year to provide it.

**FACILITIES** - Continue our commitment to the renovation of the Courthouse and the new Courts building, as well as other on-going projects.

**GROWTH/PLANNING** - Prepare for the Growth. Where we do add people, it will be for departments which have presented long-range plans and which are most affected by growth on the front end (an example: inspectors to keep up with the tremendous rate of subdivision growth).


**PEOPLE** - Cost-of-living raises and merit pay for employees. We remain committed to the pay plan. We think inflation has been significant enough to justify a modest cost-of-living adjustment.

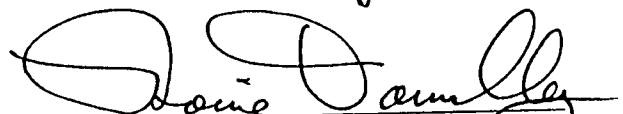
The Commissioners Court and the County Auditor have thus begun the budget process for the Fiscal Year 1996, which begins October 1, 1995. In order to compile the County's overall budget and present worksheets to the Commissioners in June, the County Auditor must have your completed budget documents by **Friday, June 2, 1995**.

With respect to salaries, the Commissioners Court will determine the cost of living adjustment to be given all employees as well as the availability of any funds for merit increase.

Please complete budget forms A through D and return them with all supporting documents to the County Auditor's Office by June 2, 1995. The year-to-date expenditures on Form A are as of 3/31/95, which represents one-half the fiscal year. The Auditor's Office can provide you with more current year-to-date expenses for any line item in your budget. If you need further information or assistance, please call that office. Thank you.

MINUTES APPROVED IN OPEN COURT ON THE 15<sup>th</sup> DAY OF May, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



APRIL 24, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 24TH DAY OF APRIL A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

13923 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 78,573.59 as presented by the County Auditor. All present voting "Aye".

|                   |               |                    |             |                   |              |
|-------------------|---------------|--------------------|-------------|-------------------|--------------|
| Auditors Office   | \$ 346.20     | Treasurers Office  | \$ 60.94    | Extension Office  | \$ 346.07    |
| Grants Admin      | \$ 27.78      | Juvenile Probation | \$ 1,095.43 | Election Admin    | \$ 326.88    |
| Comm & Soc Svcs   | \$ 320.00     | Indigent Care      | \$ 8,055.19 | Transfer Station  | \$ 11.77     |
| Building Maint.   | \$ 10,978.80  | Environ Health     | \$ 1,447.40 | Personal Health   | \$ 209.69    |
| Civic Center      | \$ 2,422.52   | Countywide Oper    | \$ 2,499.23 | Tax A/C           | \$ 139.05    |
| District Clerk    | \$ 504.79     | County Clerk       | \$ 314.60   | Sheriff           | \$ 1,912.10  |
| Jail Operations   | \$ 11,913.37  | County Judge       | \$ 49.38    | Human Resources   | \$ 159.44    |
| District Attorney | \$ 380.55     | J.P. 1-1           | \$ 219.94   | J.P. 1-2          | \$ 126.43    |
| J.P. 2            | \$ 60.27      | J.P. 3             | \$ 11.18    | J.P. 4            | \$ 259.85    |
| J.P. 5            | \$ 157.49     | D.P.S.             | \$ 239.39   | Constable 1       | \$ 68.45     |
| Constable 5       | \$ 7.99       | Dist. Crt Oper     | \$ 1,789.73 | Co & JP Crt Oper  | \$ 353.00    |
| Veterans Admin    | \$ 580.02     | Computer Svcs      | \$ 1,801.26 | Co Crt @ Law 2    | \$ 144.15    |
| TABC              | \$ 26.83      | Dist Crt Reporters | \$ 40.83    | TJPC CCAP Grant   | \$ 10,461.65 |
| Legal Aid Office  | \$ 145.00     | Dunbar Grant       | \$ 300.00   | DA DARE Grant     | \$ 118.64    |
| *Gen Fund Credit  | * \$ 264.23 * | R&B Operations     | \$ 1,416.48 | Precinct 1        | \$ 301.00    |
| Precinct 2        | \$ 492.41     | Precinct 3         | \$ 113.75   | Precinct 4        | \$ 159.58    |
| Co Clk Rec Mngmnt | \$ 534.00     | Health Svcs Grants | \$ 2,391.45 | Road Construction | \$ 3,306.75  |
| Adult Prob Oper   | \$ 7,175.37   | Adult Prob Fac     | \$ 2,484.20 | Animal Control    | \$ 29.55     |

13924 APPROVE BUDGET AMENDMENTS FOR BUILDING MAINTENANCE AND HEALTH SERVICES GRANT

The following budget amendment requests were proposed:

Building Maintenance - create travel/mileage line item (\$250) for department head from personnel savings.  
Health Services Grant/Immunization - TDH requested separate accounting of program income for immunization grant - separate program income and expenses from Women & Children Health Program accounting. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve Budget Amendment No. 95-022 for Building Maintenance and Health Services Grant/Immunization Grant as proposed by the County Auditor. All present voting "Aye".

| BUDGET AMENDMENT NO. <u>95-022</u>                     |             |             |
|--------------------------------------------------------|-------------|-------------|
| LINE ITEM - EXPENDITURE                                | INCREASES   | DECREASES   |
| <b>FUND NO. 01 - FUND TITLE GENERAL</b>                |             |             |
| BUILDING MAINTENANCE (410)                             |             |             |
| 01-410-5311 Travel                                     | \$ 250.00   |             |
| 01-410-5110 FICA                                       |             | \$ 250.00   |
| <b>FUND NO. 10 - FUND TITLE HEALTH SERVICES GRANTS</b> |             |             |
| TDH/WOMEN & CHILDREN HEALTH GRANT (469)                |             |             |
| 10-469-5391 Other                                      |             | \$ 1,000.00 |
| TDH/IMMUNIZATION GRANT (708)                           |             |             |
| 10-708-5311 Travel                                     | \$ 1,000.00 |             |
| <b>REVENUES:</b>                                       |             |             |
| 10-347-3475 WCH Health Fees/ Program Income            |             | \$ 1,000.00 |
| 10-347-3478 Immunization Fee/Program Income            | \$ 1,000.00 |             |

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**13925 ACCEPT INTERNAL AUDIT REPORT OF CIVIC CENTER**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to accept the Internal Audit Report for the Hays County Civic Center. All present voting "Aye".

**13926 APPROVE LEASE OF A COPIER FOR THE TAX ASSESSOR-COLLECTOR'S OFFICE**

Tax A/C Luanne Caraway advised that the copier in her office is still in working order, however, it is old and is beginning to have more and more repair calls - we can continue to repair it for as long as there are parts available - there is \$2,733.73 of earned income in the Tax Office special inventory account which could be used to lease a new copier. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve lease of copier for the Tax Assessor-Collector's Office using available funds. All present voting "Aye".

**13927 AWARD CONTRACTS FOR SOLID WASTE HAULING, FUEL, AND LUBRICANTS**

Cindy Casparis, Purchasing Agent, presented the following bid tabulations:

| <b>HAULING OF SOLID WASTE</b>                             |               |            |                |             |            |                |
|-----------------------------------------------------------|---------------|------------|----------------|-------------|------------|----------------|
|                                                           | 40-42 yd      | 40 yd      |                |             |            |                |
|                                                           | Compactor     | Compactor  |                |             |            |                |
| Longhorn Disposal                                         | \$ 440.00     | \$ 390.00  |                |             |            |                |
| BFI                                                       | \$ 312.50     | \$ 292.50  |                |             |            |                |
| Tx Disposal System                                        | \$ 280.00     | \$ 268.00  |                |             |            |                |
| <b>Recommendation: Low Bidder Texas Disposal System</b>   |               |            |                |             |            |                |
| <b>FUEL</b>                                               |               |            |                |             |            |                |
|                                                           | Profit Margin |            |                |             |            |                |
| J.P. Jones Oil Co.                                        | .0545         |            |                |             |            |                |
| Floyd Lackey & Sons                                       | .05           |            |                |             |            |                |
| <b>Recommendation: Low Bidder Floyd Lackey &amp; Sons</b> |               |            |                |             |            |                |
| <b>LUBRICANTS</b>                                         |               |            |                |             |            |                |
|                                                           |               | J.P. Jones | STE Oil Supply |             | J.P. Jones | STE Oil Supply |
| Motor Oils                                                | 5gal          | \$ 3.82    | \$ 4.85        | 55 gal      | \$3.46     | \$ 3.96        |
| Gear Oils                                                 | 35 lb pail    | \$ .70     | \$ .80         | 120 lb pail | \$ .69     | \$ .76         |
|                                                           | 400 lb drum   | \$ .62     | \$ .64         |             |            |                |
| Hydraulic Fluid                                           | 5 gal         | \$ 3.94    | \$ 5.05        | 55 gal      | \$ 3.47    | \$ 4.15        |
| Chassis Grease                                            | Carton        | \$ 1.19    | \$             | 35 lb pail  | \$ .84     | \$ 1.09        |
| Antifreeze/coolant                                        | 1 gal         | \$ 5.20    | n/a            | 55 gal      | \$ 4.75    | n/a            |
| Transmission                                              | Quart         | \$ 4.35    | \$ 1.22        | 5 gal       | \$ 4.64    | n/a            |
|                                                           | 55 gal        | \$ 4.05    | \$ 4.05        |             |            |                |
| <b>Recommendation: Low Bidder J. P. Jones Oil Co.</b>     |               |            |                |             |            |                |

A motion was made by Commissioner Payne, seconded by Commissioner Barton to award annual contracts for solid waste hauling to Texas Disposal Systems, fuel to Floyd Lackey & Sons, and lubricants to J. P. Jones Oil Co. All present voting "Aye".

**13928 AWARD CONTRACT ON DPS WEIGH STATION SCALES**

Purchasing Agent Cindy Casparis presented the following bid tabulation:

| <b>VENDOR</b>                                                       | <b>PRICE</b> | <b>DELIVERY</b> |
|---------------------------------------------------------------------|--------------|-----------------|
| P & S Scale                                                         | \$ 16,335.00 | 4-6 weeks       |
| Bastrop Scale                                                       | \$ 20,272.00 | 3-4 weeks       |
| <b>Recommendation is to award bid to P&amp;S Scale (low bidder)</b> |              |                 |

A motion was made by Commissioner Payne, seconded by Commissioner Barton to award contract for DPS Weigh Station Scales to P&S Scale in the amount of \$ 16,335.00. All present voting "Aye".

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**13929 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR ANNUAL ROAD SIGNS CONTRACT**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve specifications and authorize the County Auditor to advertise for bids for annual Road Signs Contract (Invitation for Bid #95B009). All present voting "Aye".

**13930 ADOPT RESOLUTION DECLARING MAY AS "WATER RESOURCES AWARENESS MONTH" IN HAYS CO.**

Robert Botto from the Barton Springs Edwards Aquifer Water Conservation District presented the resolution. A motion was made by Commissioner Barton, seconded by Commissioner Payne to adopt resolution declaring May as "Water Resources Awareness Month" in Hays County. All present voting "Aye".

STATE OF TEXAS  
COUNTY OF HAYS

RESOLUTION

WHEREAS, clean and plentiful water is a basic and essential human need and is vital to the integrity of the environment; and  
WHEREAS, the health of the environment, and our health, comfort and standard of living depend upon an abundant supply of safe water; and  
WHEREAS, water plays an important role through its contributions to public health, recreation, and sustainable economic and agricultural development; and  
WHEREAS, the Barton Springs/Edwards Aquifer District and Hays County are committed to preserving the quality and quantity of the Barton Spring segment of the Edwards aquifer,  
NOW, THEREFORE, WE the Hays County Commissioners' Court do hereby proclaim the month of May, 1995 as

**"WATER RESOURCES AWARENESS MONTH"**

in Hays County, and urge all citizens to recognize the importance of the Barton Springs segment of the Edwards aquifer, and to take due note of the observance.

WITNESSED OUR HAND AND SEAL this 24th day of April, 1995.

**13931 ADOPT RESOLUTION DECLARING MAY 1-7 AS "DRINKING WATER AWARENESS WEEK" IN HAYS COUNTY**

Robert Botto from the Barton Springs Edwards Aquifer Water Conservation District presented the resolution. A motion was made by Commissioner Barton, seconded by Commissioner Payne to adopt resolution declaring May 1-7 as "Drinking Water Awareness Week" in Hays County. All present voting "Aye".

STATE OF TEXAS  
COUNTY OF HAYS

RESOLUTION

WHEREAS, water is recognized as an extremely precious natural resource; and  
WHEREAS, it is known that water in the Barton Springs segment of the Edwards aquifer is easily depleted and extremely vulnerable to pollution; and  
WHEREAS, the management, protection, production and treatment of water for its safe return to the environment, must be performed by highly skilled professionals who are committed to protecting our water supply, such as water and wastewater facility operators dedicated public officials, and support staff; and  
WHEREAS, the citizens of the Barton Springs/Edwards Aquifer Conservation District and Hays County must be made aware that their continued good health, comfort, and standard of living are dependent upon a reliable supply of safe, high quality water, and upon the highly trained and competent water resource professionals who help maintain the integrity of the valuable resource;

NOW, THEREFORE, WE the Hays County Commissioners' Court do hereby proclaim the week of May 1 through May 7, 1995 as

**"DRINKING WATER AWARENESS WEEK"**

in the Barton Springs/Edwards Aquifer Conservation District and Hays County, and urge all citizens to recognize the importance of the Barton Springs segment of the Edwards aquifer, as an important source of our drinking water, and to take due note of the observance.

WITNESSED OUR HAND AND SEAL this 24th day of April, 1995.

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\*Not an Agenda Item\* Amanda Ruiz, Representing the Partnership for a Drug Free San Marcos, appeared before the Court and distributed "Victory Over Violence" buttons, posters, and schedule of events.

**13932 OAK MEADOWS REPLAT OF LOT 30 - FIRST READING AND CALL FOR A PUBLIC HEARING**

David Williamson presented "Oak Meadows Replat of Lot 30" creating Lots 30A, 30B, 30C, & 30D - 30 ft. will be dedicated on Oak Meadows Drive to the county - this road is currently a county maintained roadway. Tom Ash, a property owner in this area, spoke of side roads in this subdivision that are not county maintained and not being built to county standards. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lot 30" on first reading and call for a public hearing to be held May 8, 1995 at 9:00 A.M. All present voting "Aye".

**13933 OAK MEADOWS REPLAT OF LOTS 4B & 4C - THIRD READING APPROVAL**

David Williamson presented "Oak Meadows Replat of Lots 4B & 4C" on third reading - will have shared driveways - 30 ft. will be dedicated to the County from the center of the road. Commissioner Molenaar requested clarification that the county will own the 30 ft. dedicated for roadway - this was affirmed by Mr. Williamson. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lots 4B & 4C" on third reading. All present voting "Aye".

**13934 OAK MEADOWS REPLAT OF LOT 20B - THIRD READING APPROVAL**

David Williamson presented "Oak Meadows Replat of Lot 20B" on third reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lot 20B" on third reading. All present voting "Aye".

**13935 PLATTING VARIANCE GRANTED TO ARNOLD & MATTIE BRYANT (10 & 115 ACRE TRACTS)**

A variance discussion was held on April 17, 1995 - Arnold & Mattie Bryant own 125 acres and they wish to sell off 115 acres and retain the remaining 10 acres for their homestead - Staff recommends approval of a platting variance. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a platting variance to Arnold & Mattie Bryant on a 125 acre tract on FM3237. All present voting "Aye".

**13936 TRIPLE CREEK RANCH SECTION ONE AMENDED - APPROVE FILING OF FINAL PLAT**

Buckner Hightower appeared before the Court representing the property owner Mrs. Gee - the original plat was approved for third reading on August 15, 1994 - since that approval the plat has been amended defining roadways by lot and block number in order to convey ownership to the homeowners association and they are providing additional land to be part of Lot 48 for access purposes - the amended plat was approved on April 10, 1995 with instructions from the court to include a plat note regarding limited ground water supply. Mr. Hightower stated that he has a problem with adding a water note such as this at this time - all subdivisions in this area have water problems - spoke of meeting he had with Judge Etheredge regarding this note and the Judge stated that he did not realize this was a plat amendment at the time he made the request for the note addition. Mr. Hightower stated that he has spoken with Hill Country Water Supply and they are willing to consider supplying water to this subdivision. Commissioner Molenaar spoke of water problems he has had personally where he lives in northwest Hays County - he was not advised about the water situation when he purchased his property - feels like prospective buyers should be advised of the water problems. Mr. Hightower stated that a disclosure sheet will be provided to buyers that will address these issues. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve the plat of "Triple Creek Ranch Section One" for filing without special water note added. All present voting "Aye".

**DISCUSSION REGARDING CONTRACT WITH RECOR INC. FOR CONSTRUCTION OF JUVENILE SERVICES CENTER**

Purchasing Agent Cindy Casparis presented proposed contract with RECOR Inc. for construction of the Juvenile Services Center - stated that she was not present in the executive session during contract negotiations - inquired about county's responsibility for site preparation. Commissioner Payne spoke of helping with funding on site preparation, however, we should not utilize the road department for this project. Commissioner Molenaar stated that he did not recall agreeing to site preparation by the county. Court instructed the Purchasing Agent to notify RECOR Inc. and clarify site preparation issue.



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**13937 ACCEPT OFFERS FOR DELINQUENT TAXES ON THREE TRACTS OF LAND**

Offers for delinquent tax properties were as follows:

|           |              |                            |
|-----------|--------------|----------------------------|
| 6.51 ac.  | \$ 21,238.43 | by John C. Lewis           |
| 51.30 ac. | \$126,606.40 | by John C. Lewis           |
| 6.69 ac.  | \$ 20,588.76 | by Flex-Tech Hose & Tubing |
|           | =====        |                            |
| TOTAL =   | \$168,433.59 |                            |

Taxes are owed to Hays County, City of San Marcos, and San Marcos CISD and all will have to agree to offers - the offers reflect 100% of the value of the property but not 100% of the taxes owed (appraised value has reduced dramatically on some of the property). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept offers for delinquent tax properties as presented. All present voting "Aye".

**13938 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS IN COVES OF CIMARRON WOODS OF CIMARRON, AND CIMARRON PARK SUBDIVISIONS**

Commissioner Payne opened the public hearing to establish traffic regulations in the coves of Cimarron, Woods of Cimarron, and Cimarron Park subdivisions. Allen Walther, area resident, spoke of reducing the speed limit on Treetop - felt like that was not warranted - 45MPH is acceptable. Commissioner Molenaar stated that no subdivision roads should exceed 35MPH because of safety for children and joggers. Public hearing was closed. A motion was made by Commissioner Barton, seconded by Commissioner Payne to establish traffic regulations: 25MPH speed limits on off-artery streets, except where otherwise established, and 35MPH speed limit on Dove Drive up to Ranger Drive in the Coves of Cimarron, Woods of Cimarron, and Cimarron Park subdivisions (See Exhibit in file). All present voting "Aye".

**13939 ADOPT RESOLUTION IN OPPOSITION TO LEGISLATION THAT WOULD AFFECT HAYS COUNTY BY CREATING THE NORTH HAYS COUNTY WATER AUTHORITY**

Bill Couch, Barton Springs Edwards Aquifer Cons. District, appeared before the Court regarding HB 31193 (Circle C Development) - a substitute bill was submitted on Friday - it supersedes any other authority and annexation does not require a vote - would allow large land owners to make their own rules and big business could create their own political entity. Mr. Couch encouraged the Court to take a pro-active role to protect the county's water sources and kill this bill. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt resolution in opposition to legislation that would affect Hays County by creating the North Hays County Water Authority. All present voting "Aye".

**RESOLUTION**  
of  
Commissioners Court - County of Hays  
State of Texas

WHEREAS, State Representative Robert Saunders of LaGrange does not represent any part of Hays county, and yet has introduced special "local" legislation that would affect Hays County by creating the North Hays County Water Authority; and

WHEREAS, said Authority appears designed for the primary purpose of creating a loophole to allow an individual developer (or developers) to circumvent the water, wastewater, and drainage regulations of local government; and

WHEREAS, the Authority also would be given the power of eminent domain within its region, and area which, according to published reports, corresponds roughly to the Circle C development project and certain nearby properties; and

WHEREAS, neither Hays County's state representative nor its local elected leaders were consulted about the legislation; and

WHEREAS, the legislation could endanger the health and welfare of county citizens; and

WHEREAS, also it would create an additional autonomous bureaucracy, with broad and ill-defined powers, with a board governed by officials appointed without local election or direct input, thereby undermining the principles of local control and also undermining the authority of existing locally elected government bodies; and

WHEREAS, the creation of this Authority would create an unfortunate and unhealthy precedent for the relationship between state and local government; and

WHEREAS, Rep. Saunders, despite his notable service to the state and his respected position as a committee chairman in the House, does not represent Hays County constituents and is in no position to know or reflect the wishes of any substantial part of the citizenry of Hays County on "local bills";

NOW, THEREFORE, BE IT RESOLVED, that on this the 24th day of April, 1995, the Hays County Commissioners Court be on record in opposition to this legislation and that it respectfully requests Rep. Saunders to reconsider his sponsorship of the bill as it is constructed; and

FURTHER, BE IT RESOLVED that the Commissioners Court of Hays County hereby officially requests Hays County's representatives and senators to oppose this bill as written should it come to the floor of either house for a vote.

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**13940 CALL FOR AN EMERGENCY MEETING TO CONSIDER BUDGET AMENDMENT FOR JAIL OVERTIME**

Commissioner Payne spoke of possible need for an emergency meeting to consider a budget amendment for the Jail to pay overtime compensation to employees. Commissioner Molenaar spoke in support of amending the budget if it is necessary - the employees have worked in good faith for this overtime and should be compensated. District Attorney Marcos Hernandez stated that because the employees have worked they are entitled to the pay regardless of whether the funds were budgeted or not. Commissioner Payne spoke of need for that department to get a handle on their budget. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to call for an Emergency Meeting to be held Tuesday April 25, 1995 at 9:00 A.M. to consider approving a budget amendment for the Jail. Commissioner Rodriguez, Commissioner Barton, and Commissioner Molenaar voting "Aye". Commissioner Payne abstained.

**13941 AMEND THE HAYS COUNTY SUBDIVISION ORDINANCE BY ADOPTING AN AMENDED WATER AVAILABILITY PLAT NOTE**

Allen Walther, Director of Environmental Health, submitted three possible notes for consideration - there is a lot of concern regarding ground water - a plat note would put property owners on notice that water is not a guarantee - drought conditions would create dry wells - Dripping Springs is a very stressed area. Court agreed to version #1 with addition of last sentence from version #2 and additional wording "by the County". A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to adopt the Water Availability Plat Note as an amendment to the Hays County Subdivision Ordinance. All present voting "Aye".

**WATER AVAILABILITY PLAT NOTE  
ADOPTED APRIL 24, 1995**

No structure in this subdivision shall be occupied until connected to an individual water supply or a State approved community water system. Due to declining water supplies and diminishing water quality, prospective property owners are cautioned by the County to question the seller concerning ground water availability. Rain Water collection is encouraged and in some areas may offer the only renewable water resource.

**DISCUSSION REGARDING ADA RENOVATIONS TO COUNTY FACILITIES**

County Maintenance Supervisor Ron Knott and Engineer Rajendera Kapoor appeared before the Court and presented the preliminary study for fourteen county building (owned and leased) - the prices submitted were based on general area costs for county/city government projects - all work to be designed and performed under licensed engineers and architects conforming to all code compliance requirements - the management/construction of these projects may be done by public works department of the county using own crew of workers, but estimate for their time charge will go to these projects:

|                                      |               |
|--------------------------------------|---------------|
| Courthouse Annex                     | \$ 48,700.00  |
| County Records Building              | \$ 172,200.00 |
| Courts building - 209 Guadalupe      | \$ 28,700.00  |
| Probation Office - 135 S. Guadalupe  | \$ 40,200.00  |
| Extension Office - 1253 Civic Center | \$ 2,100.00   |
| Environmental Health                 | \$ 2,100.00   |
| Civic Center                         | \$ 58,400.00  |
| Health Department - 401 Broadway     | \$ 19,200.00  |
| Health Dept. - Immunization side     | \$ 29,500.00  |
| Election Office                      | \$ 40,500.00  |
| North Hays County Clinic (Kyle)      | \$ 25,700.00  |
| Road Department - 401 N. Rebel Dr.   | \$ 23,400.00  |
| Buda Offices                         | \$ 23,400.00  |
| Dripping Springs Offices             | \$ 23,400.00  |
| Wimberley Offices                    | \$ 20,700.00  |

Discussion was had on signage in Braille, considerations for historical buildings - a written policy is necessary in order to comply with the law if you don't make immediate changes - individual requests must be addressed.

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**13942 PUBLIC HEARING AND ACTION TO SET NEW WEIGHT LIMITS ON COUNTY ROADS**

Commissioner Payne called the public hearing open. Road Director Darrel Brown presented a list of suggested weight limits for county roads and bridges. Tom Ash, property owner on Hilliard Road, spoke of gravel pit located on Lime Kiln Road and large trucks that travel on that roadway. Commissioner Payne advised Mr. Ash that the bridges on Lime Kiln were built to accommodate large trucks. Commissioner Payne voiced his concerns about the weight limit suggested on CR133 (reduced from 80,000 to 28,800 lbs) \*this was deleted from the list\* Public hearing was closed. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to adopt weight limits on county roads as presented by the County Road Director with deletion of CR132 (#3 on list). All present voting "Aye".

| BRIDGES & ROADS<br>WEIGHT LIMITS |                            |                |           |            |        |         |
|----------------------------------|----------------------------|----------------|-----------|------------|--------|---------|
| No.                              | Location                   | Add'l Info     | Bridge/Rd | Current WL | New WL | State # |
| 1                                | Eulalah Road               |                | Road      | 7,000      | 7,000  |         |
| 2                                | Canyon Wren Drive          |                | Road      | 28,800     | 28,800 |         |
| 3                                | *deleted*                  |                |           |            |        |         |
| 4                                | CR#136 (Old Stagecoach Rd) | No Base        | Road      | 80,000     | 28,800 |         |
| 5                                | CR#136 (Old Stagecoach Rd) |                | Bridge    |            | 28,800 | AA0136  |
| 6                                | CR#210                     |                | Bridge    |            | 28,800 | AA0210  |
| 7                                | Old Spanish Trail          |                | Bridge    |            | 28,800 | AA0305  |
| 8                                | CR#234 (Centerpoint Rd)    |                | Bridge    |            | 56,600 | AA0234  |
| 9                                | CR#266 (Old Bastrop Hwy)   |                | Bridge    |            | 28,800 | AA0224  |
| 10                               | CR#190 (Creek Rd)          |                | Bridge    |            | 28,800 | AA0190  |
| 11                               | CR#181 (Fischer Store Rd)  |                | Bridge    |            | 56,600 | AA0180  |
| 12                               | CR#140 (Post Road)         |                | Bridge    |            | 28,800 | AA0140  |
| 13                               | CR#102 (Chaparral Rd)      |                | Bridge    |            | 14,000 | AA0102  |
| 14                               | CR#299 (Cape St)           | SM City Limits | Bridge    |            | 14,000 | AA0299  |
| 15                               | CR#205 (Dacy Ln)           |                | Bridge    |            | 6,500  | AA0205  |
| 16                               | CR#295 (Old Martindale Rd) |                | Bridge    |            | 6,500  | AA0295  |
| 17                               | CR#157 (Goforth Rd)        |                | Bridge    |            | 6,500  |         |
| 18                               | CR#152 (Heidenreich Ln)    |                | Bridge    |            | 6,500  |         |

**13943 APPROVE LEASE AGREEMENT WITH CARTS FOR PARK-N-RIDE FACILITY ON COUNTY PROPERTY**

Summary: Lease is for 20 years at \$1.00 per year - should the county want to pull out of the lease, it would buy the improvements made to the facility at a depreciated cost of the original \$160,000.00 - the lease is for a .97 acre tract at the old hospital site off IH35. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve lease agreement with CARTS for "Park-N-Ridge" facility on county property. All present voting "Aye".

| LEASE AGREEMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Pursuant to the Interlocal Agreement dated April 11, 1991 and attached as "Exhibit A" (Interlocal Agreement) between the County of Hays (the "County") and the Capital Area Rural Transportation System ("CARTS") regarding the lease of a .97 acre tract of land from the Old Hospital property as described in "Attachment B" (field note description of survey) and as represented on "Attachment C" (map of survey), the County does hereby set forth the terms of the lease of said property to CARTS for a period of twenty (20) years effective upon the date executed by both parties.</p> <p><b>Terms</b></p> <ol style="list-style-type: none"> <li>As CARTS will be providing a public service to the citizens of Hays County by operating a Park &amp; Ride facility on the leased property, the County agrees to let the property for a rental fee of \$1 per year, payable in advance at the execution of this lease.</li> <li>CARTS agrees that the County will have full access to the property provided such access does not interfere with the public's use of the facility as a Park &amp; Ride facility or the CARTS operation of the facility for this purpose.</li> <li>The County recognizes and affirms that CARTS will be making improvements on the property at an estimated cost of \$160,000.00 with state and federal funds and that the improvements have a useful life of twenty (20) years. Any early termination of the lease by the county will be contingent upon the County purchasing from CARTS the depreciated value of the improvements as calculated by a straight-line depreciation schedule, and as approved by the state and federal agencies funding the improvements.</li> <li>CARTS hereby indemnifies the County from any liability resulting from CARTS operation of the leased property as a Park &amp; Ride facility.</li> </ol> |

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Court was recessed until Tuesday April 25, 1995 at 9:00 o'clock A.M. for an Emergency Meeting.

MINUTES APPROVED IN OPEN COURT ON THE 15th DAY OF May, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Ronnie Dannelley*  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 25th DAY OF APRIL A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN EMERGENCY MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCHE   | DEPUTY COUNTY CLERK  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13944 APPROVE BUDGET AMENDMENT NO. 95-023 JAIL OPERATIONS OVERTIME/HOLIDAY PAY**

County Auditor Bill Herzog presented Budget Amendment No. 95-023 for approval - he stated that this is not an unusual request for this time of the year (it is a little higher than usual) - funds are available in Staff line items and the County-wide Operations Salary Adjustment line item (merit allowed for this department). Sheriff Paul Hastings spoke of overtime request made annually - every year it requires a budget adjustment - Sheriff Hastings presented a letter he wrote dated 6/10/94 regarding overtime/holiday pay that he requested during the budget workshop (requested \$244,000 budgeted amount was \$89,000) - this budget line item has had further demands placed on it by the District Courts requirements for additional security which the Sheriff's Dept. has had to provide - spoke of State requirements mandating the minimum number of jailers that must be on duty per inmate population - this means that we must immediately fill vacant positions - to compound the problem, most people that resign have at least two to four weeks vacation/compensatory time on the books that must be paid on their final check. Commissioner Molenaar stated that this item should have been addressed earlier and not wait until the last moment requiring a special meeting. Commissioner Barton advised that there had been lengthy discussions held during the last budget workshop session. Bill Herzog stated that he want the Commissioners to discuss it this time because the amount was higher than usual. Sheriff Hastings spoke of holiday pay costing a lot - we can tell personnel they will receive comp time instead of payment, however, that will cause further scheduling problems - the county personnel policy addresses payment of overtime after 90 days has accumulated - it would take nine additional officers to fill in for those days off (vacation, comp, & sick days) - it seems more feasible to pay overtime than to hire additional staff - new legislation will allow State jails to hold more prisoners and will reduce the number of contract inmates - Commissioner Barton spoke of jail revenues decreasing. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve Budget Amendment No. 95-023 as presented by the County Auditor. Commissioner Payne stated that he feels like this request is out of line for this time of the fiscal year. Sheriff Hastings stated that step increases have created an increase in the amount of overtime being paid - no funds are being approved that were not already designated for salaries. Commissioner Rodriguez, Commissioner Barton, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No."

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| BUDGET AMENDMENT NO. <u>95-023</u> |              |              |
|------------------------------------|--------------|--------------|
| LINE ITEM - EXPENDITURE            | INCREASES    | DECREASES    |
| JAIL OPERATIONS (419)              |              |              |
| 01-419-5021 Staff                  |              | \$ 37,000.00 |
| 01-419-5031 Overtime/Hol           | \$ 80,522.00 |              |
| 01-419-5061 Longevity              |              | \$ 50.00     |
| 01-419-5110 FICA                   |              | \$ 2,916.00  |
| 01-419-5121 Retirement             |              | \$ 1,527.00  |
| 01-419-5160 Insurance              |              | \$ 17,000.00 |
| 01-419-5192 Uniform Allow          |              | \$ 1,700.00  |
| COUNTY-WIDE OPERATIONS (414)       |              |              |
| 01-414-5091 Salary Adj             |              | \$ 20,329.00 |
|                                    | =====        | =====        |
|                                    | \$ 80,522.00 | \$ 80,522.00 |

Transfer partial accumulated Grade/STop adjustments FY95 to Department. Total is \$37,178 eligible to Jail.

MINUTES APPROVED IN OPEN COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1995.

\_\_\_\_\_  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

\_\_\_\_\_  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 27th DAY OF April A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:


**ELECTED OFFICIALS/DEPARTMENT HEAD MEETING**

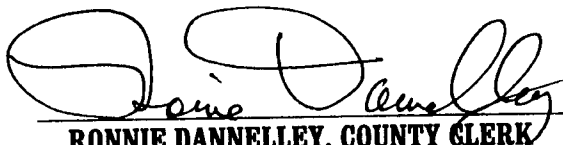
Mr. Gene Schaeffer from TAC field services discussed hiring and firing within county government and possible litigation issues - gave overview of State and Federal Statutes. The Interpretive Guidelines to Title I of the ADA "does not guarantee equal results, establish quotas, or require preference favoring individuals with disabilities over those without disabilities", however, the Act does provide that an employer may not deny an employment opportunity to a qualified individual with a disability if such denial is based on the need of the covered entity to make a reasonable accommodation. Therefore, it is reasonable to conclude that an employer should be free to select a non-disabled applicant over an equally qualified applicant with a disability, as long as this decision is not based on the employer's unwillingness to make a reasonable accommodation for the disabled applicant. Mr. Schaeffer provided a list of Questions you can ask (relating to performance of the actual job description) and those you cannot ask (regarding disabilities/health) - spoke of injured employees returning to work - try to provide light duty job if possible

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until the employee reaches maximum medical improvements - if a disability occurs while employed, you must try to provide a job for that person somewhere in the county if the disability prevents them from performing their original job - all county services must be provided to disabled persons. Discussion was had on "Affirmative Action" which is based on population, ethnic groups, etc. - employee ratio must correspond with population - spoke of leave of absence and return to work - on termination of employees you are required to follow a certain process - newly elected officials should not fire personnel when they come into office - you need to get to know the personnel before actions are taken - most employees are loyal to their job. Discussion was had regarding the "Whistle Blowers Act" - be careful of retaliation or what might be construed as retaliation - discussed posting of job openings within the County and by public notice - you don't have to interview every applicant. Discussed sexual harassment - you must take immediate action - spoke of COBRA law - you must notify employees of their rights - spoke of controlling overtime (comp time off and/or payment for comp time). George Aitken, County Human Resources Director, explained forms for "employee evaluations" - need to be consistent in the way you grade so as not to appear evaluating on a personality trail - there should not be any surprises for the employee - evaluations are confidential - employees in steps minimum, 1, 2 or 3 automatically receive a one-step increase every 12 continuous months provided the Dept. agrees they are doing satisfactory performance - employees in Step 4 through 14 compete for merit pay - the Court has allocated 10% of eligible employees for a two-step increase (must receive an outstanding rating) - the Court has allocated 20% of eligible employees for a one-step increase (must receive a commendable rating) - appointed department heads are rates separately by the commissioners' court in April of each year. County Treasurer Michele Tuttle went over the TCDRS certificate of deposits - spoke of vested benefits: If you have not earned at least 8 years credited service on termination of employment but have earned at least 4 years credited service you may, on termination of employment, leave your deposits with the System for as long as desired, thereby retaining your TCDRS membership and, consequently, all previously earned credited service and the right to receive interest on your account each year. However, you must earn sufficient additional credited service with one or more of the other Texas retirement systems to qualify for lifetime monthly pension payments. Accumulation of at least 4 years credited service will satisfy the requirements for vested survivor death benefits. Judge Etheredge presented "budget policy statement" adopted by the Commissioners' Court - spoke of various building renovations, roads, growth/planning, etc.

MINUTES APPROVED IN OPEN COURT ON THE 15<sup>th</sup> DAY OF May, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

  
**RONNIE DANNELLEY, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**



MAY 1, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 1st DAY OF MAY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13945 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 127,846.87 as presented by the County Auditor. All voting "Aye".

|                      |             |                    |              |                      |              |
|----------------------|-------------|--------------------|--------------|----------------------|--------------|
| Public Safety Svcs   | \$ 135.00   | Fines              | \$ 336.50    | Auditors Office      | \$ 405.20    |
| Treasurers Office    | \$ 325.39   | Extension Office   | \$ 101.12    | Grants Admin         | \$ 132.15    |
| Juvenile Probation   | \$ 2,319.46 | Election Admin     | \$ 58.73     | Indigent Care        | \$ 8,228.08  |
| Transfer Station     | \$ 48.55    | Building Maint.    | \$ 3,368.71  | Environ Health       | \$ 409.65    |
| Personal Health Svcs | \$ 235.98   | Civic Center       | \$ 910.28    | Countywide Oper      | \$ 25,414.83 |
| Tax A/C              | \$ 358.66   | District Clerk     | \$ 529.73    | County Clerk         | \$ 731.02    |
| Sheriffs Office      | \$ 4,563.91 | Jail Operations    | \$ 15,219.00 | County Judge         | \$ 206.74    |
| Human Resources      | \$ 1,311.16 | Co Crt @ Law 1     | \$ 180.22    | District Atty Office | \$ 590.65    |
| J.P. 1-1             | \$ 49.62    | J.P. 1-2           | \$ 127.22    | J.P. 2               | \$ 38.98     |
| J.P. 3               | \$ 351.72   | J.P. 5             | \$ 203.57    | D.P.S.               | \$ 291.48    |
| Constable 1          | \$ 56.67    | Constable 3        | \$ 38.73     | Constable 5          | \$ 146.18    |
| Dist Cr Operations   | \$ 4,742.36 | Co & JP Cr Oper    | \$ 8,940.45  | Veterans Admin       | \$ 288.83    |
| Computer Svcs        | \$ 2,291.96 | Co Crt @ Law 2     | \$ 20.96     | CJD Juv Svcs Grant   | \$ 120.00    |
| Fire Marshal/EMC     | \$ 46.46    | TABC               | \$ 22.16     | Dist Cr Reporters    | \$ 65.29     |
| TJPC CCAP Grant      | \$ 149.70   | Legal Aid Office   | \$ 637.79    | TDA/Corridor Incub   | \$ 3,220.00  |
| Dunbar Grant         | \$ 9,110.35 | D.A. DARE Grant    | \$ 19.00     | Used Oil Sign Grant  | \$ 3,000.00  |
| R&B Operations       | \$ 6,437.21 | Precinct 3         | \$ 114.14    | Precinct 4           | \$ 498.59    |
| Co Clk Rec Mng       | \$ 3,606.12 | Health Svcs Grants | \$ 2,773.55  | Law Library Fund     | \$ 1,361.70  |
| Crths/Rd Series I&S  | \$ 38.20    | Anticip Notes I&S  | \$ 75.70     | Adult Prob Oper      | \$ 4,605.05  |
| Adult Prob Fac       | \$ 2,255.43 | D.A. Reimb Trust   | \$ 5,599.29  | New Canaan Grant     | \$ 1,321.69  |

**13946 APPROVE BUDGET AMENDMENT FOR TDA/CORRIDOR INCUBATOR GRANT AND R&B PRECINCT 1**

The following budget amendments were proposed:

TDA/Corridor Incubator Grant - Transfer \$800 for seminar and Nat'l Assoc. costs from equipment.

Road & Bridge Pct. 1 - Transfer temporary personnel line item amount to Special Projects line.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve Budget Amendment No. 95-024 as presented by the County Auditor. All voting "Aye".

|                                                           |  |                  |                  |
|-----------------------------------------------------------|--|------------------|------------------|
| <b>BUDGET AMENDMENT NO. 95-024</b>                        |  |                  |                  |
| <b>FUND NO. 01 - FUND TITLE GENERAL</b>                   |  |                  |                  |
| <b>LINE ITEM - EXPENDITURE</b>                            |  | <b>INCREASES</b> | <b>DECREASES</b> |
| <b>TDA/CORRIDOR INCUBATOR GRANT (720)</b>                 |  |                  |                  |
| 01-720-5391 Other                                         |  | \$ 800.00        |                  |
| 01-720-5712 Data Proc Equpt                               |  |                  | \$ 800.00        |
| <b>BUDGET AMENDMENT NO. 95-024</b>                        |  |                  |                  |
| <b>FUND NO. 03 - FUND TITLE ROAD &amp; BRIDGE GENERAL</b> |  |                  |                  |
| <b>LINE ITEM - EXPENDITURE</b>                            |  | <b>INCREASES</b> | <b>DECREASES</b> |
| <b>PRECINCT 1 (439)</b>                                   |  |                  |                  |
| 03-439-5353 Special Projects                              |  | \$ 1,500.00      |                  |
| 93-439-5449 Temp Personnel                                |  |                  | \$ 1,500.00      |

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**13947 ACCEPT RECOMMENDATIONS FOR COUNTY RECOGNITION PROGRAM**

Four separate panels of 3 individuals met to select a winner in each category - recommendations are as follows:

**OCT 1994 TO MARCH 1995  
EMPLOYEE RECOGNITION PROGRAM WINNERS**

**GRADES 1 TO 8: CATEGORY 1**  
JACQUE JORDAN

**GRADES 9 TO 14: CATEGORY 2**  
LISA DAY

**GRADES 15 TO 21: CATEGORY 3**  
ALLEN WALTHER

**SPECIAL: CATEGORY 4**  
GEORGE AITKEN

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to accept recommendations for County Recognition Program Winners for Oct 1994 to March 1995. All voting "Aye".

**13948 APPROVE UTILITY PERMIT NO. 95102 ISSUED BY THE ROAD DEPARTMENT**

Utility Permit No. 95102 was issued to San Marcos Electric Utility for utility installation on CR295 (Old Martindale Road). A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve Utility Permit No. 95102 as issued by the Road Department. All voting "Aye".

**13949 APPROVE RESTORATION OF RECORD VOLUMES OUT OF COUNTY CLERK'S RECORD MANAGEMENT**

County Clerk's Office records to be deacidify, sewn bound, encapsulate, and loose leaf bind Birth, Death, and Marriage Records at a cost of \$4,438.00 (3 quotes were received). A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve restoration of record volumes out of County Clerk's Record Management Funds in the amount of \$4,438.00. All voting "Aye".

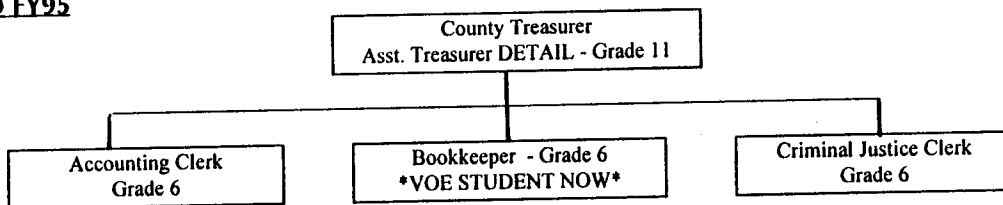
**13950 AUTHORIZE PURCHASE OF DESKTOP LAMINATOR OUT OF COUNTY CLERK RECORDS MANAGEMENT**

County Clerk requested authorization to purchase a desktop laminator for birth and marriage record cards that are issued - funds are available in record management funds. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize purchase of desktop laminator in the amount of \$120.00 out of County Clerk Record Management Funds. All voting "Aye".

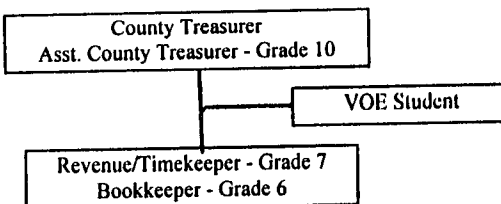
**13951 APPROVE REORGANIZATION OF THE COUNTY TREASURER'S OFFICE**

County Treasurer Michele Tuttle submitted a chart reflecting the current positions and the proposed changes - the Grade 10 Assistant Treasurer and Grade 7 Revenue/Timekeeper Clerk are to be effective May 3, 1995 - the Grade 4 to be effective in August or September when the V.O.E. student departs. Human Resources Director George Aitken recommends approval to the organization - it promotes efficiency and downloads responsibilities - does not cost additional salary revenue to make these changes.

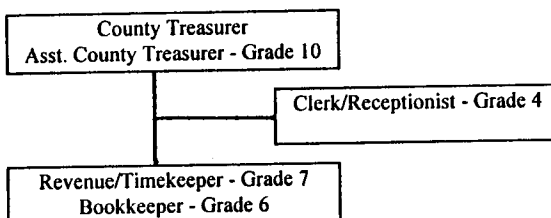
**AUTHORIZED FY95**



**PROPOSED CHANGE MAY 95**



**FINAL CHANGE AUG/SEP 95**





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**13952 EXTEND DETAIL WORK FOR BRITNEY BOLTON FOR 45 DAYS**

County Treasurer Michle Tuttle requested extention of detail work for Britney Bolton for 45 days - the redistribution of duties and job analysis for each employee took longer than anticipated and additional time is needed to allow ample time to post the position, interview and hire. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to extend detail work for Britney Bolton for 45 days. All voting "Aye".

**13953 ACCEPT ANNUAL REPORT OF SOUTH HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #2**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to accept the Annual Report of the South Hays County Rural Fire Prevention District #2 as presented. All voting "Aye". See report in file.

**13954 ADOPT A RESOLUTION HONORING STATE SENATOR GONZALO BARRIENTOS AS "GOVERNOR OF TEXAS FOR A DAY" MAY 6, 1995**

Senator Barrientos, who is one of the county's two state senators, will be recognized on May 6th in ceremonies in Austin as "Governor for a Day" - Commissioner Barton presented a resolution for adoption. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to adopt a resolution honoring State Senator Gonzalo Barrientos as "Governor of Texas for a Day" May 6, 1995. All voting "Aye".

**RESOLUTION DECLARING MAY 6  
GONZALO BARRIENTOS DAY IN HAYS COUNTY**

*WHEREAS, Gonzalo Barrientos has represented Hays County citizens in the State Senate since his election to that body in 1985; and*

*WHEREAS, Senator Barrientos always has been a diligent and attentive representative for Hays County even though Hays County was the "little sister" in an urban, Austin- oriented two-county district; and*

*WHEREAS, Senator Barrientos has proven himself an able, caring and influential member of the state's highest deliberative body; and*

*WHEREAS, he has served as a role model for many Texans young and old, and*

*WHEREAS, his courage and far-sightedness have been in evidence on many local projects, such as his crucial help in establishing the jobs and drug treatment now available at the Kyle New Visions Center; and*

*WHEREAS, in the last redistricting process many Hays County residents were put into the district of another influential senator, but part of the county was privileged to remain in Senator Barrientos district; and*

*WHEREAS, in recognition of his service to the State and leadership in the Legislature, Senator Barrientos will be installed on Saturday, May 6, 1995, as Governor for a Day in high ceremonies at the Texas Capitol, and*

*WHEREAS, in typical generous fashion, Senator Barrientos - along with his family and friends - plan to celebrate the occasion with festivities open to his constituents and by donating an outstanding number of scholarships to local students; and*

*WHEREAS, this is just one more reason Hays County is pleased to still be a part of his district;*

*THEREFORE BE IT RESOLVED that the Hays County Commissioners Court express to Senator Barrientos the thanks and appreciation of the people of Hays County, and*

*FURTHER BE IT RESOLVED that, in honor of their individual and joint accomplishments, May 6, 1995, shall be declared GONZALO AND EMMA BARRIENTOS DAY in Hays County.*

*Proposed by Commissioner Barton. Adopted by unanimous consent May 1, 1995*

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**AFFIDAVITS OF PUBLIC NOTICE AND DEMANDS PRESENTED BY PROPERTY OWNERS IN LEA ACRES**

This was not an agenda item. William A. Johnston appeared before the Court and spoke of the taking of his land and presented a copy of his Affidavit of Public Notice and Demand:

**AFFIDAVIT OF PUBLIC NOTICE AND DEMAND  
SWORN, SIGNED, SEALED**

This affidavit of Public Notice and Demand is made timely and in good faith by your affiant, William A. Johnston, living on he land in Texas state, in Hays County, and known to all as 300 Lea Lane, Wimberley, Texas. Affiant is an adult male sentient human being and mentally competent to testify to the facts herein contained in this affidavit of Public Notice and Demand, and states as follows:

WHEREAS, anyone who might presume, assume, or have been informed that they might have right of open travel across or through my private property has been ill-informed and has assumed risk and liability pursuant to erroneous information and/or conclusions and;

WHEREAS, anyone who would commit trespass individually, or in concert with others who would commit same will be liable for damages and remedies both criminal and civil and;

WHEREAS certain specific acts of trespass have been committed by certain individuals as late as March 31, 1995, and;

WHEREAS, commissioned said acts of trespass have promulgated damage to personal property and;

WHEREAS, no legal easement or right of way exists in regard to aforementioned property rendering any individuals alleged claim of right of passage to be void of fact and at law.

Affiant further states the following:

DEMAND on all individuals, without permission from affiant, to immediately and without fail cease and desist from all acts of criminal trespass; or same will be complained of criminally and same will be sued pursuant to remedies afforded affiant by any court with personaum and subject matter jurisdiction and;

DEMAND is made to all public officials, whether elected or appointed that if such officials should fail to uphold their oath of office by refusing to arrest and prosecute any individual for commission of the aforementioned acts, said official(s) will be rendered to condone such acts and will be made a co-defendant pursuant to 42 USC 1983, 1985, and 1986.

This Public Notice and Demand is made pursuant to clearly established law this the 3rd day of April , 1995.

Edward C. Mann, Jr. also presented a copy of his Affidavit of Public Notice and Demand - his land was also trespassed upon. Michael Glasco, Terry Kasper Glasco, Allan D. Kasper, and John C. Kasper, Sr. presented their Affidavits of Public Notice and Demand. Judge Etheredge advised that he was aware of what is going on and received a copy of the file from the Sheriff's Dept. in order to determine if there are violations of the subdivision ordinance. Mr. Johnston advised that he did not give anyone permission to enter his property and that he had asked for a document giving such authority. Mr. Johnston was advised that the County Surveyor was not acting on behalf of the county during this incident. Mr. Mann stated that he was out of town at the time and his wife called him upset about the cutting of trees and bushes - he called the Sheriff's Dept. and talked to Lt. Casteel.

**13955 SPOKE HILL SECTION 2 REPLAT OF LOT 15 - CALL FOR PUBLIC HEARING**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to call for a public hearing to the held May 15, 1995 at 9:00 A.M. regarding the "Spoke Hill Section 2 Replat of Lot 15" subdivision. All voting "Aye".

**13956 SOUTHERN WOODS - FIRST READING**

James Graham submitted a five lot subdivision north of Buda. Allen Walther, Environmental Health Director, spoke of need for addition right-of-way for future widening of FM1626. Darrel Brown, Road Director, spoke of need to make sure State Highway Dept. will approve the driveways off FM1626. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Southern Woods" subdivision on first reading. All voting "Aye".

**13957 BLANCO RIVER RANCH - FIRST READING**

Vincent Huebinger submitted a 25 lot subdivision next to Dudley Johnson Park - preliminary approval has already been obtained from the City of San Marcos (ETJ) - City is requesting dedication of park land - legal closure was made on the dump site located on this property - roads will be private and built to county specifications. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Blanco River Ranch" on first reading. All voting "Aye".

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**13958 RIVER MOUNTAIN RANCH - FIRST READING**

James Garon (representing Robert Mayo) presented the master plan for "River Mountain Ranch" subdivision (166 lots). Allen Walther, Environmental Health Director, advised that some of the roads are in the floodplain and will need TNRCC approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Mountain Ranch" subdivision on first reading. All voting "Aye".

**13959 HILLS OF TEXAS ESTATES - SECOND READING**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Estates" subdivision on second reading. All voting "Aye".

**13960 WIMBERLEY HEIGHTS RESUB OF LOTS 34 & 35 - CALL FOR A PUBLIC HEARING**

Commissioner Payne advised that the EMS is purchasing property in Wimberley Heights subdivision - Lot 34 is only 9/10 acre - additional land will be obtained out of Lot 35 to increase the lot size. A motion was made by Commissioner Payne, seconded by Commissioner Barton to call for a public hearing to be held May 15, 1995 at 9:00 A.M. regarding the resubdivision of Lots 34 & 35 in the Wimberley Heights Subdivision. All voting "Aye".

**13961 MOUNTAIN CREST UNIT 2 - SECOND & THIRD READINGS**

The City of Woodcreek has granted approval - no roads are involved. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Mountain Crest Unit 2" on second and third readings. All voting "Aye".

**13962 HOLD PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS IN RIVER OAKS SUBDIVISION**

Judge Etheredge called the public hearing open regarding establishing traffic regulations in the River Oaks subdivision. Roy Huebner, resident of the subdivision, spoke - there are approximately 40 residents in the subdivision at this time - new home construction is increasing - requested a speed limit of 25MPH and Stop signs at the entrances. Judge Etheredge closed the public hearing. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to establish traffic regulations of 25MPH speed limit in the River Oaks subdivision and Stop signs at the entrances on to CR179. All voting "Aye".

**13963 REQUEST BY JAMES & JANET WARD FOR VARIANCE TO MINIMUM FINISHED FLOOR ELEVATION**

Allen Walther, Environmental Health Director, spoke of previous concerns about value of improvements exceeding 50% of the existing home - documentation has been received that indicates that addition did not exceed the 50%. James Ward requested that a variance be granted to the minimum finished floor elevation for his home addition - there was an existing septic tank and well on the property when the purchased it - they were not made aware of floodplain requirements. Commissioner Molenaar stated that he supports granting a variance - feels like the Wards are victims of circumstance. Judge Etheredge stated that he had driven out to this location - the road has been flooded in the past - stated that the Court has taken extreme action in other similar situations even to the extent of requiring dismantling of a structure that was in violation (located in the floodway) - cautioned the Court to seriously consider their actions before granting a variance to this request. Allen Walther stated that the Wards are subject to flooding and insurance will be available at a high cost. James Ward advised that their plans are to build a home in the future (will not be located in the floodplain area) - the mobile home is not intended as a permanent home - stated that they would sign a document to take on all liability - spoke of existing structures in the area that are in the floodplain and would be affected more than theirs in case of flooding. Allen Walther advised that he cannot support a variance in this case - this area is being re-studied and it is possible that the current floodplain designation may change in the future. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a variance to minimum finished floor elevation to James & Janet Ward. Janet Ward spoke of her conversation with FEMA regarding the strict rules of Hays County. Allen Walther advised that he would contact FEMA and get back to the Court regarding their conversation with Janet Ward. Commissioner Molenaar stated that we need to do something about this type of situation - people need to be advised of county rules and regulations. Allen Walther stated that his office has made every effort to make sure that notification is out and documents are available to Realtors. Commissioner Molenaar and Judge Etheredge voting "Aye". Commissioner Rodriguez, Commissioner Barton, and Commissioner Payne voting "No". MOTION FAILED.

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**13964 APPROVE AND AUTHORIZE A CONTRACT WITH RECOR INC. FOR CONSTRUCTION OF A JUVENILE SERVICES CENTER**

Judge Etheredge spoke of site development question - we do not know exact location for the facility at this time and cost of utility line relocation - when the make that determination we will address it - we need to move forward with this project. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve and authorize a contract with RECOR Inc. for construction of a Juvenile Services Center. All voting "Aye".

**DEVELOPMENT AGREEMENT**

This Development Agreement (this "Agreement") is entered into effective as of the 1st day of May, 1995 by and between RECOR Inc. (the Developer) and HAYS COUNTY (the County).

**RECITALS**

**WHEREAS**, the County issued and advertised for Request for Proposals for the design and construction of a secure Residential Juvenile Detention Facility (the "Facility") to be located in San Marcos, Texas; and

**WHEREAS**, in response thereto, the Developer submitted a proposal to Hays County on January 31, 1995 for a 24 bed juvenile detention facility of approximately 10,000 square feet which conforms to all applicable standards of the American Corrections Association (ACA), the Texas Juvenile Probation Commission (TJPC), and current fire and safety codes; and

**WHEREAS**, on March 6, 1995, the County Commissioners Court approved a motion which authorized the County Judge to negotiate a Development Agreement with the Developer for the design and construction of a 24 bed juvenile detention facility at a cost not to exceed \$920,000.00; and

**WHEREAS**, the Parties desire this Agreement to constitute a contract whereby the Developer will provide the design and construction of the Facility on a site selected by the County.

**NOW, THEREFORE**, for and in consideration of benefits to accrue to each of the Parties, the receipts and adequacy of which is hereby acknowledged, the Parties hereby contract, covenant and agree that:

**I. PRE-CONSTRUCTION AND DESIGN**

**1.01** The Developer shall, within ten (10) days after the date hereof, execute a contract with Harry Golemon Architects, Inc. (the "Architect") for the design and preparation of all architectural and engineering Plans and Specifications for the Facility in conformance with all applicable standards of the American Corrections Association, the Texas Juvenile Probation Commission, applicable fire and safety codes, regulations, and standards. Such contract shall contain substantially the same terms set forth in AIA Document B141/CM and shall provide that the design and Plans and Specifications are subject to the approval of the County.

**II. CONSTRUCTION OF THE FACILITY**

**2.01** The Developer shall enter into contracts for the construction of the Facility. The Contract of Construction shall be with a good and reputable contract acceptable to the County, and shall be in a form containing substantially the same terms as contained in AIA Document A101. All costs of construction shall be included in the construction budget. In no event shall the County be responsible for payment of any such contracts or construction costs, and it is agreed that the sole source of funding for such contracts and costs is the fund maintained by the County. In no event shall the total amount of project costs exceed \$920,000.00 and the Developer shall, in coordination with the Architect, use its good faith and best efforts to assure that the project stays within the proposed construction budget.

**2.02** The term "project costs" shall mean all costs and expenses incidental to and reasonably necessary for the design, construction, and certification of the project, including, but not limited to, amounts owed the Developer under this Agreement, legal, consulting and professional fees, permits, insurance during construction, utilities to site, construction, design, site preparation, administration, inspection, and contingencies.

**2.03** The Developer and its Contractor will indemnify and hold the County harmless from all claims or causes of action of any kind, including all claims for bodily injury, sickness, and property damage, which may arise from the Developer's and Contractor's operation under this Agreement and/or the Construction Contract.

**2.04** The Developer will purchase and maintain, or cause the Contractor to purchase and maintain performance and payment bonds as required by Article 5160 TEX. REV. CIV. STAT. ANN., within 30 day s after the execution of this Agreement. Such payment and performance bonds must be executed by a surety authorized to write such bonds in Texas, which is limited to an insurance company authorized to do business in Texas and authorized to write such bonds.

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2.05 The Developer will purchase and maintain, or cause Contractor to purchase and maintain the following insurance requirements for the project:

- 1. Builder's Risk for the amount of the total construction cost.
- 2. Comprehensive General Liability

|                 |                   |                |
|-----------------|-------------------|----------------|
| Bodily Injury   | - Each Occurrence | ( \$1,000,000) |
|                 | Aggregate         | ( \$1,000,000) |
| Property Damage | - Each Occurrence | ( \$1,000,000) |
|                 | Aggregate         | ( \$1,000,000) |
| Personal Injury | - Each Occurrence | ( \$1,000,000) |
|                 | Aggregate         | ( \$1,000,000) |

- 3. Worker's Compensation and Employer's Liability
  - a. Workers' Compensation
    - Statutory (All States)
  - b. Employer's Liability
    - \$1,000,000 Each Accident
    - \$1,000,000 Policy Limit
    - \$1,000,000 Each Employee

- 4. Comprehensive Automobile Liability

\$1,000,000 Each Accident, Bodily Injury and Property Damage Liability, Combined, and Uninsured Motorist Protection as is required by Law.

2.06 The Developer will require or cause the Contractor to require all subcontractors to obtain, maintain, and keep in force insurance coverage in accordance with accepted industry standards within the time they are engaged to work on the facility.

2.07 All insurance carriers must have an A.M. Best & Co. rating of a least "A" and all insurance will name Hays County as additional insureds. Hays County will be given thirty (30) days written notice of any cancellation of any insurance listed.

2.08 The Developer shall provide, or cause the Architect and the Engineer to provide professional liability of an errors and omissions insurance policy for the benefit of the parties hereto. The policy shall name the Developer as the insured and the County as an additional insured.

2.09 Upon substantial completion of the Facility, the Developer, Architect, and Contractor shall provide the County with a certificate to the effect that the construction of the Facility has been substantially completed in accordance with the RFP, Plans and Specifications, the Development Agreement, the ACA and TJPC standards, and all other applicable standards and regulations.

2.10 Changes in the Plans and Specifications during the construction may be made only by written agreement between the County's Negotiator and the Developer. However, the County agrees to the following changes and/or deletions to the requirements of the Request for Proposal:

- 1. The County will be responsible for providing all necessary FF&E (furniture, fixtures, and equipment) in order to properly equip the Facility for operation.
- 2. The Developer will be required to fence only the area surrounding the sallyport and the outdoor recreation area.
- 3. The Facility kitchen area will feature residential appliances in lieu of commercial appliances.
- 4. The existing parking lot north of the proposed site of the Facility will serve as the parking area for the Facility.
- 5. The County will cause a waiver of payment of all applicable licensing and permit fees.
- 6. The County will cause a waiver of all utility Tap and Recovery fees.

2.11 The Contract for Construction shall provide for substantial completion of the Facility no later than October 31, 1995. Final completion will be achieved when all "punch list" items have been completed to the satisfaction of the County.

In the event that performance by the Developer of any of its obligations under the terms of this Agreement shall be interrupted or delayed by an act of God, by acts of war, riot or civil commotion, by an act of State, by strikes, fire flood, or by the occurrence of any other event beyond the control of the parties hereto, that party shall be excused from such performance for the same amount of time as such occurrence shall have lasted.

2.12 The County shall provide the Developer with all necessary certificates (exemption, resale, or otherwise) for sales tax exemption, and shall cooperate with the Developer in this regard. The County's exempt status under the Texas Tax Code, section 151.309 requires that construction contracts with separately stated prices and invoices for (i) materials to be incorporated into the facility and (ii) skill, labor, and services for the development of the Facility be broken out.

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III. PAYMENTS TO THE DEVELOPER

3.01 From the maximum amount of \$920,000, the County shall approve payments to the Developer in accordance with the following schedule:

- 1. A ten percent (10%) mobilization payment (\$92,000) within fifteen (15) days following successful execution of this Agreement.
- 2. All subsequent payments will be made on a monthly basis prorated on a percentage basis of completion as certified by the Architect.

3.02 Following the mobilization payment, the Developer will submit a monthly invoice for payment to the County Auditor on such date as the Auditor advised to ensure the most expeditious method of payment.

IV. DEFAULT

4.01 In the event of a default by any party hereto, the non-defaulting party shall be entitled to such remedies for such default as they may be entitled to at law or in equity, after providing written notice by certified mail, return receipt requested, of such default and reasonable opportunity to cure such default.

V. ASSIGNMENT

5.01 Except as specifically provided above, no party hereto shall be entitled to assign its rights or obligations hereunder without the prior written consent of the other Party hereto. Any attempted assignment without the prior written consent of the other Party (except as set forth) shall be null and void.

VI. AMENDMENT

6.01 This Agreement can only be amended by a written instrument executed by the parties hereto.

VII. LIABILITY OF THE COUNTY

7.01 Except for the obligations of the County specifically set forth herein and in the Request for Proposal, the County shall have no liability with respect to the performance of any provision hereof.

VIII. GOVERNING LAW

8.01 This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Texas. Venue for any action arising under this Agreement or any related documents shall be in Hays County, Texas.



13965 APPROVE CONTRACT FOR ARCHITECT SERVICES RE: COURTHOUSE RENOVATION PROJECT

Purchasing Agent Cindy Casparis presented the Project Management Agreement and the Standard Form of Agreement Between Owner and Architect for the Courthouse Renovation Project - the Project Manager contract was negotiated down from \$157,000 to \$120,000 - Architect contract fee for basic services is \$333,000. Commissioner Barton stated that he felt like a lower price was given to the committee by the Project Manager firm - would like additional time to reconsider the Project Manager contract. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve contract with Ford, Powell, and Carson, Inc. for Architect services related to the Courthouse Renovation Project. All voting "Aye". (see contract in file)

13966 ACTION TO ADDRESS MINIMUM LOT SIZE VIOLATION - CYPRESS CREEK ACRES RESUB OF LOT 41

Commissioner Payne spoke of Cypress Creek Acres Resub of Lot 41 that was approved by the Court in January 1995 - at that time the plat did not show a road easement across it. Allen Walther, Environmental Health Director, spoke of road easement reducing the size of the lot to the point where it is now below the minimum lot size allowed - the road easement on Lot 41A is being used as access to Lot 41B - property owner B. L. Mince plans to build a convalescent home on Lot 41B - no permits have been issued at this time to Mr. Mince for this development. Judge Etheredge advised that he had spoken with Mr. Mince and he was unable to appear this date and requested postponement of any action. Dennis Tiber stated that he felt there was no need for this easement. Gordon Dizber, P.E. spoke of ongoing construction taking place on Lot 41B - there is no room for parking at this facility - the Property Owners Association has changed all lots fronting RR12 to Commercial - felt like this facility will create excessive sewage and there is concern about how this will affect area water wells. Allen Walther, Environmental Health Director, spoke of requirements to reduce the flow to 1200 gallons per day - property owner has submitted a design for a reduced flow septic system (aerobic system with dry irrigation). Ann Mabry, President of Cypress Creek

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Acres Property Owners Assoc., spoke of construction that is taking place without permits having been issued - the slab is in place and the metal for the building is on site. Commissioner Barton felt like if the property owner is communicating with Environmental Health we should not red tag this project. Harvey Mabry spoke of his concerns about this development - they would like cooperation and communication with Environmental Health Dept. Allen Walther stated that he is willing to explain the proposed system with the POA. Ann Lindsey, adjacent property owner, spoke of water runoff from the storage facility - has not received any cooperation from Mr. Mince. Tom Ash spoke of other properties that were developed and the developers did not abide by all the rules and regulations - urged the Court to thoroughly check out this situation. Commissioner Barton stated that he would abstain from voting - he was contacted by Mr. Mince over the weekend and was advised that Mr. Mince would resolve this issue. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to instruct the Environmental Health Department to red tag construction on Lot 41B of Cypress Creek Acres until the road easement issue is resolved on Lot 41A and both lots are in compliance with Hays County Rules & Regulations. Commissioner Rodriguez, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Barton and Judge Etheredge abstained from voting.

**13967 REQUEST RETURN OF EXCESS FUNDS HELD BY THE HAYS COUNTY CENTRAL APPRAISAL DISTRICT**

A memorandum was received from the HCAD Board of Directors advising that \$272,000.00 was left over from 1994 - considerable funds were left over from Personnel and Services - the new Chief Appraiser, promoted from District staff was granted a salary less than the amount budgeted for that position - four employees were lost in 1994 - the computer systems administrator was not replaced and others were replaced from within at lesser salary or positions were left unfilled for a time - the salary savings created a savings in benefits - in the services category, 1994 attorney fees were much under budget and court costs were unspent - contingency funds were untouched - the building project went so very well that funds were left in the kitty when all was completed. On April 13, 1995 the Hays County Central Appraisal District Board of Directors voted to retain funds left over from 1994 expenditures to finance projects to be undertaken in 1995 - the upcoming projects for funding are:

**PROPOSED PROJECTS**

Microfilming of Appraisal Card Records:

The board would like to reduce a large volume of filed and stored paper records to a small boxfull of roll microfilm. We currently have twelve lateral file cabinets of appraisal card records in our new building and over 275 boxes of appraisal card records at an off-site records storage and retrieval company. For some time now, new appraisal information has been entered on computer and it is not efficient to maintain the paper files. Replies to Requests for Information indicate a cost of \$35,000.00 including transportation of files, file grooming, microfilming and verification and the purchase of a (used) roll reader-printer.

New Appraisal Software:

Soon we will have to make a change in our Appraisal Software. The company that provides the programs we now use has rewritten their software to a modern computer language and is encouraging their customers to change to their new system. Although they will maintain the old system for a period of time, obviously they will not put much R&D effort into a program they are abandoning. This is an opportunity to look at the appraisal solutions offered by other companies as well as our current vendor and an opportunity to rethink the district information systems in general. Vendors responding to Requests for Information put the project costs as \$85,000.00 including software, maintenance, conversion, training, etc.

Electronic Mapping:

The draftsman in the HCAD mapping department has requested funds to pursue computerized mapping. \$6,600.00 has already been spent and the Board took action to retain an additional \$17,000.00.

This expenditure has nothing to do with the Request for Proposal issued jointly by the HCAD and the County of Hays for Geographic Information Systems (GIS), computer mapping and data linking.

The board's action will become official by May 23rd (when the amount of refund is issued as a credit on your 3rd quarter billing) unless a majority of taxing entities disapprove the action. Judge Etheredge spoke of his concerns that the HCAD is not familiar enough with what is available in software and a system is needed that could be tied in with a common format for all entities to utilize. Luanne Caraway spoke of software being used by the Tax Office which contains an imaging package. County Auditor Bill Herzog stated that their budget request should be included in the budget process - surplus funds should be returned to the taxing entities. Judge Etheredge spoke of joint meeting held earlier in the year with the HCAD Board - another meeting needs to be held with representatives from all the taxing entities and the HCAD Board to address GIS and the proposed projects. An AG's opinion is needed regarding the use of surplus funds. A motion was made by Judge Etheredge, seconded by Commissioner Payne to request that all excess funds allocated to the Central Appraisal District be returned to the Taxing Entities and that a joint meeting be held by all the Taxing Entities and the HCAD Board of Directors to discuss RFP's for GIS and the HCAD proposed projects. All voting "Aye".

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**13968 ACCEPT OFFER ON SIX PROPERTIES HELD IN TRUST FOR DELINQUENT TAXES**

A letter was received from Delinquent Tax Attorney Chester Young advising that Donald Dempsey has bid the sum of \$14,350.00 for the following properties previously acquired through foreclosure of the tax lien:

|                                                                  |             |
|------------------------------------------------------------------|-------------|
| Suit No. 4157 - Lot 15 Block A Green Pastures Section 1          | \$ 2,100.00 |
| Suit No. 4636 - Lots 72, 73 & 74 Block 7 Green Pastures Sec 5    | \$ 5,250.00 |
| Suit No. 4760 - Tr. 1 Lot 66, Block 4 Rolling Hills Section 2    | \$ 1,500.00 |
| Suit No. 4760 - Tr. 2 Lots 7 & 8 Block 7 Rolling Hills Section 2 | \$ 2,500.00 |
| Suit No. 4760 - Tr. 3 Lot 25 Block 3 Rolling Hills Section 1     | \$ 1,500.00 |
| Suit No. 4799 - Lot 7 Block 14 Green Pastures Section 4          | \$ 1,500.00 |

A competitive bid was received in the amount of \$12,400.00 - all these lots were vacant lots with no water or septic service - recommended acceptance of the \$14,350.00 offer. A motion was made by Judge Etheredge, seconded by Commissioner Barton to accept the offer of Donald Dempsey in the amount of \$14,350.00 for six properties held in trust for delinquent taxes. All voting "Aye".

**13969 AUTHORIZE THE COUNTY JUDGE AND MAINTENANCE SUPERVISOR TO CONTRACT FOR ROOF REPAIRS TO THE ELECTIONS OFFICE NOT TO EXCEED \$3,800.00**

Ron Knott, Maintenance Supervisor, submitted a roof condition report - the metal roofing assembly is in poor condition - several leaks are evident - the metal screws that hold the roofing panels in place are backing out and the neoprene washers are deteriorating - several areas of the roof have been damaged in the past from storms or by walking on the system - repairs have been made from materials that do not fit the existing metal configuration - the paint on the metal is fading and now allowing the metal to rust. There are two viable options: (1) remove all existing fasteners and replace with larger fasteners. Replace damaged areas with appropriate material. Estimated cost \$ 3,450.00. This approach does not come with any guarantee. Additionally, the same problem will occur again within three to five years. (2) Tighten existing fasteners and coat system with a polyester reinforced, rubberized, rust inhibiting, restoration system. This approach will come with a five year leak free guarantee. This approach will also lower under roof temperature. Estimated cost \$3,800.00. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge and the Maintenance Supervisor to contract for roof repairs to the Elections Office not to exceed \$3,800.00. All voting "Aye".

**13970 AUTHORIZE ADDITIONAL FUNDS FOR LEGAL SERVICES IN PREPARATION OF PROPOSED RULES AND REGULATIONS FOR THE HAYS COUNTY BAIL BOND BOARD**

In July 1994 the Court approved the expenditure of up to \$800 for development of rules and regulations for a bail bond board for Hays County - the invoices submitted was for \$1,000.00. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize an additional \$200.00 for legal services in preparation of proposed rules and regulations for the Hays County Bail Bond Board to be paid out of legal services line item. All voting "Aye".

**13971 HAYS COUNTY GRIEVANCE COMMITTEE SELECTIONS**

County Clerk Ronnie Dannelley advised that we have not yet received acceptance from nine citizens to serve on the Hays County Grievance Committee for 1995 - suggested selecting six more names. County Judge Eddy Etheredge selected the following names:

|                                                    |
|----------------------------------------------------|
| Rita Saucedo Alaniz - 302 Ellis Street, San Marcos |
| Janet Lane Beverly - 16228 Remuda Trail, Buda      |
| Brad Wesley Blake - 1302A Columbia, San Marcos     |
| Guadalupe Portillo - 12522 Darryl Drive, Buda      |
| Vanita Joyce Taylor - 16800 Post Oak Glen, Austin  |
| Gloria Garcia Venegas - 224 Durango, San Marcos    |



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**13972 AUTHORIZE THE COUNTY JUDGE TO BEGIN PROCESS TO CREATE A TAX ABATEMENT POLICY**

The Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code requires the county to establish guidelines every two years - the county has been operating under a policy similar to the City of San Marcos - changes are needed in the policy so that it will apply to county government: Sec. B.1-c states that the project must meet the requirement of the County's Master Plan, zoning ordinance, building codes and other applicable County ordinances (the county has no master plan or zoning ordinance) Sec. B.2-a states that the extent to which the proposed project carries out the goals and objectives of the County's Master Plan (the county has no master plan) Sec. C.3 need to delete b, c & d relating to utility rates, permit fees, and processing fees. Judge Etheredge advised that tax abatement laws are extremely complicated and legal assistance is needed to prepare a policy. Commissioner Barton spoke of Travis County's policy being a tool to attract only high dollar investments (high tech companies) - increases the number of jobs required - suggested not allowing 100% abatements. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize the County Judge to begin process of creating a tax abatement policy for Hays County. All voting "Aye".

**13973 CONSIDER A TAX ABATEMENT AGREEMENT WITH THRIFTY CALL INC.**

Thrifty Call is a telecommunication firm that would like to expand by building a \$2.2 million facility in San Marcos (Lot 21 River Ridge Subdivision)- the San Marcos City Council approved a tax abatement on March 27, 1995 that abates 100 percent of the taxes on the proposed improvements for four years - in return, the company agrees to hire 58 new full-time job equivalents by December 31, 1995 and to maintain that number throughout the abatement period - if the county grants an abatement it would include the same terms as the City of San Marcos agreement. Commissioner Barton stated that he is opposed to 100% abatements - felt like the county should have been notified by the City of San Marcos of the tax abatement request prior to their approval. Mrs. Rainosek (Thrifty Call Inc) spoke of approval by the City of San Marcos - she thought it was typical for the County to follow the decision of the City. Judge Etheredge advised that the County does not always grant tax abatements given by the City - County did not grant a tax abatement to Tanger Outlet Mall. Commissioner Payne stated that this company has already decided to move here - tax abatements are used to attract business to your community. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to approve a four year Tax Abatement for Thirty Call, Inc. Commissioner Rodriguez and Judge Etheredge voting "Aye". Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "No". MOTION FAILED. Court stated their desire that the County be included in City of San Marcos negotiations for points of information regarding tax abatements.

**13974 DISSOLVE CONTRACT FOR SERVICES ENTERED INTO ON MAY 23, 1994 BETWEEN HAYS COUNTY AND TOM HEATHMAN & NEIL FRANKLIN; DECLARE IT NULL AND VOID AND AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A NEW CONTRACT FOR SERVICES RELATED TO A TNRCC AGREED ORDER FOR STAFF AND PUBLIC EDUCATION**

Commissioner Barton submitted the following summary: Hays County has committed to TNRCC that it will provide certain public and staff education efforts to create more informed climate about local, state and federal development regulations and water protection rules. Hays County contracted with hydro-geologist and environmental specialist Tom Heathman and civil engineer Neil Franklin to provide this service in a timely fashion. Mr. Heathman and Mr. Franklin were also to provide Hays County and TNRCC with a schedule and progress reports, and to recruit developers and nearby local governments who would be interested in attending a seminar. Because of other commitments, Mr. Heathman and Mr. Franklin have failed to perform to the terms of the contract. Mr. Heathman has moved out of the area. Hays County should complete the planning and offer the seminar this summer, no later than Sept. 1. Cost is \$2,750.00 which was budgeted last year and is available in the Road Dept. line item for professional consultants. A motion was made by Commissioner Barton, seconded by Commissioner Payne to dissolve the May 23, 1994 contract between Hays County and Tom Heathman and Neil Franklin, declare it null and void and authorize the County Judge to enter into a new contract for services related to a TNRCC Order for staff and public education. All voting "Aye".

**DISCUSSION REGARDING ILLEGAL SUBDIVISION DEVELOPMENT IN PCT. 2**

Commissioner Barton spoke of working with the developers of Goforth Village to bring their project into compliance - they have not met the deadlines - some improvements have been made - lots are being sold - subdivision has private roads with no homeowners association to provide for maintenance - drainage needs to be addressed. The District Attorney will proceed with legal action if no response is received by next week to letter sent to them by Commissioner Barton (see letter in "Goforth Village" file)

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**DISCUSSION REGARDING PROPOSED BILLS BEFORE THE STATE LEGISLATURE CREATING THE SOUTH TRAVIS COUNTY WATER AUTHORITY**

Mrs. Foster spoke of a bill before the State Legislature that would create the South Travis County Water Authority - concerned about annexation authority - does not feel like this is a good bill for the citizens of Hays County - the Water Authority will be allowed to regulate septic tanks and development of subdivisions - there is no guarantee of services - they can terminate restrictions and covenants currently existing and enforce their rules - the Water Authority has absolute authority over the county and cities - residents/property owners are unable to vote for the Board of Directors. Judge Etheredge suggested that efforts be made to bottle this bill up in the calendar committee and try to get it killed - it will affect Hays County as it is currently written.

**EXECUTIVE SESSION - REAL ESTATE**

The Court convened into executive closed session to discuss possible sale of real estate. Upon completion of the closed session the Court reconvened into open meeting. No action was taken.

**13975 GO ON RECORD IN OPPOSITION TO BILL SETTING TERM LIMITS FOR DISTRICT, STATE, AND LOCAL ELECTED OFFICIALS**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to adopt a resolution to go on record in opposition to Bill before the State Legislature that sets term limits for District, State, and Local Elected Officials. Commissioner Barton, Judge Etheredge, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez voting "No".

**Resolution  
of Hays County Commissioners Court**

WHEREAS, the Hays County Commissioners' Court has determined that HJR86 is a bill before the Texas Legislature that would impose term limits on county elected officials; and

WHEREAS, the Hays County Commissioners' Court believes that the legislation as currently proposed would hinder the operation of county government in Texas; and

WHEREAS, the proposed legislation is not in the best interest of the residents of Hays County.

NOW, THEREFORE, BE IT RESOLVED, that the Hays County Commissioners' is opposed to HJR 87 and term limits for county elected officials and respectfully requests that members of both the Texas House of Representatives and the Senate oppose such legislation should it come before either body for a vote.

Certify by our signatures on this the 1st day of May, 1995.



MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF June, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
H A Y S COUNTY, TEXAS

*Ronnie Dannelley*  
**RONNIE DANNELLEY, COUNTY CLERK**  
H A Y S COUNTY, TEXAS



MAY 3, 1995

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STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 3RD DAY OF MAY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS,  
 MET IN BUDGET WORKSHOP MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13976 APPROVE FUNDING FOR ADA FROM ANTICIPATION NOTES**

ADA Requirements - Maintenance Supervisor Ron Knott presented a preliminary budget and description of work for Hays County ADA Work - the following items were recommended for funding out of anticipation notes:

|                                                                                                                               |                     |
|-------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Courthouse Annex</i> - all work to meet and be approved by the historic commission - no front door entrance ramp required. |                     |
| Signage leading to Handicap parking and handicap help in Braille's                                                            | \$ 700.00           |
| Handicap parking, where one is out of traffic all the times                                                                   | \$ 9,000.00         |
| Handicap help counter with phone ring to personnel                                                                            | \$ 3,000.00         |
| Entrance door on back, hardware and bottom edges, misc.                                                                       | \$ 1,500.00         |
| Fire detection transponders (exit lights locations/heights)                                                                   | \$ 1,000.00         |
| Design construction mangement fees, printing                                                                                  | \$ 5,500.00         |
|                                                                                                                               | -----               |
| <b>Total Cost</b>                                                                                                             | <b>\$ 20,700.00</b> |
| <i>Hays County Clerks - Records Division</i> - 137 N. Guadalupe, San Marcos                                                   |                     |
| Signage                                                                                                                       | \$ 700.00           |
| Assigned Parking, out of traffic walk and ramps                                                                               | \$ 4,000.00         |
| Entrance door adjustments/hardware/change allowance                                                                           | \$ 1,500.00         |
| Fire detection transponders (exit lights locations/heights)                                                                   | \$ 1,000.00         |
| Design Construction Management fees documents print,etc.                                                                      | \$ 20,000.00        |
|                                                                                                                               | -----               |
| <b>Total Cost</b>                                                                                                             | <b>\$147,200.00</b> |
| <i>Hays County Extension Office</i> - 1253 Civic Center Loop, San Marcos                                                      |                     |
| Signage                                                                                                                       | \$ 700.00           |
| Doors Hardware                                                                                                                | \$ 200.00           |
| Fire detection transponders (exit lights locations/heights)                                                                   | \$ 1,000.00         |
| Design Construction Management fees, documents print, etc.                                                                    | \$ 200.00           |
|                                                                                                                               | -----               |
| <b>Total Cost</b>                                                                                                             | <b>\$ 2,100.00</b>  |
| <i>Hays County Environmental Health</i> - New Building at Clovis Barker Rd                                                    |                     |
| Signage                                                                                                                       | \$ 700.00           |
| Doors Hardware                                                                                                                | \$ 200.00           |
| Fire detection transponders (exit lights locations/heights)                                                                   | \$ 1,000.00         |
| Design Construction Management fees, documents print, etc.                                                                    | \$ 200.00           |
|                                                                                                                               | -----               |
| <b>Total Cost</b>                                                                                                             | <b>\$ 2,100.00</b>  |
| <i>Hays County Health and Immunization Dept.</i> - 401A Broadway, San Marcos                                                  |                     |
| Signage leading to Handicap parking and handicap help in Brialle's                                                            | \$ 700.00           |
| Handicap Parking                                                                                                              | \$ 1,000.00         |
| Handicap counter modification                                                                                                 | \$ 1,000.00         |
| Fire detection transponders (exit lights locations/heights)                                                                   | \$ 1,000.00         |
| Design Construction Management fees, documents print, etc.                                                                    | \$ 2,000.00         |
|                                                                                                                               | -----               |
| <b>Total Cost</b>                                                                                                             | <b>\$ 5,700.00</b>  |
| <i>Immunization side</i>                                                                                                      |                     |
| Fire detection transponders (exit lights locations/heights)                                                                   | \$ 1,000.00         |
|                                                                                                                               | -----               |
| <b>Total Cost</b>                                                                                                             | <b>\$ 1,000.00</b>  |
| <i>Hays County Buda offices</i> - includes J.P., Sheriff & Visiting Health Dept.                                              |                     |
| Handicap Parking                                                                                                              | \$ 2,000.00         |
| Signage (Braille)                                                                                                             | \$ 700.00           |
| Fire protection/exit light/emergency evacuation transponders                                                                  | \$ 1,000.00         |
| Design Project management                                                                                                     | \$ 2,700.00         |
|                                                                                                                               | -----               |
| <b>Total Cost</b>                                                                                                             | <b>\$ 6,400.00</b>  |
| <i>Hays County Dripping Springs offices</i> (leased building)                                                                 |                     |
| Handicap Parking                                                                                                              | \$ 2,000.00         |
| Signage (Braille)                                                                                                             | \$ 700.00           |
| Fire protection/exit light/emergency evacuation transponders                                                                  | \$ 1,000.00         |
| Design Project management                                                                                                     | \$ 2,700.00         |
|                                                                                                                               | -----               |
| <b>Total Cost</b>                                                                                                             | <b>\$ 6,400.00</b>  |

GRAND TOTAL = **\$191,600.00**

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A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve funding in the amount of \$200,000.00 for ADA projects from Anticipation Notes. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No".

**DISCUSSION WITH DEPARTMENT HEADS**

Judge Etheredge spoke of budget process - a no growth year for the county - some departments will be affected by office relocation - we intend to make significant improvements in the road department - this upcoming year will be the year for "roads" - tremendous amount of money was put in the jail in previous year. Elections Administrator Joyce Cowan spoke of her budget and ADA requirements. Commissioner Barton asked what the department heads big picture priorities are. Commissioner Payne stated that he is not for hiring any new employees - voter approved bonds will create a significant tax increases - might support an employee for elections department. Discussion was had regarding personnel and equipment needs for the Road Dept. Commissioner Payne suggested eliminating position in Environmental Health not currently filled and use in another department. Judge Etheredge spoke of Environmental Health personnel is stretched - there is a need for legal and engineering assistance for this department. Discussion was had regarding using maintenance personnel to assist Data Processing Dept. in wiring projects. Discussed GIS - we may not know until shortly before budget adoption whether we will be going with GIS - this could greatly affect the overall budget and various departments that will be utilizing that system - spoke of submitting addendum to budget requests. Discussed renovation of old jail facility (currently used for central supply storage). Discussion was had on secretarial pool to assist offices when they are short of personnel (answer the telephones, etc.). Discussion was had on building maintenance needs - floor care equipment is needed at each county building - radios are needed in order to communicate with maintenance personnel. Discussion was had regarding long term plans for each department - need a structure to build a budget from - Department Heads will have to live with the structure set out by the Court - Elected Officials must consider the needs of their constituents.

**EXECUTIVE SESSION - POSSIBLE LITIGATION**

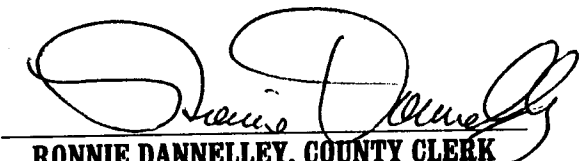
The Court convened into Executive Session to discuss possible litigation Re: Cypress Creek Acres Lot 41B (Bud Mince) - no action to be taken until Monday May 8, 1995. Court reconvened into open session.

**ANTICIPATION NOTES DISCUSSION**

Court needs to decide the amount of money to be obtained with Anticipation Notes.  
Juvenile Detention Center - we requested that permit fees and administration fees be waived, but not the water and wastewater fees (an out-of-pocket expense) - put \$60,000.00 in for this project.  
NAACP Parking Lot - Court agreed to this project - take out of current funds this fiscal year - put \$15,000.00 in for this project. Ranch Road 12 R-O-W - could be funded in phases - could be included in a future bond issue. Discussed long-term capital improvements should be funded through bond issues approved by the voters. Anticipation Notes are short-term and should take the place of machinery warrants in many cases - put \$400,000.00 in for first phase of RR12 and consider second phase of this project in a bond issue. San Marcos Loop - discussed funding and affect it will have on development along the loop - will affect Caldwell County also. Civic Center - Commissioner Molenaar stated that the biggest complaint is drainage problem Judge Etheredge stated that the wiring in the building will not meet any code and the overhead lighting is very poor - Jim Hotz, Civic Center Manager, will be presenting a plan for this facility - will probably need \$100,000 to address the problems - a consultant is needed to develop a master plan for this facility. Justice Center Remodel - \$200,000.00 needed (includes telephone system)  
Renovation of Old Jail - no funding. Road Equipment & Facilities - Bomag Road equipment is needed and new facilities - agreed to funding \$800,000.00. Dripping Springs Collection/Recycling Site - Molenaar spoke in support of a collection/recycling center - agreed to funding = \$150,000.00. Countywide Computer - \$700,000.00 already agreed to. GIS Monumentation - \$50,000.00 already agreed to. EMS Building - \$100,000.00 already agreed to.  
DPS Scales - \$16,335

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF June, 1995.

  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

  
 RONNIE DANNELLEY, COUNTY CLERK  
 HAYS COUNTY, TEXAS



MAY 8, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 8th DAY OF MAY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13977 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 153,527.92 as presented by the County Auditor. All voting "Aye".

|                    |              |                   |              |                     |             |
|--------------------|--------------|-------------------|--------------|---------------------|-------------|
| Licenses & Permits | \$ 240.00    | State Shared Rev  | \$ 192.01    | Treasurers Ofc      | \$ 616.29   |
| Extension Ofc      | \$ 65.00     | Grants Admin      | \$ 131.78    | Juvenile Prob       | \$ 145.15   |
| Comm & Soc Svcs    | \$ 1,215.43  | Indigent Care     | \$ 8,431.69  | Transfer Station    | \$ 402.30   |
| Bldg. Maint. Dept. | \$ 4,601.80  | Environ Health    | \$ 92.12     | Personal Health     | \$ 157.19   |
| Civic Center       | \$ 1,212.33  | Countywide Oper   | \$ 10,259.81 | Tax A/C             | \$ 371.48   |
| District Clerk     | \$ 622.43    | County Clerk      | \$ 6.18      | Sheriff's Ofc       | \$ 5,502.04 |
| Jail Operations    | \$ 7,243.54  | Human Resources   | \$ 1,086.74  | District Atty       | \$ 80.66    |
| J.P. 2             | \$ 201.53    | J.P. 3            | \$ 40.00     | J.P. 4              | \$ 12.50    |
| J.P. 5             | \$ 21.30     | D.P.S.            | \$ 1,511.46  | Constable 1         | \$ 8.00     |
| Constable 2        | \$ 78.81     | Constable 5       | \$ 88.98     | Dist Crt Oper       | \$ 3,131.25 |
| Co & JP Crt Oper   | \$ 52.36     | Computer Svcs     | \$ 708.65    | TPR/Prot Hmkr Grant | \$ 171.60   |
| Fire Marshal/EMC   | \$ 1,155.10  | TJPC CCAP Grant   | \$ 10.00     | Historical Comm     | \$ 288.00   |
| Hist Survey Grant  | \$ 670.50    | Dunbar Grant      | \$ 11,725.96 | DARE (DA) Grant     | \$ 25.00    |
| R&B Operations     | \$ 24,014.64 | Precinct 1        | \$ 228.00    | Precinct 2          | \$ 533.34   |
| Precinct 3         | \$ 9.00      | Precinct 4        | \$ 363.96    | Rec Mng/Co Clk      | \$ 4.80     |
| Health Svcs Grants | \$ 3,158.95  | Road Construction | \$ 56,396.89 | Adult Prob Oper     | \$ 5,872.96 |
| Adult Prob Fac     | \$ 368.41    |                   |              |                     |             |

**13978 APPROVE BUDGET AMENDMENT NO. 95-025**

The following budget amendments were proposed by the County Auditor:

Indigent Care - Transfer \$600 for two computer software upgrades from medical supplies line item.

Human Resources - Transfer \$500 to continuing education for seminar-benefits administration and \$200 to office equipment for bookshelves from supplies.

TCADA/DARE(DA) Grant - Transfer \$800 for notebook computer from "other" category line.

Road & Bridge General Pct. 1 - Transfer for balance of FY95 for cemetery maintenance in special projects from trash hauling and telephone expense.

Health Services Grants - Transfer to create \$200 in other category and \$550 in Misc. supplies from contractual services line item to reallocate program income per TDH.

Adult Probation Facilities - Transfer \$1,400 into Misc. Equipment for two additional office equipment/furniture purchases.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-025 as proposed by the County Auditor. All voting "Aye".

| BUDGET AMENDMENT NO. 95-025             |           |           |
|-----------------------------------------|-----------|-----------|
| LINE ITEM - EXPENDITURE                 | INCREASES | DECREASES |
| <b>FUND NO. 01 - FUND TITLE GENERAL</b> |           |           |
| <b>INDIGENT CARE (408)</b>              |           |           |
| 01-408-5429 Software Maint              | \$ 600.00 |           |
| 01-408-5231 Medical Supply              |           | \$ 600.00 |
| <b>HUMAN RESOURCES (421)</b>            |           |           |
| 01-421-5331 Cont Ed                     | \$ 500.00 |           |
| 01-421-5711 Ofc Eqpt                    | \$ 225.00 |           |
| 01-421-5211 Ofc Supply                  |           | \$ 725.00 |
| <b>TCADA/DARE (DA) GRANT (723)</b>      |           |           |
| 01-723-5719 Misc. Eqpt                  | \$ 800.00 |           |
| 01-723-5391 Other                       |           | \$ 800.00 |

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| BUDGET AMENDMENT NO. 95-025                               |              |              |
|-----------------------------------------------------------|--------------|--------------|
| LINE ITEM - EXPENDITURE                                   | INCREASES    | DECREASES    |
| <b>FUND NO. 03 - FUND TITLE ROAD &amp; BRIDGE GENERAL</b> |              |              |
| <b>OPERATIONS (438)</b>                                   |              |              |
| 03-438-5413 Road Eqpt Maint                               | \$ 12,000.00 |              |
| 3-438-5475 Road Eqpt Rent                                 |              | \$ 12,000.00 |
| <b>PRECINCT 1 (439)</b>                                   |              |              |
| 03-439-5353 Special Project                               | \$ 4,275.00  |              |
| 03-439-5452 Trash Hauling                                 |              | \$ 3,275.00  |
| 03-439-5489 Telephone                                     |              | \$ 1,000.00  |
| <b>FUND NO. 10 - FUND TITLE HEALTH SERVICES GRANTS</b>    |              |              |
| <b>TDR/PPIP GRANT (725)</b>                               |              |              |
| 10-725-5219 Misc. Supply                                  | \$ 550.00    |              |
| 10-725-5391 Other                                         | \$ 200.00    |              |
| 10-725-5448 Contractural                                  |              | \$ 750.00    |
| <b>FUND NO. 35 FUND TITLE ADULT PROBATION FACILITIES</b>  |              |              |
| <b>FACILITIES (487)</b>                                   |              |              |
| 35-487-5719 Misc. Eqpt                                    | \$ 1,400.00  |              |
| 35-487-5219 Sply and Operating                            |              | \$ 1,400.00  |

13979 APPROVE BUDGET AMENDMENT NO. 95-026

The following budget amendments were proposed by the County Auditor: Sheriff's Office, Jail Operations, & Countywide Operations - Transfer Grade/Step allowed increases for salary and overtime/holiday due Sheriff's Office from countywide where budgeted (total 43,081). Transfer between line items and fund \$5,538 from county-wide insurance line to fund most of old jail plans and special fees for the 20 each new automobiles. Transfer between equipment lines for radio unable to repairs. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-026 as proposed by the County Auditor. All voting "Aye".

| BUDGET AMENDMENT NO. 95-026             |              |              |
|-----------------------------------------|--------------|--------------|
| LINE ITEM - EXPENDITURE                 | INCREASES    | DECREASES    |
| <b>FUND NO. 01 - FUND TITLE GENERAL</b> |              |              |
| <b>SHERIFF (418)</b>                    |              |              |
| 01-418-5021 Staff                       | \$ 14,000.00 |              |
| 01-418-5031 Overtime/Holiday            | \$ 16,000.00 |              |
| 01-418-5110 FICA                        | \$ 3,000.00  |              |
| 01-418-5121 Retirement                  | \$ 3,500.00  |              |
| <b>COUNTY-WIDE OPERATIONS (414)</b>     |              |              |
| 01-414-5091 Salary Adjust               |              | \$ 16,849.00 |
|                                         |              | \$ 26,232.00 |
| <b>SHERIFF (418)</b>                    |              |              |
| 01-418-5211 Office Sply                 | \$ 1,000.00  |              |
| 01-418-5212 Postage                     | \$ 1,200.00  |              |
| 01-418-5272 Vehicle Sply                | \$ 8,000.00  |              |
| 01-418-5413 Vehicle Maint.              | \$ 4,500.00  |              |
| 01-418-5415 Commun Eqpt Maint           | \$ 3,000.00  |              |
| 01-418-5488 Data Lines                  | \$ 150.00    |              |
| 01-418-5621 Arch/Eng Svcs - old jail    | \$ 2,150.00  |              |
| 01-418-5713 Vehicles                    | \$ 3,844.00  |              |
| 01-418-5061 Longevity                   |              | \$ 155.00    |
| 01-418-5192 Uniform Allowance           |              | \$ 1,800.00  |
| 01-418-5271 Fuel                        |              | \$ 700.00    |
| 01-418-5361 Civil Process               |              | \$ 1,500.00  |
| 01-418-5362 Crim. Investg               |              | \$ 1,570.00  |
| 01-418-5366 Reserve Div.                |              | \$ 1,000.00  |
| 01-418-5221 Data Proc Sply              |              | \$ 1,500.00  |
| 01-418-5394 Estray                      |              | \$ 500.00    |
| 01-418-5411 Off Eqpt Maint              |              | \$ 2,000.00  |
| 01-418-5461 Printing                    |              | \$ 500.00    |
| 01-418-5462 Public Notices              |              | \$ 500.00    |
| 01-418-5715 Communication Eqpt          | \$ 1,400.00  |              |
| 01-418-5719 Misc. Eqpt                  |              | \$ 1,400.00  |
| <b>COUNTY-WIDE OPERATIONS (414)</b>     |              |              |
| 01-414-5340 Insurance                   |              | \$ 5,538.00  |
| <b>JAIL OPERATIONS (419)</b>            |              |              |
| 01-419-5231 Medical Supply              | \$ 5,500.00  |              |
| 01-419-5281 Janitorial Sply             | \$ 600.00    |              |
| 01-419-5363 Prisoner Transfer           | \$ 6,000.00  |              |
| 01-419-5411 Ofc Eqpt Maint.             |              | \$ 600.00    |
| 01-419-5451 Contr Bldg. Maint.          |              | \$ 11,500.00 |

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**13980 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS: SET SPEED LIMITS ON FITZHUGH ROAD**

Proposal is to set speed limit on Fitzhugh Road from RR12 to Travis County line and from Travis County line to Travis county line at 45MPH - speed limit would match 45MPH set by Travis County. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to establish traffic regulations - set speed limit on Fitzhugh Road - to be held May 22, 1995 at 9:00 A.M. All voting "Aye".

**13981 ADOPT PROCLAMATION RECOGNIZING "PEACE OFFICER'S MEMORIAL WEEK"**

A letter was submitted by Lalrry Sowards, President of the F.O.P. Hill Country Lodge #23, requesting adoption of Proclamation for Peace Officer's Memorial Week which is May 15-19, 1995 - a ceremony is planned for Monday, May 15, 1995 at 12:10 P.M. on the grounds of the Southwest Texas State University Police Department - this memorial is dedicated to the late SWTSU Chief Dennis Allen. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt Proclamation recognizing "Peace Officer's Memorial Week", which is May 15-19, 1995. All voting "Aye".

State of Texas

County of Hays

**PROCLAMATION**

WHEREAS, each year peace officers tragically lose their lives in the line of duty; and

WHEREAS, a National Memorial Service is held annually in Washington, D.C. to honor these officers and families; and

WHEREAS, in 1963 President John F. Kennedy proclaimed May 15th as National Peace Officer Memorial Day; and

WHEREAS, this day is ever more meaningful to our community with the recent passing of Chief Dennis Allen, who had a vision not only for Southwest Texas State University but for all San Marcos and Hays County; and

WHEREAS, the Hill Country Fraternal Order of Police Lodge # 23 has made a commitment to share, support and serve the law enforcement community; and

WHEREAS, the Hill Country Fraternal Order of Police Lodge # 23 has actively contributed to and supported this worthwhile observance of Peace Officers' Memorial Week.

NOW THEREFORE, BE IT PROCLAIMED, by the Commissioners' Court of Hays County, Texas - that in honor of our good friend Chief Dennis Allen - May 9 - 13, 1995 be recognized as

**PEACE OFFICERS' MEMORIAL WEEK**

AND BE IT FURTHER PROCLAIMED, that citizens and officials be encouraged to participate in observance of this special occasion.

PROCLAIMED AND ADOPTED, on this 8th day of May, 1995. To certify which witness our signatures below.

*Eddy Etheredge*  
Eddy Etheredge  
Hays County Judge

*Pete Rodriguez*  
Pete Rodriguez  
Commissioner Pct. 1

*Jim Barton*  
Jim Barton  
Commissioner Pct. 2

*Craig Payne*  
Craig Payne  
Commissioner Pct. 3

*Russ Molenar*  
Russ Molenar  
Commissioner Pct. 4

*Ronnie Dannelley*  
Ronnie Dannelley  
Hays County Clerk



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**13982 AWARD CONTRACT ON MOTORGRADER FOR ROAD DEPARTMENT**

Cindy Casparis, Purchasing Agent, submitted the Motor Grader bid tabulations:

|                                                     | Monthly<br>Payment | Pay-Off<br>Amount | Extended<br>Warranty Price | Total Bid<br>Lease Option |
|-----------------------------------------------------|--------------------|-------------------|----------------------------|---------------------------|
| <u>Holt CAT 12-G - CAT - Lease Purchase</u>         |                    |                   |                            |                           |
| Six (6) Month Lease                                 | 1,385.12           | 119,030.42        | Included                   | 127,341.14                |
| Twelve (12) Month Lease                             | 1,385.12           | 114,527.61        | Included                   | 131,149.05                |
| Twenty-four (24) Month Lease                        | 1,385.12           | 105,072.07        | Included                   | 138,314.95                |
| Thirty-six (36) Month Lease                         | 1,385.12           | 94,983.27         | Included                   | 144,847.59                |
| <b>Outright Purchase Price \$124,058.00</b>         |                    |                   |                            |                           |
| <u>Holt CAT 12-G - Rent Purchase</u>                |                    |                   |                            |                           |
| Six (6) Month Lease                                 | 3,960.00           | 98,858.00         | 3,309.00                   | 126,127.00                |
| Twelve (12) Month Lease                             | 3,825.00           | 78,119.00         | 3,509.00                   | 127,528.00                |
| <b>Outright Purchase Price \$ 120,549.00</b>        |                    |                   |                            |                           |
| <u>Kuenstler JD670B - Lease Purchase</u>            |                    |                   |                            |                           |
| Six (6) Month Lease                                 | 2,563.00           | 96,697.00         | 7,830.00                   | 119,905.00                |
| Twelve (12) Month Lease                             | 1,888.00           | 93,144.00         | 7,830.00                   | 123,630.00                |
| Twenty-four (24) Month Lease                        | 2,319.00           | 60,640.00         | 7,830.00                   | 128,926.00                |
| Thirty-six (36) Month Lease                         | 2,729.00           | 25,610.00         | 7,830.00                   | 128,684.00                |
| <b>Outright Purchase Price \$108,196.00</b>         |                    |                   |                            |                           |
| <u>Waukesha Pierce Dresser 850 - Lease Purchase</u> |                    |                   |                            |                           |
| Six (6) Month Lease                                 | 3,800.00           | 92,200.00         | 6,865.00                   | 121,865.00                |
| Twelve (12) Month Lease                             | 3,800.00           | 74,582.00         | 6,865.00                   | 126,747.00                |
| Twenty-four (24) Month Lease                        | 5,142.81           |                   | 6,865.00                   | 130,292.44                |
| Thirty-six (36) Month Lease                         | 3,555.00           |                   | 6,865.00                   | 134,844.87                |
| <b>Outright Purchase Price \$115,000.00</b>         |                    |                   |                            |                           |

Purchasing recommends awarding bid to Kuenstler for a 12 month lease - their bid meets all specifications and is bidding a new machine. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award contract for motor grader to Kuenstler for a twelve (12) month lease. All voting "Aye".

**13983 CONTINUE OPPOSITION AND REAFFIRM RESOLUTION ADOPTED APRIL 24, 1995 REGARDING CREATION OF THE NORTH HAYS COUNTY WATER AUTHORITY (AKA SOUTHWEST TRAVIS COUNTY WATER DISTRICT)**

Gary Bradley appeared before the Court and spoke of amendments to his Bill which removed Hays County's name and property - the only way to annex is through petition by property owners - no part of Hays County can be annexed - took out the part that said litigation to be held in Hays County. Judge Etheredge stated that our original desire was not be a part of this issue. Commissioner Molenaar spoke of his concerns about aquifer depletion by Circle C. Gary Bradley spoke of surface water that will be utilized - the golf course will use well water under drought conditions - he felt like property owners in Hays County will want to be annexed for water services - spoke of environmental concerns and actions that will be taken to protect the aquifer. Dennis Tiber asked about commercial development and Lila Knight voices her concerns about the appointment of board members which does not give voters control of the board. Gary Bradley stated that they will not do anything to harm the environment - the homeowners of Circle C wanted the Lt. Governor to make the appointments (5 members will be Circle C homeowners out of the total nine member board) - they are trying to get out of the authority of the City of Austin. Santos Alba, Dripping Springs City Councilman, spoke of his concerns about nine people with more authority than cities and counties. Delbert Bassett, President of Goldenwood POA, stated that he sees this as a role reversal - now Circle C wants the power the City of Austin had over them - there is no guarantee that standards will be retained - if this issue only involved Circle C that would be different, however, it will affect others outside the boundaries of Circle C. Gary Bradley stated that no land in Hays County will be affected - this bill does not give authority of annexation without request for annexation - an amendment to the Bill provides that no one from Hays County can ever be annexed. DeDe Stevenson spoke of her concerns about the future of Hays County and about water usage out of the aquifer - she is also concerned about the power of this authority - feels like the board should be elected and not appointed. Eileen Connally voiced her concerns about the autonomy of the bill - water issues may change - concerned about the five water wells already in existence on this property - there are no assurances that water will not be taken from the aquifer. Gary Bradley stated that development must go through the subdivision process and they must go by the rules and regulations already in effect - they can set up a different type of entity if they wish to incorporate and become a City - spoke of centralized water system - spoke of Circle C's position when they were not allowed to vote on the S.O.S. Ordinance. Spider Williams, Dripping Springs City Councilman, asked about eminent domain - this Bill allows the authority to regulate subdivision development and land use. Gary Bradley stated that they cannot exercise eminent domain outside of the district - the Circle C residents want control of land use. Mayor of Dripping Springs Terry Garnett spoke of the S.O.S. trial held in Hays County - he feels that this Bill is repressive and unconstitutional. Pam Gosnay



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objected to the broad powers of this authority - why don't they incorporate? Gary Bradley advised that they do not wish to incorporate at this time. Kathryn Wilson stated that Circle C should have discussed their plans with adjoining property owners - this Bill was a shock to many and creates fear - Travis County is our neighbor and what happens to them affects us all. Bill Couch, Mayor of the City of Hays, spoke of this Bill removing the powers of existing authorities to protect their ground water supply - they will be able to pump water out of the aquifer - developers should not be allowed to determine land use - we need to take our concerns to the Legislature. Gary Bradley stated that they want to ban septic tanks and prohibit water wells. Judge Etheredge stated that most concerns are if Hays County stays in the Bill and the impact on Hays County if removed and the loss of authority by County government - stated that he is a strong advocate of local authority - there is a need for more county authority that currently exists - spoke of the various districts already throughout the county (fire districts, EMS districts, watershed districts, aquifer districts) - we need to communicate and work together with all authorities - spoke of the cities of Buda and Hays which are surrounded by the City of Austin and which prevents them from expanding their tax base. Commissioner Molenaar spoke of Gary Bradley doing everything the Court has asked him to do regarding this Bill. Commissioner Barton spoke of original resolution in opposition adopted by this Commissioners' Court - there is no doubt about the good intentions, however, it may set a precedent. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to continue opposition and re-affirm the resolution adopted April 24, 1995 opposing creation of the North Hays County Water Authority (AKA Southwest Travis County Water District). All voting "Aye".

Gary Bradley spoke of amendments he submitted as requested by this Commissioners' Court - he read parts of the resolution adopted that he said characterizes him unfairly.

**13964 DISCUSSION AND ACTION REGARDING POSSIBLE SUBDIVISION VIOLATIONS AND PERMIT VIOLATIONS ON CYPRESS CREEK ACRES LOTS 41A & 41B**

Cypress Creek Acres Lot 41 was resubdivided into two lots in January 1995 - Lot 41A may be in violation of the subdivision ordinance (minimum lot size) by placement of an easement on the lot after approval and filing of the plat - Lot 41B has construction ongoing without permits being issued. Allen Walther, Environmental Health Director, spoke of road easement - they must be taken out of the lot size and in this particular situation it will create a lot of less than 1/2 acre in size. Judge Etheredge stated that he abstained from voting last week because Mr. Mince was not able to attend the meeting to argue his case - there appears to be a violation regarding development without a permit and the deed to Lot 41A retains an easement which appears to create a substandard lot. Dwain Blaschke, Attorney for Bud Mince, spoke of their position - violations were not done intentionally - the redesign of the septic system should be acceptable to the County Health Dept. - the site development plans already meets with approval - construction prior to obtaining permits appears to be a routine practice - redtagging of the job did get their attention and they accept responsibility to be in compliance. Commissioner Payne spoke of having redtagged the job on Monday and work continued on Tuesday. Mr. Blaschke stated that in Travis County most contractors continue with projects and pay the fine (its cheaper). Mr. Platt, owner of Lot 41A, spoke of county regulations setting out the minimum lot size to be 20,000 sq. ft. - Lot 41A exclusive of the easement in question is 20,435 sq. ft. - spoke of having to shut down construction on his project - felt like selectivity is being made - the Health Dept. watched the slabs on these two projects being poured and said nothing - considers it gross negligence by those involved in this issue - felt like this is not an illegal subdivision lot. Dale Bonnet spoke in support of the facility being built for the elderly people who should not be living alone. Gordon Dicer, Cypress Creek Acres resident & an Engineer, spoke of property being over designed - Lot 41A will be the parking area for the facility on Lot 41B - spoke of concerns regarding waste disposal, well pollution, water runoff, and parking - limits ingress and egress to other homes - laws were created to protect the citizens and the law should be followed - granting variances and waivers does not protect us. Polly Bonnet stated that the development was originally their idea - felt like parking should not be an issue for a care home - had no idea of the political ramifications of this project - their intentions were above board. Judge Etheredge stated that there is no consideration being given to the type of facility, only the developmental issues. Mr. Dicer stated that they are not in argument of the home - it is the way it has been brought about - concerned about septic tank and water usage - parking will be required by service vehicles and facility personnel. Commissioner Barton advised that wastewater concerns should not be an issue at this time - these issues have already been addressed. Commissioner Payne advised that a site development application was received by Mr. Mince prior to construction - the easement was not put on the plat, therefore, he will oppose the site development permit. Attorney Dwain Blaschke spoke of wastewater changes that have been made in order to be in compliance - they are not asking for a variance. Mr. Platt stated that it has not been decided who can use the easement - there is a question as to whether the public can use the easement. Ann Mabry, President of the Cypress Creek POA, urged the court to seriously consider a fine to deter development. Dennis Tiber requested that the Court not disregard rules and regulations - if you approve this easement you are granting a variance and undermining the rules. Commissioner Barton reiterated that no variances are being considered. Mr. Platt spoke of platting of Lot 41A being a lengthy process and the Court approved it as submitted. Allen Walther spoke of rules regulating the amount of discharge generated - rules allow a conventional septic system 800 gallons per day to be generated on a lot this size - this facility would create 1600 gallons per day - the flow has been reduced to 1200 gallons per day with a treatment plan - to safeguard, this design discharges 4-6" below the soil (high quality affluent) - flows may be higher by using this special design - staff will conduct inspections and maintenance contracts will be required to make sure system continues to operate properly. Commissioner Payne spoke of disregard shown by Mr. Mince who is a builder and knows the rules - the

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replat of Lot 41 did not show the access easement on it - stands by the Courts previous action to require both properties to come into county compliance.

Court convened into **closed Executive Session** to discuss this matter (contemplated litigation) - upon completion of the closed session they reconvened into open meeting.

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to direct staff to request the District Attorney to seek enforcement action regarding the violation of site development rules on Lot 41B of Cypress Creek Acres and to furthermore direct staff to issue permits only at such time as this lot is brought into full compliance. All voting "Aye".

Mrs. Dicer asked if plans had been submitted on this facility. Allen Walther advised that the plans are on file in his office. This facility must be licensed through the State Health Department. Judge Etheredge thanked everyone for their patience - spoke of construction going on throughout the county - Mr. Platt's property is in compliance as it stands (exceeds 20,000 sq.ft.) - with easement in place he is still in compliance - use of the easement is something that we cannot determine.

**PLUM CREEK NEIGHBORHOOD ASSOCIATION - PRESENTATION RE: THE HILL & CREEKSIDE SUBDIVISIONS**

The following was presented to the Court:

Presented to the  
HAYS COUNTY COMMISSIONERS COURT  
by the  
PLUM CREEK NEIGHBORHOOD ASSOCIATION  
May 8, 1995

We, the members of the Plum Creek Neighborhood Association, would like to express our reservations regarding "The Hill" and "Creekside Subdivision", two subdivisions proposed for development on FM 150 E.

First we object to these developments on the grounds that they are inconsistent with the established homes in the area and, given the significant impact of these proposed actions, we are concerned that no official notification was given to owners of these existing homes.

In addition, we understand that the Commissioners' Court is considering granting road variances for these subdivisions, and would request an explanation as to the Court's rationale for such a ruling. We would ask that, instead of any variances, the existing County ordinances regarding restriction on subdivisions be enforced.

Finally, in light of the late date at which the homeowners became aware of these proposals, we, the Plum Creek Neighborhood Association, respectfully asks that the Hays County Commissioners' Court postpone consideration of these subdivisions so that we may have sufficient time to research our options.

Bobby Joe Alexander spoke in opposition to allowing manufactured homes. Commissioner Barton stated that developers are required to get approval from the City of Kyle - County does not have authority to demand deed restrictions, that is up to the land owners. Bill Peeler spoke representing the Plum Creek Neighborhood Association - their primary concern is lack of notification of these developments - presented a plat showing their relationship to "The Hill" and "Creekside" subdivisions - concerned about the type of homes that will be placed on these developments and the affect it will have on their properties. Commissioner Barton spoke of this being an existing road - the HOA maintains the road - developers own the roadway and HOA has an easement across it. Mr. Peeler spoke of concerns about fire safety, water supply and density. Commissioner Barton spoke of the County not having the mechanism for identifying and notifying property owners - a Geographic Information System would help to identify property owners and make it easier to notify the appropriate people. Mr. Peeler stated that they are willing to work with developers. Commissioner Barton spoke of agreement with developers to dedicate additional right-of-way and will bring road up to county road standards for a gravel roadway( variance to paving requirements) as well as provide a legally binding road maintenance agreement - we have no authority as to density except where it pertains to septic systems.

**13985 DECLARE AN EMERGENCY AND AMEND BUDGET FOR MEDICAL COSTS IN JAIL OPERATIONS**

Medical services line item was decreased in budget considerations before adoption - costs have now exceeded anticipated expenditures - Auditor's office recommends budgeting from fund balance. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to declare an emergency and amend the budget (Budget Amendment No. 95-027) for medical costs in Jail Operations. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

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**13986 SPOKE HILL REPLAT SECTION 2 LOTS 15-A & 15-B - FIRST READING APPROVAL**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Spoke Hill Section 2 Replat of Lot 15" on first reading. All voting "Aye".

**13987 OAK MEADOWS REPLAT OF LOT 30 (30A, 30B, 30C & 30D) - PUBLIC HEARING & 2ND READING**

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. Staff recommends approval. Commissioner Molenaar suggested second reading only and not third as posted on the agenda - we need to go through all three readings in order to give staff more time to review. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Oak Meadows Replat of Lot 30" on second reading. All voting "Aye".

**EMPLOYEE RECOGNITION PROGRAM - 1995**

Judge Etheredge spoke of new program recognizing employees by grade category - selections are made by committees based on nominations received from Departments. Each employee recognized was given a framed certificate.

**CATEGORY I (GRADES 1-8) \* JACQUE JORDAN**

Performs as the County Benefits and Records Administrator within the Human Resources Department. She is known as the "County Insurance and Benefits" Lady. Works Workers' Compensation, County Public Insurance, Automobile & Property Insurance, General Liability and Employees Medical and Dental Coverage. She also advertises County Employee position vacancies, and maintains employee personnel records.

**CATEGORY II (GRADES 9-14) \* LISA DAY**

Lisa works for the County Clerk, Ronnie Dannelley, as Court Administrator. She has a Criminal Justice Degree from SWTSU and has acquired a thorough knowledge of the Criminal Justice System as well as Probate and Civil Matters. Lisa regularly attends continuing education courses in order to keep up with changes in the Law that would affect the County Clerk's office. She has a very positive attitude and is an asset to Hays County.

**CATEGORY III (GRADES 15-21) \* ALLEN WALTHER**

Allen Walther is the Director of Environmental Health. during the last six months he has responded to difficult workload involving a wide range of issues such as TNRCC, ONRW, and Endangered Species, County Mapping efforts, land variances, floodplain issues and water sanitation issues. In addition he helped sponsor a new much needed environmental health building which was recently completed.

**CATEGORY IV (UNIQUE/OTHER) \* GEORGE AITKEN**

George Aitken transitioned the County into its first Human Resources office. He completed an employee "Personnel Manual", developed an employee formal evaluation program, employee sick leave pool, recognition programs as well as an employee newsletter and a merit pay system for employees.

**13988 AUTHORIZE THE COUNTY JUDGE TO ISSUE A LETTER SUPPORTING THE CITY OF SAN MARCOS' POSITION REGARDING THE CREATION OF THE EDWARDS AQUIFER AUTHORITY**

A letter was received from W. E. West, Jr., General Manager of GBRA (Guadalupe Blanco River Authority), speaking to the need for the Legislature to act on pending legislation which will establish an entity to regulate the Edwards Aquifer for the protection of the Comal and San Marcos Springs - there is another bill being considered at the House Natural Resources Committee which is not favorable to the Guadalupe River basin - this bill proposes, in lieu of creating an Edwards Aquifer Authority, that an interlocal agreement between the Edwards Underground Water District, the Medina County Underground Water Conservation District, and the Uvalde County Underground Water Conservation District will be sufficient - the results of such a proposal would simply be status quo, which is the objective of those in the western counties - opposition to this bill, and support for a committee substitute by Representative Ron Lewis, is critical. Judge Etheredge stated that the City of San Marcos has been very active in following this legislation and if we support the actions of the City we will be supporting the feelings of the constituents outside the city of SM - our appointee Billy Moore has followed this issue very closely. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize the County Judge to consult with our Representatives on the various Edwards Aquifer District Boards and testify before the Legislature on behalf of the Commissioners' Court and to issue a letter supporting the City of San Marcos' position regarding HB 753/Edwards Aquifer Authority Bill. All voting "Aye".

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MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF June, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
**RONNIE DANNELLEY, COUNTY CLERK**  
 HAYS COUNTY, TEXAS

STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 15th DAY OF MAY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**13989 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 205,265.85 as presented by the County Auditor. All voting "Aye".

|                   |              |                   |                 |                   |              |
|-------------------|--------------|-------------------|-----------------|-------------------|--------------|
| Auditors Ofc      | \$ 12.50     | Treasurer's Ofc   | \$ 68.85        | Grants Admin      | \$ 63.50     |
| Juvenile Prob     | \$ 2,207.03  | Indigent Care     | \$ 5,524.80     | Transfer Station  | \$ 3,724.98  |
| Bldg. Maint.      | \$ 3,536.69  | Personal Health   | \$ 166.06       | Civic Center      | \$ 1,696.71  |
| Countywide Oper   | \$ 6,548.46  | District Clerk    | \$ 90.00        | County Clerk      | \$ 302.81    |
| Sheriff's Ofc     | \$ 2,186.58  | Jail Operations   | \$ 23,580.46    | County Judge      | \$ 342.91    |
| Human Resources   | \$ 1,310.23  | District Attorney | \$ 253.14       | J.P. 1-2          | \$ 30.76     |
| J.P. 3            | \$ 40.00     | J.P. 5            | \$ 333.91       | D.P.S.            | \$ 513.00    |
| Constable 1       | \$ 265.76    | Constable 4       | \$ 367.25       | Constable 5       | \$ 31.99     |
| Dist Court Oper   | \$ 364.64    | Computer Svcs     | \$ 373.08       | TABC              | \$ 51.65     |
| Dist Crt Reporter | \$ 39.50     | TJPC CCAP Grant   | \$ 9,358.55     | Corr Incub Grant  | \$ 27.11     |
| Dunbar Grant      | \$ 3,544.00  | DA Dare Grant     | \$ 78.90        | Gen Fund Credit   | * \$ 13.44 * |
| R&B Operating     | \$ 59,989.94 | Precinct 1        | \$ 234.00       | Precinct 2        | \$ 92.23     |
| Precinct 4        | \$ 205.00    | R&B Gen Credit    | * \$ 2,609.22 * | Co Clk Rec Mng    | \$ 112.76    |
| Health Svcs Grant | \$ 1,087.99  | Hays Co I&S Fund  | \$ 4,058.92     | Road Construction | \$ 44,410.70 |
| Foster Care Grant | \$ 26,849.24 | Adult Prob Oper   | \$ 6,846.37     | Adult Prob Fac    | \$ 412.79    |
| D.A. Reimb Trust  | \$ 5,552.76  |                   |                 |                   |              |

**13990 APPROVE BUDGET AMENDMENT NO. 95-028 FOR GRANTS ADMINISTRATION & ELECTION ADMIN.**

The following budget amendment was proposed:  
Grants Administration - Transfer \$500 for required legal notices for proposed grants prior to their approval/funding from misc. and personnel savings in insurance line.  
Elections Administration - Transfer continued copier lease (\$750) for balance of FY95 (formerly shared with and paid from Environmental Health) from Misc. , which was originally included in budget if office was to be also moved. Transfer \$750 for organization clerking fee from Elections Salary line.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Budget Amendment No. 95-028 as proposed by the County Auditor. All voting "Aye".

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| LINE ITEM - EXPENDITURE                 | INCREASES | DECREASES |
|-----------------------------------------|-----------|-----------|
| <b>BUDGET AMENDMENT NO. 95-028</b>      |           |           |
| <b>FUND NO. 01 - FUND TITLE GENERAL</b> |           |           |
| <b>GRANTS ADMINISTRATION</b>            |           |           |
| 01-404-5462 Public Notices              | \$ 500.00 |           |
| 01-404-5160 Insurance                   |           | \$ 300.00 |
| 01-404-5391 Miscellaneous               |           | \$ 200.00 |
| <b>ELECTIONS ADMINISTRATION</b>         |           |           |
| 01-406-5446 Election Expense            | \$ 750.00 |           |
| 01-406-5071 Election Salaries           |           | \$ 750.00 |
| 01-406-5473 Copier Lease                | \$ 750.00 |           |
| 01-406-5391 Miscellaneous               |           | \$ 750.00 |

**13991 APPROVE COMMISSIONERS' COURT MINUTES OF APRIL 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the Commissioners' Court Minutes of April 1995 as presented by the County Clerk. All voting "Aye".

**13992 APPROVE CHANGE IN COUNTY PERSONNEL MANUAL RE: EMPLOYEE EVALUATION PROCESS**

Human Resources Director George Aitken presented proposed changes to the County Personnel Manual which clarifies the procedures we are operating under for the current evaluation cycle.

**15.05 Performance Appraisal (Paragraph 4)**

Appraisal will be completed on an annual basis for all county employees. Department Heads annual cycle will be May thru April each year. Other employees rating cycle will be June thru May each year. To be evaluated each employee must have a minimum of 60 days employment. Employees who transfer within 60 days of their annual appraisal close-out date will be evaluated by their gaining organization after 60 days. Originals of completed form will be closed out on the anniversary date and forwarded to the Human Resources Department for permanent retention in the employee's personnel file no later than thirty (30) working days following the employee's appraisal close-out date. Evaluations must be neat, complete, signed, and fully justified.

**13993 AUTHORIZE USE OF COURTHOUSE AND GROUNDS FOR OFFICIAL OPENING OF THE SAN MARCOS TROLLEY SYSTEM**

A letter was submitted from Kelly Franks, San Marcos Main Street Project, requesting use of the front of the Courthouse and the grounds on June 3 from 10 a.m. - noon for the "official opening" of the long awaited transit system for San Marcos - trolley rides, entertainment and recognition of supporters will be part of the "kickoff". A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize use of the Courthouse and grounds for the official opening of the San Marcos Trolley System on June 3, 1995. All voting "Aye".

**13994 APPROVE TRANSFER OF FUNDS FROM TREASURER'S BUDGET TO J.P. 1-2 BUDGET FOR TRAINING PURPOSES**

An employee from J.P. 1-2 office will be transferring to the Treasurer's office leaving an opening in J.P. 1-2 - transfer of funds will allow two employees to be paid from one position in J.P. 1-2 in order to train the new employee property by the vacating employee - one week's salary at Grade 6 Step minimum plus fringes will be \$373.30. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve transfer of \$373.30 from the Treasurer's budget to J.P. 1-2 budget for employee training purposes. All voting "Aye".

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**13995 DISCONTINUE REIMBURSEMENT FOR MILEAGE FOR GRANTS ADMINISTRATOR AND APPROVE MONTHLY TRAVEL ALLOWANCE**

Grants Administrator Richard Salmon would like to discontinue reimbursement for mileage and instead receive a monthly travel allowance - 2/3 of the travel for grants department is in the summer and the rest of the year monthly reimbursements are \$30, \$40 & \$100 - it would be more cost effective to have a monthly travel allowance for an overall less yearly amount - the average for the previous two years is \$217 per month - this years projection and the last two years added together shows an average of \$201 per month - recommends a monthly allowance of approximately \$150. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to discontinue reimbursement for mileage for the Grants Administrator and approve a monthly travel allowance of \$150.00. All voting "Aye".

**13996 MOUNTAIN CITY OAKS ESTATES - FIRST READING APPROVAL**

This is a five lot subdivision located inside Mountain City municipal boundaries (a commercial lot being divided up into five residential lots). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Mountain City Oaks Estates" on first reading and grant a variance to geological assessment study. All voting "Aye".

**13997 BARTON CREEK RANCH REPLAT LOTS 16A & 17A - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING**

Bill Wheat presented this subdivision - they are moving a lot line between Lots 16 & 17. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Barton Creek Ranch Replat Lots 16A & 17A" on first reading and call for a public hearing to be held May 30, 1995 at 9:00 A.M. All voting "Aye".

**13998 INDIAN CREEK RANCH REPLAT OF TRACT 4 - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING**

The existing Water Pollution Abatement Plan should be referenced under the Edwards Aquifer Note. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Indian Creek Ranch Replat of Tract 4" on first reading and call for a public hearing to be held May 30, 1995 at 9:00 A.M. All voting "Aye".

**PROPERTY ADJACENT TO SHADOW OAKS - REQUEST FOR VARIANCE TO ROAD CONSTRUCTION STANDARDS**

Roy & Carolyn Horton, owners of property adjacent to Shadow Oaks will be platting four lots - they are requesting a variance to county road construction standards. Commissioner Payne spoke of this 31 acre tract that fronts on Oak Terrace Road (not county maintained) - they will need to become a part of the Property Owners Association. Allen Walther, Environmental Health Director, spoke of need to plat this tract so as to identify all four parcels. Mr. Horton spoke of 1/2 mile of road to be built - requesting a variance to road construction that would allow a 15 foot driveway. No action this date.

**WILDWOOD HEIGHTS - REQUEST FOR VARIANCE TO PLATTING REQUIREMENT**

This is an 11+ acre tract of land to be divided into two tracts - will be dedicating 30 feet for additional right-of-way on county maintained road - requesting variance to platting requirements - not subject to Dripping Springs subdivision requirements. No action this date.

**13999 WIMBERLEY HEIGHTS REPLAT OF LOTS 34 & 35 - PUBLIC HEARING, SECOND AND THIRD READING**

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Wimberley Heights Replat of Lots 34 & 35" on second and third readings. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Molenaar voting "No".

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**14000 SPOKE HILL SECTION TWO REPLAT OF LOT 15 - PUBLIC HEARING, SECOND AND THIRD READINGS**

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. Allen Walther, EHD, recommended approval - this lot is being divided into two lots (Lot 15A = 1.97 ac. and Lot 15B = 1.98 ac). A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Spoke Hill Section 2 Replat of Lot 15" on second and third readings. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Molenaar voting "No".

**14001 HILLS OF TEXAS ESTATES - THIRD READING APPROVAL**

This is a 58 lot subdivision with private roads to be gated and will have a Property Owners Association for road maintenance - a Letter of Credit was filed with the County Clerk. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Hills of Texas Estates" subdivision on third reading. All voting "Aye".

**14002 OAK MEADOWS REPLAT OF LOT 30 - THIRD READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approval "Oak Meadows Replat of Lot 30 (Lots 30A-30D) on third reading. All voting "Aye".

**14003 ACTION TO CREATE A COMMITTEE TO INTERVIEW AND MAKE RECOMMENDATION FOR PROFESSIONAL SERVICES TO ASSIST IN REVISIONS TO THE COUNTY SUBDIVISION RULES AND RELATED ROAD AND HEALTH STANDARDS**

Summary provided by Commissioner Barton and Commissioner Molenaar: For some time the county has been working on a revision of the subdivision rules and related health and road standards. There is a consensus among staff that we need professional help from outside the county to complete the work in the best way. Commissioner Barton proposes that we set up a citizens task force to provide advice on some of the policy questions and to help establish goals. Chuck McKinney of Dripping Springs started some of this work on his own with a weekend seminar last fall. His firm could provide structure, bridge-building and "staff support" to accomplish this over, say, 45 days. Meanwhile Mr. Schmandt is available to help us refined legal questions and structure the rules. As Commissioners know, he was involved in preparing the rough draft, donating most of his time. he wants to be paid for any further work. Finally, we would have a professional engineering firm, perhaps Doucet & Assoc. -- or Darrel Brown has a firm in Fort Worth he has worked with before -- work with Commissioners and the Road Department to review standards and flesh out the language on needed changes and additions to our existing specifications. Total cost not to exceed \$20,700 in available monies already budgeted to these departments (Environmental Health Staff Salaries line item & Road Department Consultant Expense line item). Proposed deadline for report: July.

A motion was made by Judge Etheredge and seconded by Commissioner Barton to appoint Commissioner Barton and Commissioner Molenaar to co-chair a Citizens Task Force Committee (each member of Commissioners' Court to appoint two individuals from their respective precincts to the committee) and authorize the committee to interview and make recommendations for Engineering and Legal Services to revise the county's subdivision rules and related road and health standards, and to furthermore authorize Commissioner Barton and Commissioner Molenaar to call upon any resource people to confer with as needed. All voting "Aye".

**DISCUSSION REGARDING PROPOSED BILLS BEFORE THE STATE LEGISLATURE**

Discussion was had regarding Senate Bill 14 (Relating to protecting real property rights from certain actions of this state or a political subdivision of this state) which provides causes of action against a county and remedies for any person with any interest in real property, legal or equitable, that is "taken" through the adoption or issuance of an ordinance, order, rule, regulatory requirement, resolution, policy, guideline, or similar measure - defines a "taking" as a governmental action that restricts or limits a right to private property and that causes a reduction in market value of a least 25% - remedies include a payment of compensation, fees, costs, and interest, injunction until certify that compensation, fees, costs, and interest has been paid, temporary or permanent economic loss for actions rescinded, amended, invalidated, or repealed - requires that political subdivision provide at least 30 days notice of its intent to take an actin that may result in a taking - requires a political subdivision to prepare a "Takings Impact Assessment" prior to the public notice, which complies with the AG's evaluation guidelines and contains a statement describing the authority for the action, the purpose, how the action advances the purpose, the burdens imposed on private property and the benefits to society, whether the action will constitute a taking, reasonable alternatives and compare, evaluate, and explain how the alternative would further the purpose and whether the alternative would constitute a taking - failure to prepare the Impact Assessment voids the action of the political subdivision - waives sovereign immunity. The Texas Assoc. of Counties advises that

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we contact our Representatives and express the need for counties to be exempted from the bill for the following reasons: financial impact on counties would be disastrous, the act is highly technical and counties do not have the local technical expertise to comply with the act, since virtually every aspect of the new cause of action is a question of fact virtually every action of local government will be challenged through this procedures and the threat of legal expenses and litigation alone will be severely damaging to a counties ability to serve the public and protect the taxpayers - if the Act is adopted, the following are examples of acts and responsibilities of a county that could result in extensive litigation: Road and Bridge, Septic tank regulations, public health regulations and improvement projects, fire protection, landfills and other solid waste disposal site/recycling centers, regulation of placement of utilities, subdivision regulations, flood and drainage control, and numerous other essential functions of county government - municipalities are exempt except for limited actions in their extraterritorial jurisdiction - joint airport boards are exempt - entities that have a duty to prevent waste of oil and gas are exempt - water district enforcing correlative rights of owners of interest in groundwater are exempt. Judge Etheredge spoke of this bill being bad for local government - it tends to make Texas a dumping ground - it is another effort being made to take away local government authority - stated that he will oppose this legislation on an individual basis if the Court does not wish to take a position - very rarely do you see local government authority taking away property owners rights - we are for property rights and are the only county in the State to file suit against FEMA in order to protect property rights. Commissioner Barton stated that he is not opposed to the entire bill - if we have to do an assessment in every case it will require increased staff, etc.

**EXECUTIVE SESSION - CONTEMPLATED LITIGATION**

The Court convened into Executive Session to discuss contemplated litigation regarding illegal subdivision development in Pct. 2. Upon completion of the closed session the Court reconvened into public meeting. Court advised that Commissioner Barton will be working with the District Attorney to see that this subdivision is brought into compliance.

**14004 ACTION REGARDING PROJECTS TO BE FUNDED THROUGH ANTICIPATION NOTES**

A list of projects was presented for funding through anticipation notes amounting to \$2,881,335. County Auditor Bill Herzog spoke of need for roof repairs at the old jail which is being used for central storage. Ranch Road 12 right-of-way estimates are \$4,555,000 (includes utilities, fees, and costs). Road Dept. proposed capital expenses:

|                                |            |                             |           |
|--------------------------------|------------|-----------------------------|-----------|
| 1 Read Reclaimer               | \$ 250,000 | Dripping Springs Barn       | \$ 30,000 |
| 1 12cy Dump Truck              | \$ 70,000  | Wimberley Barn              | \$ 30,000 |
| 2 8cy Dump Truck @ \$45K       | \$ 90,000  | Mechanic Shop               | \$200,000 |
| 1 2000 gal. Water Truck        | \$ 35,000  |                             | -----     |
| 1 Heavy Grader (off lease/pur) | \$ 95,000  |                             | \$260,000 |
| 1 Pad Foot Roller              | \$ 40,000  | TxDot Purchase from Surplus |           |
| 2 3/4 Ton Pickups @ \$16K      | \$ 32,000  | 1 Light Grader              | \$ 10,000 |
|                                | -----      | 4 Pickups @ \$3,500         | \$ 14,000 |
|                                | \$612,000  | 4 Dump Trucks @ \$7,500     | \$ 30,000 |
|                                |            | 4 Dump Trucks for water     | \$ 30,000 |
| 5 Water Tanks f/trucks         | \$ 12,500  |                             | -----     |
|                                |            |                             | \$ 84,000 |
| <b>TOTAL - \$968,500</b>       |            |                             |           |

Judge Etheredge spoke of being uncomfortable with the total figure being proposed (\$2,881,335) - spoke in support of central storage roof repairs, countywide computer system, road equipment (not ready to decide on issue of facilities/barns) - a centralized office would reduce mid-management personnel now assigned by precinct - RR12 is a 1997 State Project with \$1.6 million funded by the State - the Dripping Springs Collection/Recycling Center is not a priority of his - there may be granting funding available. Commissioner Barton stated that he prefers private enterprise to handle recycling. Commissioner Molenaar spoke of complaints he is getting with the current dumpster system - putting this off will only increase the costs. Judge Etheredge spoke of solid waste management needing to be addressed county-wide - a regional plan is in place but not yet initiated - we need to look into CAPCO funding for capital improvements. Commissioner Payne spoke of need to consider citizen collection service to avoid permitting process. Commissioner Barton spoke of transfer station that would require personnel to operate - figures are need on operating expense. \$300,000.00 was proposed to pay off machinery warrants for vehicles (financed at approx. 9%) and to purchase 10 new vehicles - anticipation notes are not Certificates of Obligation, they are short-term loans at approximately 6% interest. The Court agreed to go down the list and vote on each item individually.



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**Justice Center Remodel & Telephone = \$ 300,000.00.** A motion was made by Commissioner Payne, seconded by Commissioner Barton to go out for anticipation notes in the amount of \$300,000.00 for the Justice Center Remodel and telephone system. All voting "Aye".

**Central Storage = \$ 70,000.00.** A motion was made by Commissioner Barton, seconded by Judge Etheredge to go out for anticipation notes in the amount of \$70,000.00 for Central Storage Roof Repairs. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No".

**Countywide Computer System = \$ 700,000.00.** A motion was made by Judge Etheredge, seconded by Commissioner Barton to go out for anticipation notes in the amount of \$700,000.00 for the Countywide Computer System. All voting "Aye".

**EMS Facility = \$ 75,000.00.** A motion was made by Commissioner Barton, seconded by Judge Etheredge to go out for anticipation notes in the amount of \$75,000.00 for the San Marcos EMS Facility. All voting "Aye".

**Road Department Equipment = \$ 900,000.00.** A motion was made by Commissioner Payne, seconded by Judge Etheredge to go out for anticipation notes in the amount of \$900,000.00 for Road Department equipment. All voting "Aye".

**ADA Compliance = \$ 200,000.00.** A motion was made by Commissioner Barton, seconded by Judge Etheredge to go out for anticipation notes in the amount of \$200,000.00 for ADA Compliance projects. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No".

**Juvenile Detention Construction = \$ 80,000.00.** A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to go out for anticipation notes in the amount of \$80,000.00 for Juvenile Detention Construction (AKA Juvenile Services Center). All voting "Aye".

**Roof Repairs = \$ 80,000.00.** A motion was made by Commissioner Barton, seconded by Judge Etheredge to go out for anticipation notes in the amount of \$80,000.00 for various roof repairs. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No".

**Ranch Road 12 Right-of-Way = \$ 400,000.00.** A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to go out for anticipation notes in the amount of \$400,000.00 for the RR12 right-of-way. Commissioner Payne and Commissioner Molenaar voting "Aye". Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "No". **MOTION FAILED.**

**DPS Scales = \$ 17,000.00.** A motion was made by Commissioner Barton, seconded by Judge Etheredge to go out for anticipation notes in the amount of \$17,000.00 for DPS Weight Scales. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No".

**Broadway Street Project = \$ 20,000.00.** A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to go out for anticipation notes in the amount of \$20,000.00 for the Broadway Street building project. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No".

**Dripping Springs Trash Collection/Recycling Center = \$ 150,000.00.** A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to go out for anticipation notes in the amount of \$150,000.00 for a Dripping Springs Trash Collection/Recycling Center. Commissioner Payne and Commissioner Molenaar voting "Aye". Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "No". **MOTION FAILED.**


**Vehicles = \$ 300,000.00.** A motion was made by Commissioner Barton, seconded by Judge Etheredge to go out for anticipation notes in the amount of \$300,000.00 for vehicles (\$150,000 to payoff machinery warrants and \$150,000 for 10 new vehicles). All voting "Aye".

A motion was made by Commissioner Barton, seconded by Judge Etheredge to go out for anticipation notes in a total amount of \$2,742,000.00 and to request County Financial Advisors to prepare a report on three, five, and seven year financing. All voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF June, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 22ND DAY OF MAY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANIELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14005 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$205,554.04 as presented by the County Auditor. All voting "Aye".

|                    |              |                    |              |                  |              |
|--------------------|--------------|--------------------|--------------|------------------|--------------|
| License/Permits    | \$ 115.00    | Public Safety Svcs | \$ 30.00     | Finan Adm Svcs   | \$ 957.00    |
| Auditor's Ofc      | \$ 1,056.59  | Treasurer's Ofc    | \$ 1,446.92  | Extension Ofc    | \$ 267.13    |
| Grants Admin       | \$ 138.29    | Juvenile Prob      | \$ 285.20    | Elec Admin       | \$ 1049.72   |
| Indigent Care      | \$ 4,761.58  | Transfer Station   | \$ 6.39      | Bldg. Maint.     | \$ 10,233.67 |
| Environ Health     | \$ 1,258.48  | Personal Health    | \$ 366.48    | Civic Center     | \$ 4,594.38  |
| Countywide Oper    | \$ 20,137.70 | Tax A/C            | \$ 587.96    | District Clerk   | \$ 286.96    |
| County Clerk       | \$ 357.18    | Sheriffs Ofc       | \$ 1,446.74  | Jail Operations  | \$ 8,622.23  |
| County Judge       | \$ 224.12    | Human Resources    | \$ 355.97    | Co Cr @ Law 1    | \$ 19.59     |
| Dist. Attorney     | \$ 537.25    | J.P. 1-1           | \$ 208.37    | J.P. 1-2         | \$ 290.73    |
| J.P. 2             | \$ 50.82     | J.P. 3             | \$ 9.09      | J.P. 4           | \$ 166.43    |
| J.P. 5             | \$ 112.49    | D.P.S.             | \$ 159.00    | Constable 1      | \$ 75.06     |
| Constable 5        | \$ 44.75     | Dist Cr Operations | \$ 2,198.62  | Co & JP Cr Oper  | \$ 140.97    |
| Veterans Admin     | \$ 46.40     | Computer Svcs      | \$ 1,018.56  | Co Cr @ Law 2    | \$ 16.34     |
| Fire Marshal/EMC   | \$ 10.51     | TABC               | \$ 78.25     | Dist Cr Reprtrs  | \$ 213.57    |
| Legal Aid Ofc      | \$ 905.18    | TDA/Corr Incub     | \$ 2,500.00  | Dunbar Grant     | \$ 3,327.51  |
| DA Dare Grant      | \$ 93.99     | Gen Fund Credit    | * \$ 48.60 * | R&B Operating    | \$ 9,420.27  |
| Precinct 1         | \$ 1,077.90  | Precinct 2         | \$ 104.39    | Precinct 3       | \$ 80.60     |
| Precinct 4         | \$ 142.86    | Right-of-Way       | \$ 52,418.00 | R&B Gen Credit   | * \$ 89.57 * |
| Co Clk Rec Mng     | \$ 1.86      | Health Svcs Grant  | \$ 3,738.02  | Juv Det Facility | \$ 92,000.00 |
| Road Construction  | \$ 25,166.04 | Adult Prob Oper    | \$ 18,822.77 | Adult Prob Fac   | \$ 1,431.43  |
| Anticipation Notes | \$ 8,478.90  |                    |              |                  |              |

**14006 APPROVE BUDGET AMENDMENT NO. 95-029**

The following budget amendments were proposed:

- Grants Administration - transfer between line items for needed expenses from equipment mtc. and personnel cost savings, transfer authorized monthly travel allowance for balance of FY95 from travel reimbursement line.
- Treasurer's Office & J.P. 1-2 Ofc. - transfer amount needed for authorized new employee training between departments (\$377).
- Environmental Health - transfer for new building utilities cost for balance of FY95 from part of personnel cost savings (\$1,500).
- Tax Assessor/Collector - budget authorized copier lease for balance of FY95 from special tax office revenues (\$800 in expense/\$800 in additional revenue).
- District Attorney - fund copier/processor lease for balance of FY95 from part of personnel cost savings due to office reorganization, transfer (3) notary bonds costs from telephone line item.
- J.P. 5 & Constable 5 - transfer cost of fax line switch/required between departments (equip shared) \$245.00
- R&B General Operations & R-O-W - transfer balance required for R-O-W on TXDOT bridge project (20%) from part of new savings on TXDOT vehicles. \$7,200
- Health Svcs Grant Fund/TDH Immunization - budget additional grant funding from agency into personnel line items - \$8,906 in expenses/\$8,906 in additional revenue.
- DA Drug Forfeiture Fund - budget transfer to Hot Check Fee Fund from revenues received, transfer \$1,000 from equipment line into misc. for legal books. \$675 in transfer/additional revenue

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-029 as proposed by the County Auditor. All voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES

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AMENDMENT  
NO. 95-029  
FY 95 BUDGET  
05/22/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

GRANT ADMINISTRATION (404)

|                               |       |              |                |       |
|-------------------------------|-------|--------------|----------------|-------|
| 01-404-5212 Postage           | 250   | 50           |                | 300   |
| 01-404-5213 Books             | 550   | 400          |                | 950   |
| 01-404-5461 Printing          | 100   | 90           |                | 190   |
| 01-404-5489 Telephone         | 2,100 | 400          |                | 2,500 |
| 01-404-5411 Office Eqpt Maint | 300   |              | (150)          | 150   |
| 01-404-5160 Insurance         | 6,217 |              | (790)          | 5,427 |
| 01-404-5191 Travel Allowance  | 0     | 750          |                | 750   |
| 01-404-5311 Travel            | 2,100 |              | (750)          | 1,350 |
|                               |       | <u>1,690</u> | <u>(1,690)</u> |       |

TRANSFER FOR NEEDED EXPENSE FROM MAINTENANCE AND SAVINGS ON PERSONNEL COSTS; TRANSFER AUTHORIZED TRAVEL ALLOWANCE FOR BALANCE OF FY 95 FROM TRAVEL.

TREASURER (402)

|                        |        |  |       |        |
|------------------------|--------|--|-------|--------|
| 01-402-5021 Staff      | 76,423 |  | (326) | 76,097 |
| 01-402-5110 FICA       | 8,523  |  | (25)  | 8,498  |
| 01-402-5121 Retirement | 8,418  |  | (26)  | 8,392  |

JUSTICE OF PEACE 1-2 (425)

|                        |        |            |              |        |
|------------------------|--------|------------|--------------|--------|
| 01-425-5021 Staff      | 59,845 | 326        |              | 60,171 |
| 01-425-5110 FICA       | 6,902  | 25         |              | 6,927  |
| 01-425-5121 Retirement | 6,817  | 26         |              | 6,843  |
|                        |        | <u>377</u> | <u>(377)</u> |        |

TRANSFER BETWEEN DEPARTMENTS FOR AUTHORIZED EMPLOYEE TRAINING.

ENVIRONMENTAL HEALTH (411)

|                        |        |       |         |        |
|------------------------|--------|-------|---------|--------|
| 01-411-5480 Utilities  | 0      | 1,500 |         | 1,500  |
| 01-411-5160 Insurances | 20,456 |       | (1,500) | 18,956 |

BUDGET FOR NEW BUILDING UTILITIES BALANCE OF FY 95 FROM PERSONNEL SAVINGS

TAX ASSESSOR/COLLECTOR (415)

|                          |   |     |  |     |
|--------------------------|---|-----|--|-----|
| 01-415-5473 Copier Lease | 0 | 800 |  | 800 |
|--------------------------|---|-----|--|-----|

REVENUES: DECREASES INCREASES

|                           |   |  |     |     |
|---------------------------|---|--|-----|-----|
| 01-369-3691 Other Revenue | 0 |  | 800 | 800 |
|---------------------------|---|--|-----|-----|

FUND AUTHORIZED COPIER FOR BALANCE OF FY 95 FROM SPECIAL TAX OFFICE REVENUES.

DISTRICT ATTORNEY (423)

|                          |         |              |                |         |
|--------------------------|---------|--------------|----------------|---------|
| 01-423-5321 Dues & Bonds | 500     | 136          |                | 636     |
| 01-423-5473 Eqpt Lease   | 2,400   | 2,600        |                | 5,000   |
| 01-423-5489 Telephone    | 7,250   |              | (136)          | 7,114   |
| 01-423-5021 Staff        | 346,417 |              | (1,600)        | 344,817 |
| 01-423-5110 FICA         | 27,872  |              | (500)          | 27,372  |
| 01-423-5121 Retirement   | 27,526  |              | (500)          | 27,026  |
|                          |         | <u>2,736</u> | <u>(2,736)</u> |         |

TRANSFER FOR BALANCE OF (3) NOTARY BONDS FROM TELEPHONE; TRANSFER BALANCE OF FY 95 COPIER AND PROCESSOR LEASE FROM PART OF PERSONNEL SAVINGS FROM OFFICE REORGANIZATION.

CONSTABLE 5 (435)

|                       |       |     |       |       |
|-----------------------|-------|-----|-------|-------|
| 01-435-5489 Telephone | 2,600 | 245 |       | 2,845 |
| 01-435-5713 Vehicle   | 6,818 |     | (145) | 6,673 |

JUSTICE OF PEACE 5 (429)

|                               |     |            |              |   |
|-------------------------------|-----|------------|--------------|---|
| 01-429-5411 Office Eqpt Maint | 100 |            | (100)        | 0 |
|                               |     | <u>245</u> | <u>(245)</u> |   |

TRANSFER BETWEEN DEPARTMENTS TO SHARE COST OF FAX LINE SWITCH/REWIRING-AS EQUIPMENT USED BY BOTH DEPARTMENTS.

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AMENDMENT  
NO. 95-029  
FY 95 BUDGET  
05/22/95  
Page 3

FUND NO. 03

FUND TITLE ROAD AND BRIDGE GENERAL

| LINE ITEM - EXPENDITURES                                                                                             | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|----------------------------------------------------------------------------------------------------------------------|---------------|-----------|-----------|---------------|
|                                                                                                                      | BEFORE        | INCREASES | DECREASES | AS            |
|                                                                                                                      | AMENDMENT     |           |           | AMENDED       |
| <b>OPERATIONS (438)</b>                                                                                              |               |           |           |               |
| 03-438-5713 Vehicles                                                                                                 | 33,500        |           | (7,200)   | 26,300        |
| <b>RIGHT-OF-WAY (460)</b>                                                                                            |               |           |           |               |
| 03-460-5386 R-O-W Expense                                                                                            | 50,000        | 7,200     |           | 57,200        |
| TRANSFER PART OF NET SAVINGS ON TXDOT VEHICLES FOR BALANCE OF 20% SHARE TO TXDOT CONSTRUCTION/BRIDGE @CR102 PROJECT. |               |           |           |               |

FUND: 10

TITLE: HEALTH SERVICES GRANTS

TDH/IMMUNIZATION GRANT (708)

|                        |        |       |  |        |
|------------------------|--------|-------|--|--------|
| 10-708-5021 Staff      | 16,440 | 7,041 |  | 23,481 |
| 10-708-5110 FICA       | 1,258  | 519   |  | 1,777  |
| 10-708-5121 Retirement | 803    | 545   |  | 1,348  |
| 10-708-5160 Insurances | 1,506  | 801   |  | 2,307  |

| REVENUES:                          |        | DECREASES | INCREASES |        |
|------------------------------------|--------|-----------|-----------|--------|
| 10-384-6708 TDH Immunization Grant | 21,216 |           | 8,906     | 30,122 |
|                                    |        | 8,906     | 8,906     |        |

BUDGET ADDITIONAL GRANT FUNDS FROM AGENCY

FUND 33

FUND TITLE DA DRUG FORFEITURE FUND

| LINE ITEM - EXPENDITURES                        | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|-------------------------------------------------|---------------|-----------|-----------|---------------|
|                                                 | BEFORE        | INCREASES | DECREASES | AS            |
|                                                 | AMENDMENT     |           |           | AMENDED       |
| <b>DA DRUG FORFEITURE (485)</b>                 |               |           |           |               |
| 33-485-5391 Misc                                | 300           | 1,000     |           | 1,300         |
| 33-485-5711 Equipment                           | 1,000         |           | (1,000)   | 0             |
| 33-485-5911 Perm Transfer to Hot Check Fee Fund | 0             | 675       |           | 675           |
| <b>REVENUES:</b>                                |               |           |           |               |
| 33-358-3581 Drug Forfeitures                    | 0             |           | 675       | 675           |
|                                                 |               | 1,675     | 1,675     |               |

TRANSFER FOR LEGAL BOOKS; BUDGET TRANSFER FROM REVENUES RECEIVED.

**14007 ACCEPT INTERNAL AUDIT REPORT OF COUNTY CLERK'S OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the internal audit report of the County Clerk's Office. All voting "Aye".

**14008 ACCEPT INTERNAL AUDIT REPORT OF ELECTION ADMINISTRATION OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the internal audit report of the Election Administration Office. All voting "Aye".

MAY 22, 1995

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**14009 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR METAL PIPE FOR ROAD DEPARTMENT**

Specifications for Metal Pipe #95B010 was submitted for approval. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for metal pipe for the Road Department. All voting "Aye".

**14010 AWARD CONTRACT ON SIGNS FOR ROAD DEPARTMENT**

Bids were submitted by Hall Signs, Road Runner Traffic Supply, and Rocal Inc. Rocal was not considered in bid tabulation because they have stated they cannot meet the county's required delivery time. Cindy Casparis, Purchasing Agent, recommends awarding the contract to Hall Signs and Road Runner Traffic Supply based on the low bid from each vendor. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award contract on signs for the Road Department to Hall Signs and Road Runner Traffic Supply as recommended by the County Purchasing Agent. All voting "Aye".

**14011 AUTHORIZE PURCHASE OF DISPLAY TELEPHONE FOR PURCHASING OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize purchase of a display telephone for the Purchasing Office out of the Misc. Countywide Office Equipment line item (\$160). All voting "Aye".

**14012 APPOINT DON FRANKE TO THE KYLE LOG HOUSE COMMISSION**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to appoint Don Franke to the Kyle Log House Commission. All voting "Aye".

**14013 APPROVE POSITION RECLASSIFICATION IN THE PERSONAL HEALTH DEPARTMENT**

Request changing the Intake Clerk (Grade 6) position to an "Eligibility Statistical Clerk" position (Grade 5). This completes the realignment of the Indigent Health Care functions within the Personal Health Dept. - this position is currently vacant so there is no impact on a current employee. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve position reclassification in the Personal Health Department: change Intake Clerk (Grade 6) position to an Eligibility Statistical Clerk (Grade 5) position. All voting "Aye".

**14014 RESCHEDULE COMMISSIONERS COURT MEETING DATE FROM MAY 29TH TO MAY 30, 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to reschedule the next Commissioners' Court Meeting date from May 29, 1995 to May 30, 1995 due to Memorial Day holiday. All voting "Aye".

**14015 TRIPLE R RANCHETTES REPLAT LOTS 4A-C & 5A-C - FIRST READING AND CALL FOR A PUBLIC HEARING**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Triple R Ranchettes Replat Lots 4A-4C & 5A-5C" subdivision on first reading and call for a public hearing to be held June 5, 1995 at 9:00 A.M. All voting "Aye".

**14016 SAYBROOK WEST SUBDIVISION - FIRST READING APPROVAL**

Dedication of right-of-way on Rolling Hills Drive needs to be clarified - take right of way out of the lot size. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Saybrook West" subdivision on first reading. All voting "Aye".

**14017 OAK MEADOWS REPLAT OF LOT 32 - FIRST READING AND CALL FOR A PUBLIC HEARING**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lot 32 (Lots 32B-32D) on first reading and call for a public hearing to be held June 5, 1995 at 9:00 A.M. All voting "Aye".

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**GUMERCINDO RAMIREZ TWO 1-ACRE TRACTS ON EAST McCARTY LANE - VARIANCE DISCUSSION**

Environmental Health stopped work on septic system due to size of lot - Gumercindo Ramirez purchased 0.5 acre from his father who purchased it from a neighbor. No action taken this date.

**14018 SHADOW OAKS (ADJACENT PROPERTY) - VARIANCE GRANTED TO ROADWAY CONSTRUCTION STANDARDS AND FIRST READING**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Shadow Oaks" on first reading and grant a variance to roadway construction standards as requested. All voting "Aye".

**14019 RANCHO MADRONE SECTION ONE - SECOND READING APPROVAL**

Engineer's note required for road "design" even though variance granted to road "construction standards". A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Rancho Madrone Section One" on second reading. All voting "Aye".

**14020 KYLE HEIGHTS SECTION ONE - SECOND READING APPROVAL**

Flood area needs to be defined along with Lake Drainage Easement - water system needs to be identified on signature block. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Kyle Heights Section One" subdivision on second reading. All voting "Aye".

**14021 BARTON CREEK RANCH REPLAT OF LOTS 16 & 17 - SECOND READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Barton Creek Ranch Replat of Lots 16 & 17" on second reading. All voting "Aye".

**14022 MOUNTAIN CITY OAKS ESTATES - SECOND READING APPROVAL**

Located inside the Mountain City municipal boundaries. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Mountain City Estates" on second reading. All voting "Aye".

**14023 INDIAN CREEK RANCH REPLAT OF TRACT 4 - SECOND READING AND GRANT VARIANCE TO ROADWAY CONSTRUCTION STANDARDS**

Currently a private road (Onion Creek Road) that accesses a large tract - requesting a variance to roadway construction standards for Onion Creek Cove (15-18 ft. shared access driveway with 60 ft. of right of way) - Property Owners Association will maintain the roadway - no further resubdivision without bringing roadway up to county standards. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Indian Creek Ranch Replat of Tract 4" on second reading and grant a variance to roadway construction standards. All voting "Aye".

**14024 WILDWOOD HEIGHTS - GRANT VARIANCE TO PLATTING**

Lowenfield Corp. requested a variance to platting a two tract division of property. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to grant a platting variance on two tracts out of an original 11+ acre tract known as Wildwood Heights. All voting "Aye".

**14025 ESTABLISH TRAFFIC REGULATIONS ON FITZHUGH ROAD (45 MPH SPEED LIMIT)**

Judge Etheredge called the public hearing open to discuss speed limit on Fitzhugh Road - no public input received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to establish traffic regulation of 45MPH Speed Limit on Fitzhugh Road (CR101) from RR12 to Travis County line and also that portion running from the Travis County line through Hays County and back into the Travis County line. Commissioner Barton, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Rodriguez voting "No".

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**HAYS COUNTY HISTORICAL COMMISSION - PRESENTATION**

Lila Knight submitted her resignation as chairman of the Hays County Historical Commission - the HCHC by-laws stipulate that no individual can serve more than two consecutive terms as chairman - spoke of surveys that have been done (829 historic properties have been identified) throughout the county - spoke of initiation of revised Texas CLG Program - have been designated a Step 2. They recently underwent a CLG Program audit by the Texas Historical Commission - they encouraged efforts to broaden public participation in selection of members representative of the general ethnic make-up of the community - spoke of having advertised in the paper for membership to the HCHC. Court commended Lila Knight on her leadership of the Hays County Historical Commission and expressed their sincere gratitude. Judge Etheredge advised that he will be appointing Sharon Conner as chairperson (Mt. Ganor resident) - she will be working closely with Lila Knight.

**14026 SUMMER MOUNTAIN RANCH - RELEASE MAINTENANCE BOND AND ACCEPT ROADS FOR COUNTY MAINTENANCE**

Road construction was accepted January 24, 1994 and one-year owner maintenance began - there is approximately 28,319 linear feet of roads in Summer Mountain Ranch Sections 1 & 2. A motion was made by Commissioner Payne, seconded by Commissioner Barton to release the maintenance bonds and accept roads in Summer Mountain Ranch Sections 1 & 2 subdivisions for county maintenance. All voting "Aye".

**14027 AUTHORIZE AN AGREEMENT WITH DOUCET & ASSOCIATES TO PERFORM ENGINEERING FOR DRAINAGE PROJECT ON FLITE ACRES ROAD**

Commissioner Payne advised that this was one of two drainage projects in Pct. 3 that was approved on the bond issue (Paradise Hills was the other project) - recommended hiring Doucet & Associates to do the engineering work. A motion was made by Commissioner Payne, seconded by Judge Etheredge to authorize an agreement with Doucet & Associates to perform engineering services for drainage project on Flite Acres Road in Precinct 3. All voting "Aye"

**14028 APPROVE INTERLOCAL COOPERATION AGREEMENT WITH GONZALES COUNTY FOR DETENTION SERVICES**

A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to approve Interlocal Cooperation Agreement with Gonzales County for detention services. All voting "Aye".

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STATE OF TEXAS §  
COUNTY OF GONZALES §

**INTERLOCAL COOPERATION AGREEMENT  
FOR DETENTION SERVICES**

This Agreement is entered into between GONZALES COUNTY, a political subdivision of the State of Texas, hereinafter referred to as GONZALES and HAYS COUNTY, a political subdivision of the State of Texas, hereinafter referred to as HAYS both acting through their governing bodies pursuant to Article 4413 (32c) VACS (the Interlocal Cooperation Act).

**WITNESSETH:**

WHEREAS, GONZALES is desirous of obtaining the use and services of additional jail facilities in which to incarcerate persons committing offenses within its jurisdiction; and

WHEREAS, HAYS owns and operates jail facilities and is desirous of furnishing the use of the same to GONZALES, and

WHEREAS, said counties believe it is to their mutual benefit to enter into an Agreement for the provision of jail services;

NOW, THEREFORE, in consideration of the premises and of the terms, provisions, and mutual promises herein contained, it is mutually agreed as follows:

**I.  
CONFINEMENT**

HAYS, through its Sheriff's Department shall provide confinement, custody, care and subsistence in its jail facilities for all persons delivered by GONZALES Sheriff's personnel pursuant to authority as prescribed by the terms of this Agreement. All persons delivered to HAYS shall have been ordered in writing by a Judge presiding in GONZALES County to be confined in a jail (said person or persons herein called "the" or "a prisoner").

\*\*\*\*\*

HAYS will process all GONZALES prisoners through its identification procedures, and may, at his option, fingerprint and photograph all GONZALES prisoners booked in the HAYS jail.

HAYS will hold the prisoners as long as the parties mutually agree is required. GONZALES need not deliver any prisoners during the term of this Agreement. The purpose of the Agreement is to provide additional space for GONZALES prisoners. The services will be provided by HAYS as GONZALES requires them.

II. TERM

This Agreement shall be in full force and effect for a period of one (1) year from the date of its execution and will be renewed automatically for an additional year each September 30th thereafter unless either party shall cancel this Agreement by giving written notice to the other party not less than thirty (30) days prior to the effective date of said cancellation. Prices for the renewal year's services may be negotiated during the thirty day notice period. In any event, either party may cancel this Agreement at any time by providing the other party sixty (60) days written notice.

III. PAYMENTS

GONZALES shall pay for HAYS services from current revenues available. The consideration to be paid by GONZALES for the services provided by HAYS shall be at a rate of \$43.00 per day, per prisoner. The rate shall be prorated to reflect partial days during which a prisoner is detained. HAYS shall invoice GONZALES monthly for the services. GONZALES shall pay for the approved services within forth-five (45) days of receipt of the invoice.

IV. LIMITATION OF SERVICE

HAYS reserves the right to refuse to accept for confinement any prisoner, pursuant to this Agreement, in the event that the jail facilities of HAYS are then occupied to the extent of the designed capacity thereof, rendering confinement of GONZALES' prisoners impracticable.

V. SERVICES

HAYS agrees to provide detention for GONZALES prisoners according to the most recent version of the manual of the Texas Commissioner on Jail Standards (standards). HAYS agrees to provide necessary medical treatment in accordance with standards. GONZALES agrees to pay all necessary medical expenses incurred by GONZALES prisoners.

However, HAYS shall make reasonable efforts to notify GONZALES prior to incurring medical expenses greater than TWO HUNDRED FIFTY DOLLARS (\$250.00) for any one prisoner. For the purpose of medical treatment to GONZALES prisoners, notice may be by telephone with written confirmation hereunder within seventy-two (72) hours by telephone notification.

VI. ENTIRETY

This Agreement constitutes the entire agreement between GONZALES and HAYS. No other agreement, statement, or promise relating to the subject matter of this Agreement and which is not contained in this Agreement or incorporated by reference in this Agreement shall be valid or binding.

VII. NOTICE

Notice to either party shall be in writing, and may be delivered, or sent postage paid by certified or registered mail, return receipt requested. Notice shall be deemed effective if sent to the parties and addresses designated herein, upon receipt in case of hand delivery, and three (3) days after deposit in the U.S. Mail in case of mailing. The address of GONZALES for all purposes under this Agreement for all notices hereunder shall be:

Honorable Steven H. Vollentine (or his successors in office)  
Gonzales County Judge  
414 St. Joseph, Gonzales Texas 78629  
Attn: D. J. Brzozowski (or his successors in office)  
Gonzales County Sheriff

with a copy to: Honorable W. C. Kirkendall (or his successor in office)  
Gonzales County Attorney - Gonzales, Texas

The address of HAYS for all purposes under this Agreement and for all notices hereunder shall be:

Honorable Eddy Etheredge (or his successors in office)  
Hays County Judge  
Hays County Courthouse, San Marcos Texas 78666  
Attn: Honorable Paul Hastings (or his successors in office)  
Hays County Sheriff

with a copy to: Honorable Marcos Hernandez Jr. (or his successors in office)  
Hays County District Attorney  
Hays County Courthouse, San Marcos Texas 78666



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VIII. SEVERABILITY

If any section, subsection, sentence, clause, or phase of this Agreement is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Agreement shall not be affected thereby, it being the intent of the parties signing this Agreement that no portion thereof, or provision or regulation contained herein, shall become inoperative or fail by reason of unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, portion, provision, or regulation of this Agreement.

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14029 ADOPT ORDER AUTHORIZING COLLECTION OF FEES FOR THE SUPPLEMENTAL SALARY PROGRAM FOR COUNTY COURT AT LAW JUDGES

County Court at Law Judges Howard Warner and Linda Rodriguez appeared before the Court requesting that the Court adopt the Order authorizing collection of fees for the supplemental salary program for County Court at Law Judges - this is an annual consideration - explained the source of the funds (Criminal & Civil fees collected). A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt Order Authorizing Collection of Fees for the supplemental salary program for the County Court at Law Judges. Commissioner Barton, Commissioner Payne, and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Molenaar voting "No".

ORDER

WHEREAS, House Bill 66, approved June 16, 1991 by the Governor, and having previously passed the House of Representatives and Senate, provides for numerous amendment to the laws and statutes relating to the County Courts at Law of the State of Texas; and

WHEREAS, the Court may by order authorize the collection of certain additional fees and set the salary of the Judges of the County Courts at Law in a certain amount; and

WHEREAS, the effective date of such fees shall be July 1, 1992 and said action must be renewed each year thereafter and the effective date for salary shall be September 1, 1992; and

WHEREAS, the revised effective date of such fees shall be July 1, 1995; and

NOW, THEREFORE IT IS ORDERED by the Commissioners' Court of Hay County, Texas:

- 1. Pursuant to Section 51.702, Texas Government Code as amended, the County Clerk of Hays County shall, in addition to all other fees authorized or required by law, collect a \$20.00 filing fee in each civil case filed in the County Court at Law and a \$10.00 fee as court cost on the conviction of any criminal offense in the County Court at Law, including cases in which probation or deferred adjudication is granted, such fees to be used for court-related purposes and for the support of the judiciary.
2. Pursuant to Section 25.0005, as amended, Texas Government Code, effective September 1, 1994, the salaries of the Judges of Hays County Court at Law No. 1 and Hays County Court at Law No. 2 shall each be increased by \$25,000.00 per year.
3. All Orders and Resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this order are hereby repealed to the extent of such conflict, and the remain controlling as to the matters ordained herein.
4. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
5. If any provision of this Order or the application thereof to any person or circumstances shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstance shall nevertheless be valid, and the Order enacted without such invalid provisions.
6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of the Order for all purposes and are adopted as a part of the judgment and findings of the court.
7. It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this order, was given, all as required by Texas Revised Civil Statutes Annotated, Article 6252-17 as amended.
8. This Order shall be in force and effect from and after its final passage, and it is so ordered.

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**14030 ACTION TO OPPOSE CSSB14 RELATING TO PROTECTING REAL PROPERTY RIGHTS FROM CERTAIN ACTIONS**

Judge Etheredge spoke of Committee Substitute Senate Bill 14 (CSSB14). The Texas Association of Counties Legislative Alert states the following: the Bill could have severely adverse economic impact on county governments, especially in litigation costs and attorneys fees - counties' limited regulatory authority, their history of opposition to legislation imposing regulatory responsibilities, and their general restraint in the exercise of such responsibilities are consistent with the removal of counties from the scope of the bill - regulatory authority comes from the Legislature; counties have no more power than is provided by statute or reasonably implied therefrom - this firmly established principle can effectively curb regulatory application as opposed to placing counties in a position of incurring sanctions and costs which in turn burdens landowners through ad valorem taxes - if the Legislature does not desire counties to conduct regulatory activity that might result in damage to property values, they simply need to remove the power or duty.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the county Judge to contact members of the Senate Conference Committee on behalf of the Commissioners' Court and affirm our position to keep counties out of the CSSB14. All voting "Aye".

**14031 AUTHORIZE FIRST SOUTHWEST COMPANY TO PROCEED WITH ISSUANCE OF ANTICIPATION NOTES IN THE AMOUNT OF \$2,770,000.00**

The following list of Projects were previously approved for financing with anticipation notes - list indicates length of issuance - recommended total of \$2,770,000.00 includes the cost of issuance:

| PROJECT                               | COST                     | LENGTH OF ISSUANCE |
|---------------------------------------|--------------------------|--------------------|
| Justice Center Remodel/telephone/roof | \$ 300,000               | 7 yrs              |
| Central Storage Facility              | \$ 70,000                | 7 yrs              |
| Countywide Computer                   | \$ 700,000               | 7 yrs              |
| EMS - Building                        | \$ 70,000                | 7 yrs              |
| Road Equipment & Facilities           | \$ 900,000               |                    |
|                                       | Pickups (\$45,000)       | 3 yrs              |
|                                       | Other (\$855,000)        | 7 yrs              |
| ADA Compliance                        | \$ 200,000               | 7 yrs              |
| Juvenile Services Construction        | \$ 80,000                | 7 yrs              |
| DPS Scales                            | \$ 17,000                | 7 yrs              |
| Roof repairs (not including HEB)      | \$ 80,000                | 7 yrs              |
| Broadway Street                       | \$ 20,000                | 7 yrs              |
| Vehicles                              | \$ 303,000               | 3 yrs              |
|                                       | Refinancing - \$150,000  |                    |
|                                       | New vehicles - \$153,000 |                    |

A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize First Southwest Company to proceed with issuance of \$2,770,000.00 in Anticipation Notes for proposed projects plus cost of issuance. All voting "Aye".

**EXECUTIVE SESSION TO DISCUSS RIGHT-OF-WAY ACQUISITION**

The Court convened into closed session to discuss right-of-way acquisition. Upon completion of executive session the Court reconvened into open meeting - no action taken.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF June, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Ronnie Dannelley*  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



MAY 30, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 30TH DAY OF MAY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14032 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 181,100.36 as presented by the County Auditor. All voting "Aye".

|                    |              |                    |              |                     |              |
|--------------------|--------------|--------------------|--------------|---------------------|--------------|
| Auditors Ofc       | \$ 381.29    | Treasurers Ofc     | \$ 168.42    | Extension Office    | \$ 341.91    |
| Grants Admin       | \$ 2,237.70  | Juvenile Probation | \$ 12,776.44 | Election Admin      | \$ 38.00     |
| Indigent Care      | \$ 17,430.17 | Transfer Station   | \$ 849.43    | Bldg. Mtc. Dept.    | \$ 8,381.25  |
| Environ Health     | \$ 807.07    | Personal Health    | \$ 828.07    | Civic Center        | \$ 429.58    |
| Countywide Oper    | \$ 11,085.31 | Tax A/C            | \$ 311.28    | District Clerk      | \$ 1,537.24  |
| County Clerk       | \$ 183.23    | Sheriffs Ofc       | \$ 7,004.92  | Jail Operations     | \$ 9,078.68  |
| County Judge       | \$ 180.43    | Human Resources    | \$ 96.58     | Co Crt @ Law 1      | \$ 204.73    |
| District Attorney  | \$ 719.94    | J.P. 1-1           | \$ 43.99     | J.P. 1-2            | \$ 168.23    |
| J.P. 2             | \$ 36.20     | J.P. 3             | \$ 43.78     | J.P. 4              | \$ 225.54    |
| J.P. 5             | \$ 89.27     | D.P.S.             | \$ 544.82    | Constable 1         | \$ 60.82     |
| Constable 3        | \$ 192.58    | Constable 5        | \$ 797.09    | Dist Crt Oper       | \$ 6,218.23  |
| Co & JP Crt Oper   | \$ 223.40    | Veterans Admin     | \$ 44.57     | Computer Svcs       | \$ 26,805.56 |
| Co Crt @ Law 2     | \$ 67.60     | Fire Marshal/EMC   | \$ 49.09     | TABC                | \$ 21.50     |
| Dist Crt Reporter  | \$ 59.14     | Legal Aid Ofc      | \$ 91.82     | Corr Incub Grant    | \$ 169.00    |
| Dunbar Grant       | \$ 4,954.78  | D.A. DARE Grant    | \$ 2,738.00  | Used Oil Sign Grant | \$ 5,521.56  |
| R&B Oper           | \$ 35,131.10 | Precinct 1         | \$ 359.08    | Precinct 2          | \$ 184.08    |
| Precinct 3         | \$ 507.27    | Precinct 4         | \$ 99.74     | CoClk Rec Mng       | \$ 1,835.67  |
| Health Svcs Grants | \$ 1,254.44  | Road Construction  | \$ 10,357.67 | Crths Security      | \$ 103.90    |
| D.A. Drug Forf     | \$ 800.00    | Adult Prob Oper    | \$ 4,825.57  | Adult Prob Fac      | \$ 80.91     |
| Ne w Canaan Grant  | \$ 1,321.69  |                    |              |                     |              |

**14033 APPROVE BUDGET AMENDMENT NO. 95-030**

The following budget amendments were proposed:

Community & Social Services - Transfer authorized payment to Greater Austin-San Antonio Corridor Council from Hays County Economic Development Council allocation (\$2,500).

Auditor's Office - Transfer \$650 to travel from continuing education line item.

Building Maintenance - Transfer \$9,000 between utilities budget due to continued Courthouse utilities use.

Human Resources Dept. - Transfer \$500 for conference travel and \$1,000 for additional employee pins from department line items.

Justice of the Peace Pct. 1 Place 2 - Authorize two employees maximum of four hours each weekly, for balance of FY95 - transfer net cost from personnel cost savings and line items within department.

Justice of the Peace Pct. 2 - Transfer \$200 to office equipment from repair and supply to allow replacement of typewriter not cost effective to repair.

Justice of the Peace Pct. 3 - Transfer to allow maximum of 40 hours training for new employee by another department's staff from within department - actual is \$368 plus \$56 benefits = \$ 424.

Juvenile Probation - Transfer between line items to Misc. Equipment - to replace broken tool box in community service truck (\$354).

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Budget Amendment No. 95-030 as proposed by the County Auditor. All voting "Aye".

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AMENDMENT  
NO. 95-030  
FY 95 BUDGET  
05/30/95  
Page 2

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES          | APPROPRIATION | AMENDMENT    |                | APPROPRIATION |
|-----------------------------------|---------------|--------------|----------------|---------------|
|                                   | BEFORE        | INCREASES    | DECREASES      | AS AMENDED    |
| <u>JUSTICE OF PEACE 1-2 (425)</u> |               |              |                |               |
| 01-425-5021 Staff                 | 60,171        | 1,777        |                | 61,948        |
| 01-425-5110 FICA                  | 6,927         |              | (112)          | 6,815         |
| 01-425-5121 Retirement            | 6,843         |              | (263)          | 6,580         |
| 01-425-5160 Insurances            | 9,096         |              | (400)          | 8,696         |
| 01-425-5311 Travel                | 900           |              | (32)           | 868           |
| 01-425-5321 Dues & Bonds          | 160           |              | (50)           | 110           |
| 01-425-5411 Ofc Eqpt Maint        | 325           |              | (135)          | 190           |
| 01-425-5461 Printing              | 900           |              | (125)          | 775           |
| 01-425-5473 Eqpt Lease            | 1,100         |              | (300)          | 800           |
| 01-425-5489 Telephone             | 1,500         |              | (100)          | 1,400         |
| 01-425-5213 Books                 | 400           |              | (260)          | 140           |
|                                   |               | <u>1,777</u> | <u>(1,777)</u> |               |

TRANSFER FROM VARIOUS LINE ITEMS AND PERSONNEL COST SAVINGS TO ALLOW LIMITED OVERTIME FOR BALANCE OF FY 95.

|                                 |       |     |       |       |
|---------------------------------|-------|-----|-------|-------|
| <u>JUSTICE OF PEACE 2 (426)</u> |       |     |       |       |
| 01-426-5711 Ofc Equip           | 0     | 200 |       | 200   |
| 01-426-5211 Ofc Supply          | 3,000 |     | (70)  | 2,930 |
| 01-426-5411 Ofc Eqpt Maint      | 130   |     | (130) | 0     |

TRANSFER TO ALLOW REPLACEMENT OF TYPEWRITER RATHER THAN REPAIR

|                                     |        |            |              |        |
|-------------------------------------|--------|------------|--------------|--------|
| <u>JUSTICE OF THE PEACE 3 (427)</u> |        |            |              |        |
| 01-427-5021 Staff                   | 17,253 | 416        |              | 17,669 |
| 01-427-5110 FICA                    | 3,561  | 8          |              | 3,569  |
| 01-427-5121 Retirement              | 3,517  |            | (25)         | 3,492  |
| 01-427-5160 Insurances              | 4,548  |            | (399)        | 4,149  |
|                                     |        | <u>424</u> | <u>(424)</u> |        |

TRANSFER TO ALLOW NEW EMPLOYEE TRAINING FROM PERSONNEL COST SAVINGS

|                                 |       |     |       |       |
|---------------------------------|-------|-----|-------|-------|
| <u>JUVENILE PROBATION (405)</u> |       |     |       |       |
| 01-405-5719 Misc Eqpt           | 0     | 355 |       | 355   |
| 01-405-5391 Misc                | 3,126 |     | (355) | 2,771 |

TRANSFER TO ALLOW REPLACEMENT OF TRUCK TOOL BOX IN COMMUNITY SERVICE TRUCK.

AMENDMENT  
NO. 95-030  
FY 95 BUDGET  
05/30/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS AMENDED    |

COMMUNITY AND SOCIAL SERVICES (407)

|                                         |        |  |         |        |
|-----------------------------------------|--------|--|---------|--------|
| 01-407-5850 Hays Co. Econ. Dev. Council | 15,000 |  | (2,500) | 12,500 |
|-----------------------------------------|--------|--|---------|--------|

COUNTY-WIDE OPERATIONS (414)

|                          |       |       |  |       |
|--------------------------|-------|-------|--|-------|
| 01-414-5321 Dues & Bonds | 6,500 | 2,500 |  | 9,000 |
|--------------------------|-------|-------|--|-------|

TRANSFER FOR AUTHORIZED GREATER AUSTIN-SAN ANTONIO CORRIDOR COUNCIL DUES

AUDITOR (401)

|                     |       |     |       |       |
|---------------------|-------|-----|-------|-------|
| 01-401-5311 Travel  | 650   | 650 |       | 1,300 |
| 01-401-5331 Cont Ed | 4,500 |     | (650) | 3,850 |

BUILDING MAINTENANCE (410)

|                              |        |              |                |        |
|------------------------------|--------|--------------|----------------|--------|
| 01-410-5484 Courthouse Util  | 22,500 | 9,000        |                | 31,500 |
| 01-410-5491 Courts Bldg Util | 9,500  |              | (4,500)        | 5,000  |
| 01-410-5481 Annex Util       | 20,000 |              | (1,000)        | 19,000 |
| 01-410-5487 Records Util     | 13,566 |              | (3,500)        | 10,066 |
|                              |        | <u>9,000</u> | <u>(9,000)</u> |        |

TRANSFER FOR CONTINUED UTILITIES FOR COURTHOUSE

HUMAN RESOURCES (421)

|                               |       |              |                |       |
|-------------------------------|-------|--------------|----------------|-------|
| 01-421-5311 Travel            | 400   | 500          |                | 900   |
| 01-421-5334 Employee Recog    | 1,550 | 1,000        |                | 2,550 |
| 01-421-5211 Office Sply       | 2,875 |              | (500)          | 2,375 |
| 01-421-5462 Emp Public Notice | 6,500 |              | (300)          | 6,200 |
| 01-421-5489 Telephone         | 2,150 |              | (700)          | 1,450 |
|                               |       | <u>1,500</u> | <u>(1,500)</u> |       |

TRANSFER FOR CONFERENCE TRAINING AND ADDITIONAL COST OF PINS

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**14034 APPROVE UTILITY PERMITS ISSUED BY THE ROAD DEPARTMENT**

The following Utility Permits were presented for approval:

- |                            |                                                      |
|----------------------------|------------------------------------------------------|
| #95207 CR158               | To P.E.C. for overhead power line                    |
| #95408 Bear Creek Drive    | To Hill Country Water Supply Corp. for water service |
| #95409 Oak Branch Drive    | To Hill Country Water Supply Corp. for water service |
| #95410 Coach House         | To Hill Country Water Supply Corp. for water service |
| #95411 CR169/Bell Sprgs Rd | To P.E.C. for Guy & Anchor                           |

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Utility Permits #95207, and #95408-95411 as presented by the Road Department. All voting "Aye".

**14035 APPROVE WAIVER OF INSURANCE PREMIUMS AS RECOMMENDED BY THE INSURANCE COMMITTEE**

George Aitken, Human Resources Administrator, advised that due to a "snafu" between Blue Cross and Human Resources, Ms. Janie Marquez dependents were never properly coded within the system - the issue has been resolved, because of the uncertainty Janie Marquez did not utilize any insurance benefits for her two dependents between Feb-June - recommends that County waive her insurance premiums (\$520.08) for that period - the County Insurance Committee agrees with this waiver. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve waiver of insurance premiums as recommended by the Insurance Committee for Janie Marquez. All voting "Aye".

**14036 AUTHORIZE AND AMEND BUDGET FOR J.P. 1-2 OFFICE TO ALLOW TWO STAFF PERSONS OVERTIME AT A MAXIMUM OF FOUR HOURS EACH PER WEEK**

J.P. Becky Sierra advises that as a result of the Step Grant Program it has become necessary for office personnel to work overtime in order to effectively manage the increase and to insure that money owed to the county is collected and deposited in a timely fashion. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize and amend the budget for J.P. Pct. 1 Place 2 to allow two staff persons overtime at a maximum of four hours each per week until the end of this FY95. All voting "Aye".

**14037 APPROVE TRAINING FOR NEW EMPLOYEE UP TO 40 HOURS AND COVER THE COST OF AUDIT IN J.P. PCT. 3 OFFICE**

J.P. Pct. 3 Clerk Vicki Brodbeck has taken a job with the LEC and the new Court Clerk is in need of training (J.P.1-1 Part-time employee Virginia Chambers is assisting with training) - an audit has been done - a savings from Vicki's higher salary will cover the additional expenses of approximately \$ 550. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve training for new employee up to 40 hours and cover the cost of audit of J.P. Pct. 3 Office. All voting "Aye".

**14038 APPROVE RFP'S AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR ENGINEERING SERVICES & MANAGEMENT SERVICES FOR THE WIMBERLEY WATER PROJECT**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve RFP's and authorize the County Auditor to advertise for Engineering Services and Management Services for the Wimberley Water Project. All voting "Aye".

**14039 AUTHORIZE MAKING THE TRANSFER STATION MANAGER A DEPARTMENT HEAD**

Commissioner Craig Payne recommended making the Transfer Station Manager a Department Head so that he can be included in all department head meetings, budget process, personnel, training, etc. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize making the Transfer Station Manager a Department Head as recommended by Commissioner Payne. All voting "Aye".

**14040 BEAR CREEK ESTATES SECTION 2 REPLAT OF LOT 47 - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Bear Creek Estates Section 2 Replat of Lot 47" on first reading and call for a public hearing to be held June 12, 1995 at 9:00 A.M. All voting "Aye".

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**14041 BLANCO RIVER RANCH - SECOND READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Blanco River Ranch" subdivision on second reading. All voting "Aye".

**14042 OAK MEADOWS REPLAT OF LOT 18 - FIRST READING AND CALL FOR A PUBLIC HEARING**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lot 18 (Lots 18A-18D)" on first reading and call for a public hearing to be held June 12, 1995 at 9:00 A.M. All voting "Aye".

**14043 SOUTHERN WOODS - SECOND READING APPROVAL**

This is a 41 lot subdivision with private roads to be maintained by a homeowners association. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Southern Woods" subdivision on second reading. All voting "Aye".

**14044 OAK MEADOWS REPLAT OF LOT 32 - SECOND READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Oak Meadows Replat of Lot 32 (Lots 32B-32D) on second reading. All voting "Aye".

**14045 TRIPLE R RANCHETTES REPLAT OF LOTS 4 & 5 - SECOND READING APPROVAL**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Triple R Ranchettes Replat of Lots 4 & 5 (Lots 4A-4C & 5A-5C) on second reading. All voting "Aye".

**14046 KYLE HEIGHTS SECTION ONE - THIRD READING APPROVAL**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Kyle Heights Section One" subdivision on third reading. All voting "Aye".

**14047 SAYBROOK WEST SUBDIVISION - SECOND & THIRD READING APPROVAL**

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Saybrook West" subdivision on second and third readings. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Molenaar voting "No".

**14048 INDIAN CREEK RANCH REPLAT OF TRACT 4 - PUBLIC HEARING AND THIRD READING APPROVAL**

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. Commissioner Barton advised that roads are private with a property owners association to maintain. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Indian Creek Ranch Replat of Tract 4 (Lots 4A-4E)" on third reading. All voting "Aye".

**14049 BARTON CREEK RANCH REPLAT LOTS 16A & 17A - PUBLIC HEARING AND APPROVE ON THIRD READING**

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Barton Creek Ranch Replat Lots 16A & 17A" on third reading. All voting "Aye".

**14050 EAST McCARTY LANE PROPERTY OF GUMESINDO RAMIREZ (TWO 1-ACRE TRACTS) - PLATTING VARIANCE GRANTED**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to grant a platting variance to Gumesindo Ramirez on two 1-acre tracts located on East McCarty Lane. All voting "Aye".

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**14051 LA TRUFFIERE REPLAT OF LOTS 2 & 3 - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING**

Property owners are requesting a variance to roadway construction standards (12 foot roadway with 5" caliche base) - a written variance request is needed. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "La Truffiere Replat of Lots 2 & 3" on first reading and call for a public hearing to be held June 12, 1995 at 9:00 a.m. All voting "Aye".

**REQUEST FROM MARK MCMANUS, DEVELOPER OF GATEWAY II MOBILE HOME PROJECT, FOR THE COUNTY TO NOTIFY LANDOWNERS ON HAYS COUNTRY ACRES ROAD TO MOVE BACK THEIR FENCES TO COUNTY ROW BOUNDARY, AND FOR THE COURT TO FUND IMPROVEMENTS TO THIS ROAD**

Mark McManus appeared before the Court requesting that the County notify landowners on Hays Country Acres Road to move their fences back to the County R-O-W boundary and for the County to fund improvements to this roadway - he spoke of his previous development of Kirby Springs in which he was required to dedicate 15 feet of additional right-of-way on Hays Country Acres Road for future improvements. Judge Etheredge advised that he was not sure the County had the authority to have property owners move their existing fences. District Attorney Marcos Hernandez stated that the County may be required to pay for fencing if we were to make this request - he would need to research this matter - the County would need to consider potential problems - does the County have a specific project planned for the road that would benefit Hays County (not an individual). Road Director Darrel Brown stated that this is a dead-end road that is not used by school buses or postal service - there is currently 30 feet of r-o-w with very little base - improvements would require total reconstruction (\$150,000 for a paved road \$135,000 for a gravel road). Mark McManus spoke of development on Hays Country Acres Road (FKA Old Hollingsworth Ranch Road) and the potential for additional development - stated that he is willing to subcontract fencing at the curves (across from Johnny Gimble tract). Commissioner Molenaar stated that he does not support spending money to address this road at this time - feels like Mr. McManus is trying to force the County to improve this road to benefit his project (Gateway II MHP) - if the fences are moved back it will create dangerous safety situation at some areas. Judge Etheredge stated that we cannot prevent property owners from moving their fences but it may cause us to have to address safety problems and no funds are budgeted for this roadway. Susan Morgan, area resident, spoke of the history of this road and advised that Mark McManus does not represent area property owners and she requested that the Court not approve Mr. McManus' request - approval today would indicate preferential treatment - the property owners have previously requested improvements and were denied - this was a private road up until Mr. McManus developed his property - spoke of litigation with the City of Dripping Springs - Mr. McManus was unable to obtain a permit to proceed with the Mobile Home Project - voiced her concerns about Developers control and about environmental issues. Dr. Linda Woodward, area resident, spoke in opposition to request - spoke of special interest that are not in the best interest of the residents - stated that she will support this road improvement project when it is "our turn" - don't send a signal that you go along with special interest/developers - the current road is adequate for a rural setting. DeDe Stevenson spoke of meetings held in Dripping Springs concerning this development - Mr. McManus is the only person requesting these improvements - the county should not spend money on road improvements that only one person wants. Pam Gosnay spoke of need for a public hearing to address this issue - would like to see proof that this is a county road and if it is it should become a through road - spoke of Dripping Springs Planning Commission denying permits primarily because of the road issue - feels like this is a special interest request and urged denial. Mark McManus spoke of county requiring him to give 15 feet of additional right-of-way on Hays Country Acres when he developed Crestview Ranch and Kirby Springs Ranch subdivisions - stated that he has always complied with the law and fully intends to get permitted by the City of Dripping Springs. Commissioner Molenaar spoke of Hays Country Acres homeowners not wanting road improvements at this time - suggested that the county stay on their regular schedule and address this road at an appropriate time - the fences need to stay where they are to prevent any liability to the county - there are no funds available at this time.

**14052 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF SAN MARCOS & SAN MARCOS CISD FOR IMPROVEMENTS TO BROADWAY STREET**

The Court agreed several months ago to fund \$20,000.00 of the estimated \$220,000.00 to reconstruct Broadway Street by the San Marcos High School - the project came in at \$153,000.00 making the County's portion \$14,000.00. District Attorney Marcos Hernandez advised that he has reviewed the agreement and would like to eliminate the paragraph (Section 8) which addresses liability (drop indemnification). Commissioner Molenaar advised that he did not want to approve the agreement until changes have been made. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to enter into an Interlocal Agreement with the City of San Marcos and the San Marcos CISD for improvements to Broadway Street. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Judge Etheredge voting "Aye". Commissioner Molenaar voting "No".

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**UPDATE ON ROAD BOND RECONSTRUCTION PROJECTS**

John Doucet (Doucet & Associates Inc) presented a revised schedule for Phase I

**Note: Activities with completion dates that are shaded are estimated completion dates.**

|                                                 |                            |
|-------------------------------------------------|----------------------------|
| <b>WINKLEY/ALEXANDER INC.</b>                   |                            |
| <b>CR 215 - Purgatory Road (Moerbe)</b>         |                            |
| Surveying, Preliminary Design, & Public Hearing | Complete                   |
| Begin Final Design and ROW acquisition          | Started                    |
| Complete Final Design                           | June 26, 1995              |
| Complete ROW Acquisition                        | July 10, 1995              |
| Bid Project                                     | July 17, 1995              |
| Begin Construction                              | Aug 28, 1995               |
| <b>CR 181 - Fischer Store Rd (Moerbe)</b>       |                            |
| Surveying, Preliminary Design, & Public Hearing | Complete                   |
| Begin Final Design                              | Started                    |
| Begin ROW Acquisition                           | June 5, 1995               |
| Complete Final Design                           | July 31, 1995              |
| Complete ROW Acquisition                        | Aug 28, 1995               |
| Bid Project                                     | Sept 4, 1995               |
| Begin Construction                              | Oct 16, 1995               |
| <b>CR 234 - Centerpoint Rd (Moulinet)</b>       |                            |
| Surveying, Preliminary Design, & Public Hearing | Complete                   |
| Begin Final Design                              | Started                    |
| Begin ROW acquisition                           | June 5, 1995               |
| Complete Final Design                           | Aug 28, 1995               |
| Complete ROW Acquisition                        | Oct 2, 1995 (Estim. 4 mos) |
| Bid Project                                     | Oct 9, 1995                |
| Begin Construction                              | Nov 20, 1995               |
| <b>CR 179 - Wayside Rd (Moerbe)</b>             |                            |
| Surveying, Preliminary Design, & Public Hearing | Complete                   |
| Begin Final Design                              | Jun 12, 1995               |
| Begin ROW acquisition                           | Jun 12, 1995               |
| Complete Final Design                           | Oct 31, 1995               |
| Complete ROW Acquisition                        | Dec 11, 1995 (Estim.6 mos) |
| Bid Project                                     | Dec 18, 1995               |
| Begin Construction                              | Feb 12, 1995               |
| <b>CR 266 - Old Bastrop Hwy. (N) (Moulinet)</b> |                            |
| Surveying, Preliminary Design, & Public Hearing | Complete                   |
| Approve Preliminary Design                      | Jun 12, 1995               |
| Begin Final Design                              | Jun 26, 1995               |
| Begin ROW acquisition                           | Jun 26, 1995               |
| Complete Final Design                           | Dec 18, 1995               |
| Complete ROW Acquisition                        | Jan 29, 1996 (Estim.6 mos) |
| Bid Project                                     | Feb 5, 1996                |
| Begin Construction                              | Mar 18, 1996               |
| <b>CR 266 - Old Bastrop Hwy. (S) (Moulinet)</b> |                            |
| Surveying, Preliminary Design, & Public Hearing | Complete                   |
| Approve Preliminary Design                      | Jun 12, 1995               |
| Begin Final Design                              | Jun 26, 1995               |
| Begin ROW acquisition                           | Jun 26, 1995               |
| Complete Final Design                           | Dec 18, 1995               |
| Complete ROW Acquisition                        | Jan 29, 1996 (Estim.6 mos) |
| Bid Project                                     | Feb 5, 1996                |
| Begin Construction                              | Mar 18, 1996               |

|                                                                                                      |                            |
|------------------------------------------------------------------------------------------------------|----------------------------|
| <b>K. C. ENGINEERING, INC.</b>                                                                       |                            |
| <b>CR 101 - Fitzhugh Rd. (Moerbe)</b>                                                                |                            |
| Surveying, Preliminary Design, & Public Hearing                                                      | Complete                   |
| Approve Preliminary Design                                                                           | Jun 12, 1995               |
| Begin Final Design                                                                                   | Jun 19, 1995               |
| Begin ROW acquisition                                                                                | Jun 19, 1995               |
| Complete Final Design                                                                                | Oct 23, 1995               |
| Complete ROW Acquisition                                                                             | Dec 18, 1995 (Estim.6 mos) |
| Bid Project                                                                                          | Jan 8, 1996                |
| Begin Construction                                                                                   | Feb 19, 1996               |
| <b>CR228 - West Goforth St. (Moulinet)</b>                                                           |                            |
| Surveying                                                                                            | Complete                   |
| Complete Preliminary Design                                                                          |                            |
| Remainder of schedule to be determined after completion of coordination with sanitary sewer project. |                            |



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|                                                                     |                             |
|---------------------------------------------------------------------|-----------------------------|
| <b>RUST LICHLITER/JAMESON</b>                                       |                             |
| <b>CR 131 (Mouline) &amp; CR 122 (Moerbe)</b>                       |                             |
| Survey, Preliminary Design, Public Hearing                          | Complete                    |
| Begin Final Design & ROW Acquisition                                | Started                     |
| Complete Final Design                                               | Sep 18, 1995                |
| Complete ROW Acquisition                                            | Dec 18, 1995 (Estim. 6 mos) |
| Bid Project                                                         | Jan 8, 1996                 |
| Begin Construction                                                  | Feb 19, 1996                |
| <b>CR 225 - Lime Kiln Rd. &amp; CR 222 - Hilliard Rd. (Mouline)</b> |                             |
| Complete Preliminary Surveying                                      | Complete                    |
| Complete Preliminary Design                                         | Jun 19, 1995                |
| Public Hearing                                                      | Complete                    |
| Approve Preliminary Design                                          | July 3, 1995                |
| Complete Final Survey                                               | Jun 26, 1995                |
| Begin Final Design                                                  | July 10, 1995               |
| Begin ROW Acquisition                                               | July 10, 1995               |
| Complete Final Design                                               | Dec 4, 1995                 |
| Complete ROW Acquisition                                            | Jan 18, 1996 (Estim. 6 mos) |
| Bid Project                                                         | Jan 22, 1996                |
| Begin Construction                                                  | Mar 4, 1996                 |

|                                                       |               |
|-------------------------------------------------------|---------------|
| <b>TOTAL EXPENDITURES THROUGH APRIL 1995: PHASE I</b> |               |
| CR 225 Lime Kiln Road                                 | \$ 33,744.93  |
| CR 228 West Goforth                                   | \$ 15,920.38  |
| CR 131                                                | \$ 124,733.13 |
| CR 222 Hilliard Road                                  | \$ 49,613.59  |
| CR 122                                                | \$ 71,296.11  |
| CR 215 Purgatory Road                                 | \$ 65,022.92  |
| CR 266 (Co. Line - CR 265)                            | \$ 23,398.13  |
| CR 179 Wayside Road                                   | \$ 31,859.17  |
| CR 101 Fitzhugh Road                                  | \$111,817.49  |
| CR 181 Fischer Store Road                             | \$ 34,187.42  |
| CR 266 (CR234-SH123)                                  | \$ 12,386.69  |
| CR 234 Centerpoint Road                               | \$ 30,859.93  |
| Drainage Crossings                                    | \$ 3,360.61   |
| General Administration                                | \$191,006.23  |
|                                                       | -----         |
| GRAND TOTAL.....                                      | \$799,206.73  |
| <b>PHASE II EXPENDITURES:</b>                         |               |
| CR 162 Darden Hill Road<br>Engineering & Surveying    | \$ 11,950.00  |

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF June, 1995.

*Eddy A. Theredge*  
**EDDY A. THEREDGE, COUNTY JUDGE**  
 HAYS COUNTY, TEXAS

*Ronnie Dannelley*  
**RONNIE DANNELLEY, COUNTY CLERK**  
 HAYS COUNTY, TEXAS



JUNE 5, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 5TH DAY OF JUNE A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS,  
MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
CRAIG D. PAYNE  
RUSS G. MOLENAAR  
RONNIE DANNELEY

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 3  
COMMISSIONER, PCT. 4  
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**NON-AGENDA ITEMS - PUBLIC DISCUSSION**

Dripping Springs resident Dee Dee Stevenson presented copies of petition for surface water in Hays County being circulated in the Dripping Springs area:

We, the people of Hays County, being concerned about water quantity and quality in the Trinity Aquifer, and the health and well-being of the citizens in this county, are requesting that the county seek viable surface water sources to meet the future needs of the county.

LCRA will do a feasibility study (will take approximately 6 months to complete) - the Wimberley area would be best served by GBRA. Judge Etheredge spoke of need to hold public meeting to discuss the various options available (i.e. create water districts, retail water supplied by LCRA, etc.).

Erin Foster presented a press release as follows:

HAYS COUNTY JUDGE, COUNTY COMMISSIONERS, MAYORS, AND CITIZENS GROUPS WILL HOLD A PRESS CONFERENCE TO CALL FOR GOVERNOR BUSH TO VETO HB3193 THAT CREATES A WATER DISTRICT AND THE "SOVEREIGN STATE OF CIRCLE C"

Elected County Officials, Mayors, and citizens groups from around Hays County will hold a press conference on Tuesday, June 6, 1995 at 11:00 a.m. on the steps of the Hays County Courthouse, San Marcos, Texas.

Local Government and Citizens' Groups in Hays County urge Governor Bush to veto this bill for the following reasons:

1. Gives the water district ability to pump water from the Edwards Aquifer and sell it for a profit. This is water that will be sucked out of the wells of Hays County Residents, who will receive no benefit from the sale.
2. Creates a new form of government that is answerable to no one. People effected by this bill will have no voice in the operation of this District. Hays County Judge Eddy Etheredge has dubbed it: "The Sovereign State of Circle C"
3. Cities and communities surrounding the water district that are affected by this legislation, were not properly notified as required by the Texas Constitution. Hays County and several of the surrounding cities filed affidavits with the legislature to that effect.

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**14053 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 164,643.93 as presented by the County Auditor. All voting "Aye".

|                    |              |                   |              |                   |              |
|--------------------|--------------|-------------------|--------------|-------------------|--------------|
| Extension Svc.     | \$ 31.83     | Grants Admin      | \$ 492.47    | Election Admin    | \$ 20.00     |
| Bldg. Maint.       | \$ 2,390.29  | Environ Health    | \$ 646.64    | Countywide Oper   | \$ 40,008.08 |
| Tax A/C            | \$ 343.26    | County Clerk      | \$ 878.10    | Sheriffs Dept.    | \$ 32,155.57 |
| Jail Operations    | \$ 10,132.50 | County Judge      | \$ 65.50     | Human Resources   | \$ 103.04    |
| J.P. 1-1           | \$ 328.00    | J.P. 1-2          | \$ 145.00    | J.P. 2            | \$ 321.85    |
| J.P. 3             | \$ 2.25      | J.P. 4            | \$ 64.00     | J.P. 5            | \$ 160.00    |
| D.P.S.             | \$ 262.59    | Constable 1       | \$ 44.67     | Constable 2       | \$ 71.19     |
| Constable 5        | \$ 75.00     | District Crt Oper | \$ 3,470.87  | Co & JP Crt Oper  | \$ 1,154.66  |
| Computer Svcs      | \$ 1,010.00  | Historical Comm   | \$ 1,500.00  | Dunbar Center     | \$ 300.00    |
| DA DARE Grant      | \$ 421.76    | R&B Operations    | \$ 3,096.38  | Precinct 1        | \$ 222.00    |
| Precinct 2         | \$ 224.97    | *R&B Gen Credit * | * \$ 14.98 * | Co Clk Rec Mng    | \$ 2,705.33  |
| Health Svcs Grants | \$ 2,275.90  | Law Library       | \$ 75.00     | Road Construction | \$ 53,888.42 |
| Adult Prob Oper    | \$ 4,000.40  | Adult Prob Fac    | \$ 1,571.39  |                   |              |

**14054 APPROVE BUDGET AMENDMENT NO. 95-031**

The following budget amendments were proposed:

Indigent Care & Personal Health - Indigent Care/transfer travel within department Personal Health/redistribute outside services within department (both items as per reorganization).

Health Services Grants - Women & Children Health Grant - Immunization Grant - transfer \$1,000 travel between grants, re-buget program income to Women & Children Health Fees.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve Budget Amendment No. 95-031 as proposed by the County Auditor. All voting "Aye".

AMENDMENT  
NO. 95-031  
FY 95 BUDGET  
06/05/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS AMENDED    |

INDIGENT CARE (408)

|                          |       |       |         |       |
|--------------------------|-------|-------|---------|-------|
| 01-408-5191 Travel Allow | 1,800 |       | (1,125) | 675   |
| 01-408-5311 Travel       | 100   | 1,125 |         | 1,225 |

TRANSFER AS MONTHLY TRAVEL SUSPENDED DUE TO REORGANIZATION

PERSONAL HEALTH (412)

|                              |       |       |         |       |
|------------------------------|-------|-------|---------|-------|
| 01-412-5211 Ofc Sply         | 1,000 | 100   |         | 1,100 |
| 01-412-5391 Other/Incentives | 0     | 110   |         | 110   |
| 01-412-5461 Printing         | 100   | 200   |         | 300   |
| 01-412-5489 Telephone        | 3,700 | 1,590 |         | 5,290 |
| 01-412-5431 Medical Svcs     | 2,000 |       | (2,000) | 0     |
|                              |       | 2,000 | (2,000) |       |

REDISTRIBUTE OUTSIDE MEDICAL SERVICES LINE ITEM WITHIN DEPARTMENT

FUND 10

HEALTH SERVICES GRANTS FUND

TDH/WOMEN AND CHILDREN (469)

|                           |        |       |  |        |
|---------------------------|--------|-------|--|--------|
| 10-469-5391 Other Expense | 13,250 | 1,000 |  | 14,250 |
|---------------------------|--------|-------|--|--------|

TDH/IMMUNIZATION GRANT (708)

|                    |       |  |         |     |
|--------------------|-------|--|---------|-----|
| 10-708-5311 Travel | 1,500 |  | (1,000) | 500 |
|--------------------|-------|--|---------|-----|

REVENUES:

DECREASES INCREASES

|                                                  |         |       |       |         |
|--------------------------------------------------|---------|-------|-------|---------|
| 10-347-3475 W & C Health Fees/<br>Program Income | 151,500 |       | 1,000 | 152,500 |
| 10-347-3478 Immunization<br>Program Income       | 1,000   | 1,000 |       | 0       |

TRANSFER TRAVEL BETWEEN GRANTS & PROGRAM REVENUES

\*\*\*\*\*

**14055 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR ANNUAL BIDS FOR EMPLOYEE UNIFORMS, MATS, AND MOP HEADS**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve specifications and authorize the County Auditor to advertise for bids for employee uniforms, mats, and mop heads (95B011). All voting "Aye".

**14056 AUTHORIZE USE OF THE COURTHOUSE AND GROUNDS ON JULY 9, 1995 FOR THE GREAT NORTH AMERICAN RACE**

The San Marcos Main Street Project submitted a letter requesting use of the courthouse and grounds for the "Great North American Race" festivities and a regional antique car show (a rally of over 100 pre-World War II cars) - the event starts in Canada and ends in Mexico City - we are one of only 9 overnight stops in the United States. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize use of the Courthouse and grounds on July 9, 1995 for the Great North American Race. All voting "Aye".

**14057 AUTHORIZE PURCHASE OF COMPUTER EQUIPMENT OUT OF COMPUTER SERVICES BUDGETED HARDWARE LINE ITEM**

Debbie Polk, Data Processing Administrator, advised that she has funds in her hardware line item but the items being requested are not on the budgeted equipment list - requesting authorization to purchase a PC for the Treasurer & J.P. 2 to be tied into the Software Group (PC will give the Treasurer better spreadsheet program) - new computers are required for election office to meet state requirement for 486 system. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize purchase of PC's for the Treasurer's office (1), Election Administration (2), and Justice of the Peace Pct. 2 (1) out of Computer Services budgeted hardware line item. All voting "Aye".

**14058 AUTHORIZE PURCHASE OF TV AND VCR TO REVIEW DWI TAPES**

DPS Sgt. Meyer requesting authorization to purchase a TV & VCR to review DWI Tapes - funds are budgeted in law enforcement supplies but earmarked for other items, which came in under budget or are no longer priorities - this electronic equipment is greatly needed (\$350). A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize purchase of TV and VCR to review DWI tapes out of law enforcement supply line item. All voting "Aye".

**14059 AUTHORIZE DISTRICT CLERK TO DISPOSE OF OLD COPIER AND ENTER INTO A LEASE AGREEMENT FOR A NEW COPIER**

District Clerk W. H. Moore requested authorization to dispose of the copier he has had for eight years and acquire a new leased copier - funds are available in the District Clerk's budget. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize District Clerk to dispose of old copier and enter into a lease agreement for a new copier to be funded out of District Clerk's budget. All voting "Aye".

**14060 LA TRUFFIERE REPLAT LOTS 2A, 3A, 4 & 5 - SECOND READING AND GRANT VARIANCE TO ROAD CONSTRUCTION STANDARDS**

Staff recommended approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "La Truffiere Replat Lots 2A, 3A, 4 & 5" on second reading and grant a variance to road constructions standards. All voting "Aye".

**14061 BEAR CREEK ESTATES SECTION 2 REPLAT OF LOT 47 - SECOND READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Bear Creek Estates Section 2 Replat of Lot 47" (Lots 47A & 47B) on second reading. All voting "Aye".

\*\*\*\*\*

**14062 OAK MEADOWS REPLAT OF LOT 18 - SECOND READING APPROVAL**

Allen Walther, Environmental Health Director, spoke of one lot being less than 1 acre when excluding the roadway. Surveyor David Williamson advised that the lot size will be increased to meet minimum lot size. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lot 18" (Lots 18A-18D) on second reading. All voting "Aye".

**3-G RANCH ADDITION SECTION 4 LOTS 1 & 2**

Ms. Gardner reports that she will have the privately maintained roadway constructions completed, however, Road Director Darrel Brown reports that they have not call for any inspections - staff recommends no action at this time.

**14063 OAK MEADOWS REPLAT OF LOT 32 - PUBLIC HEARING AND THIRD READING**

Judge Etheredge called the public hearing open - no public input received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lot 32 (Lots 32B-32D)" on third reading. All voting "Aye".

**14064 TRIPLE R RANCHETTES REPLAT LOTS 4 & 5 - PUBLIC HEARING AND THIRD READING**

Judge Etheredge called the public hearing open - no public input received - public hearing was closed. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Triple R Ranchettes Replat of Lots 4 & 5 (Lots 4A-4C & 5A-5C)" on third reading. All voting "Aye".

**14065 AUTHORIZE BYRN & ASSOCIATES TO COMPLETE SURVEY OF APPROXIMATELY 62 ACRE TRACT OUT OF THE J.M. VERAMENDI LEAGUE AT A COST NTE \$1825 WITH COST TO BE RECOVERED**

A survey of 61.23 acres in the J.M. Veramendi League Survey (located near the Civic Center) has been performed on property seized for delinquent taxes - cost of survey will be recouped when the property is finally sold. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize Byrn & Associates to complete a survey of approximately 62 acres out of the J.M. Veramendi League (delinquent tax property) at a cost NTE \$1,825.00 with cost to be recovered at time of closing. All voting "Aye".

**14066 AUTHORIZE A CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO COMPLETE A RIGHT-HAND TURN LANE ON KOHLER'S CROSSING AT FM 2770**

Judge Etheredge advised that the Court has already agreed to the contract but must formalize it. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to enter into a contract with the Texas Department of Transportation for completion of a right turn lane on Kohler's Crossing at FM2770. All voting "Aye".

STATE OF TEXAS  
COUNTY OF TRAVIS

THIS AGREEMENT is made by and between Hays county, hereafter called the "County", acting by and through its authorized officials and the State of Texas, hereafter called the "State", acting by and through its Texas Transportation Commission.

WHEREAS, the County desires to widen County Road 171 to allow greater ingress and egress of school buses within the limits at the intersection of Farm-to-Market Road 2770 at Kohler's Crossing and county Road 171 as outlined in Change Order #1. The estimated construction cost of this additional work amounts to \$15,334.54, including contingencies and construction engineering. Indirect costs are not being charged for this project.

NOW, THEREFORE, it is understood that this proposal work as outlined in Change Order #1 will be constructed by the State and the County will transmit to the State with the return of this agreement, executed by the County, a warrant or check made payable to the Texas Department of Transportation in the amount of \$15,334.54, to be used in paying for the proposed additional work required by the County.

It is further understood that the State will construct only the additional work for the county as requested and required by the County and the cost of such additional work will be borne by the County.

In the event it is determined that the funding provided by the County will be insufficient to cover the State's costs under this agreement, the county will within 30 days from the receipt of the State's written notification provide the additional funding to cover the State's anticipated additional costs. In the event the amount as paid is more than the actual cost of the county's share, as herein established, then the excess amount will be returned to the County. It is further understood that the work to be done on behalf of the County, as herein provided, will include the cost of contingencies and construction engineering. Indirect costs are not being charged for this project.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts, but this agreement shall not be valid until signed by a duly authorized representative of each party.

\*\*\*\*\*

**14067 AMEND RESOLUTION #14003 (5/15/95) TO EXPAND MEMBERSHIP OF THE SUBDIVISION RULES COMMITTEE**

Commissioner Barton spoke of action taken by the Court on May 15, 1995 creating a Subdivision Rules Committee to assist in revisions to the County Subdivision Rules - we need to expand that committee and have each member of the Court appoint three members to that committee. Commissioner Molenaar suggested holding their first meeting on June 15, 1995 at the Hays High School. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to amend Resolution #14003 to expand membership of the Subdivision Rules Committee to fifteen (3 appointments per Precinct and 3 At-Large). All voting "Aye".

**DISCUSSION REGARDING APPOINTMENTS TO THE HAYS COUNTY HISTORICAL COMMISSION**

Judge Etheredge advised that, its time for the Court to begin making appointments to the Hays County Historical Commission - two weeks ago outgoing Chairman Lila Knight recommended that the Court consider taking a new approach to these appointments by not only requiring potential members to fill out an application but also to open up the commission to a better cross section of county residents and get rid of some of the "dead wood" on the Commission. The Court agreed to look over the applications prior to taking action.

**UPDATE ON GIS PROPOSALS AND PLANS FOR A JOINT MEETING OF THE COUNTY AND THE CENTRAL APPRAISAL DISTRICT**

The GIS RFP's have been received and it is now necessary to set up demonstrations by each of the two vendors making proposals - proposing a joint meeting of the Court and the CAD Board to see the demonstrations and to also invite elected officials from other entities in Hays County on June 22nd at 6:30 P.M. at the Environmental Health Building and the County Extension Office (1 building for each vendor). Judge Etheredge requested that each member of the Court contact their respective taxing entities to get their Board members to attend this demonstration.

**EXECUTIVE SESSION - PERSONNEL MATTERS**

The Court convened into closed Executive session to discuss personnel matters. Upon completion they reconvened into open meeting.

**14068 ACCEPT FY94 FINANCIAL AUDIT FROM ARMSTRONG, VAUGHAN AND ASSOC. CPA'S**

Armstrong, Vaughan & Assoc. presented the FY94 Financial Audit - the County currently has adequate reserves (\$5 mil = 4 months of expenditures) - advised that the more you have in reserves the better the county's bond rating - generally less money was spent and more revenues were received than were projected in the budget. Ed Tharpe went over his examination and suggested improvements - several departments have deposited excess funds with the County Treasurer - interest earned on bank accounts maintained by departments is generally deposited monthly - the new computer based accounting system and integrated justice and financial management system will benefit many of the offices - the Tax A/C needs to re-examine charges to other entities for tax collection - the Commissary & Inmate Trust Fund at the LEC needs to be reconciled to cash in the bank and physical inventory posted to the books - county officials reviewed actions and records of contract labor standards officers to assure compliance with labor laws on federally funded construction projects - the county refunded fees charged for use of a computer on a federal grant project and developed procedures for contracting professional engineering services. Improvements to internal controls were as follows:

1. Evaluate all bank accounts for need and close or consolidate accounts where feasible.
2. Use management reports to correct the books for Commissary items and reconcile Inmate accounts to cash in the bank.
3. Close the Sheriff's Bonds and Fines account and make deposits directly to the County Treasurer. The Treasurer can provide an independent check of supporting documentation, account for receipts, and deposit money orders or checks made payable to other County officials.
4. Obtain more definitive billing data from TELINK and monitor both rates charged for calls and commissions earned by the County. Modify the contract to specify management reports required and frequency, and limit on rates that may be charged for telephone calls.
5. Expand the role of the Purchasing Agent in procuring professional services (Grants Admin).
6. The County Treasurer can closely monitor the fair market value of pledged securities against daily bank reports of funds on deposit to insure these are sufficient securities pledged. On occasion it may be necessary for the Treasurer to move funds to other secured depositories to avoid risk. (Note: Bank Officials subsequently identified a data error in their computer system. They are correcting this error to avoid future problems with pledged securities).
7. Departments should improve accuracy and completeness of purchase orders to reduce variances with invoices. Accounts payable should follow up on variances, where feasible.

JUNE 5, 1995

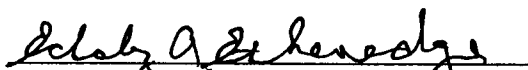
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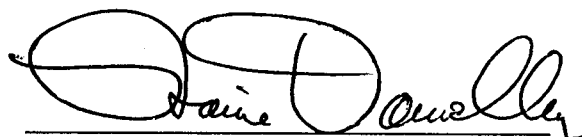
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- 8. Contracts should specify that the County be provided copies of invoices for supplies and services which the County is reimbursing. Where appropriate the County should use their tax-exempt status to avoid paying or reimbursing sales tax.
- 9. Ensure departments are aware of the requirement to add purchases of equipment items to the fixed asset accountability system.
- 10. Request the Texas Dept. of Public Safety mail these federal funds to the County Treasurer's office. Continued use of a private post office box weakens control of these grant revenues. Any resulting loss of funds could jeopardize continuing eligibility for the federally funded grants.

A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to accept the FY1994 financial audit as presented by Armstrong, Vaughan & Assoc., CPA's. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 24th DAY OF July, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

  
**RONNIE DANNELEY, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 8th DAY OF JUNE A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELEY</b>     | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

The following people were present for this meeting: Dede Stevenson, Jo Ann Larivee, Pam Gosnay, Carroll W. Montague, Patsy J. Montague, Kitti Focke (Century News), Kent Broddrick, Wally Kinney, Rudy Nevarez, Elmer Dalley, Roger Fernandez, Lydia Scarborough, Frank Austin, and Edward Villalpando.

**ROAD ISSUES**

Judge Etheredge explained that direction needs to be set for the Road Department - spoke of Director change - Delbert Chance will be the acting Director until a new Director is hired. Commissioner Barton spoke of need to do the right thing in the right way - spoke of roads in his precinct and problems caused by different types of roads (i.e. paved, gravel, etc). Commissioner Molenaar spoke of problems in his precinct. Judge Etheredge spoke of funds available and the county's bond rating - we may need to reorganize the Road Department and get away from thinking in terms of precincts. A Committee is being created to work on revised subdivision standards, rules, etc. Discussion was had regarding requests for road maintenance and new subdivisions and the available funds. Discussed review process for subdivisions. Judge Etheredge advised that all our county roads are substandard but things overlooked in the past are being addressed now - we're not restructuring without tending to drainage - asked for community input on setting priorities and goals - the county can afford to repair correctly only 10 of its 700 miles of road each year - 80% of the budget is designated to keep passable major arterials and their feeders and 20% to subdivision streets. Discussion was had on mowing, repairing potholes. Wally Kinney was appointed Chairman, Lydia Scarborough - Vice Chairman, and Rudy Nevarez - 1st Vice Chairman. A subcommittee to the Task Force will be appointed to obtain public input and make recommendations to the Task Force.

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MINUTES APPROVED IN OPEN COURT ON THE 24th DAY OF July, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Ronnie Dannelley*  
**RONNIE DANNELLEY, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



**STATE OF TEXAS  
 COUNTY OF HAYS**

ON THIS THE 12th DAY OF JUNE A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14069 APPROVE PAYMENT OF COUNTY INVOICES**

Asst. County Auditor Paula Pond requested approval of two additional payments: \$20,000 to San Marcos CISD (Broadway St. Project) and \$1,000 for Postage for the Tax Office. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$180,661.29 plus an additional \$21,000.00 as requested by the County Auditors office. All voting "Aye".

|                   |              |                     |             |                    |              |
|-------------------|--------------|---------------------|-------------|--------------------|--------------|
| State Shared Rev  | \$ 239.94    | Auditors Office     | \$ 308.15   | Treasurer's Office | \$ 383.10    |
| Extension Office  | \$ 266.22    | Grants Admin.       | \$ 445.00   | Juvenile Probation | \$ 159.62    |
| Indigent Care     | \$ 7,862.80  | Transfer Station    | \$ 64.24    | Bldg. Mtc. Dept.   | \$ 2,489.93  |
| Environ Health    | \$ 1,328.03  | Personal Health     | \$ 89.87    | Civic Center       | \$ 559.09    |
| Countywide Oper   | \$ 41,160.09 | Tax A/C             | \$ 143.41   | District Clerk     | \$ 60.00     |
| County Clerk      | \$ 2,407.27  | Sheriff's Office    | \$ 4,257.89 | Jail Operations    | \$ 15,336.50 |
| County Judge      | \$ 637.44    | Human Resources     | \$ 316.11   | Co Crt @ Law 1     | \$ 74.95     |
| District Attorney | \$ 691.54    | J.P. 2              | \$ 58.61    | J.P. 3             | \$ 71.03     |
| D.P.S.            | \$ 472.28    | Constable 2         | \$ 5.00     | Constable 3        | \$ 74.65     |
| Constable 5       | \$ 149.38    | Dist Crt Operations | \$ 4,670.86 | Co & JP Crt Oper   | \$ 2,238.45  |
| Computer Svcs     | \$ 133.72    | Co Crt @ Law 2      | \$ 86.59    | Prot Hmkr Grant    | \$ 192.57    |
| Dunbar Grant      | \$ 14,733.66 | DA DARE Grant       | \$ 119.85   | *Gen Fund Credit*  | * \$ 24.82 * |
| R&B Operating     | \$ 42,846.59 | Precinct 1          | \$ 210.00   | Precinct 2         | \$ 12.18     |
| Precinct 4        | \$ 55.00     | Health Svcs Grant   | \$ 3,311.96 | Law Library Fund   | \$ 108.25    |
| Road Construction | \$ 19,733.00 | Adult Prob Oper     | \$ 4,297.96 | Adult Prob Fac     | \$ 1,121.19  |
| D.A. Reimb Trust  | \$ 6,711.14  |                     |             |                    |              |



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14070 APPROVE BUDGET AMENDMENT NO. 95-032

The following budget amendments were proposed:

- Grants Administration - Transfer \$800 for additional books from personnel cost savings.
- Building Maintenance - Transfer \$3,000 for additional janitorial supplies from personnel cost savings.
- Civic Center - Transfer \$3,000 for electrical work to contract Building Maintenance from Misc. Supplies.
- County-wide Operations - \$40,204 in expenditures, balanced by \$40,204 in reimbursements - adjust Tax Assessor fee figure in expenses and reimbursements actual.
- R&B Operations - Transfer \$700 for 2 each gas engines for water tank truck pumps from personnel cost savings.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budgett Amendment No. 95-032 as proposed by the County Auditor. All voting "Aye".

|                                                              |               |           |           |               | AMENDMENT<br>NO. 95-032<br>FY 95 BUDGET<br>06/12/95 |
|--------------------------------------------------------------|---------------|-----------|-----------|---------------|-----------------------------------------------------|
|                                                              |               |           |           |               | FUND NO. 01                                         |
|                                                              |               |           |           |               | FUND TITLE GENERAL                                  |
| LINE ITEM - EXPENDITURES                                     | APPROPRIATION | AMENDMENT |           | APPROPRIATION |                                                     |
|                                                              | BEFORE        | INCREASES | DECREASES | AS            |                                                     |
|                                                              | AMENDMENT     |           |           | AMENDED       |                                                     |
| <b>GRANT ADMINISTRATION (404)</b>                            |               |           |           |               |                                                     |
| 01-404-5213 Books                                            | 950           | 800       |           | 1,750         |                                                     |
| 01-404-5160 Insurances                                       | 5,427         |           | (800)     | 4,627         |                                                     |
| TRANSFER FOR ADDITIONAL EXPENSE FROM PERSONNEL SAVINGS       |               |           |           |               |                                                     |
| <b>BUILDING MAINTENANCE (410)</b>                            |               |           |           |               |                                                     |
| 01-410-5281 Janitorial Sply                                  | 13,000        | 3,000     |           | 16,000        |                                                     |
| 01-410-5241 Bldg Maint Sply                                  | 18,000        | 2,000     |           | 20,000        |                                                     |
| 01-410-5021 Staff                                            | 102,648       |           | (4,000)   | 98,648        |                                                     |
| 01-410-5160 Insurances                                       | 16,628        |           | (1,000)   | 15,628        |                                                     |
|                                                              |               | 5,000     | (5,000)   |               |                                                     |
| TRANSFER FOR ADDITIONAL SUPPLIES FROM PERSONNEL COST SAVINGS |               |           |           |               |                                                     |
| <b>CIVIC CENTER (413)</b>                                    |               |           |           |               |                                                     |
| 01-413-5459 Misc Contract Maint                              | 10,000        | 3,000     |           | 13,000        |                                                     |
| 01-413-5299 Misc Supply                                      | 10,000        |           | (3,000)   | 7,000         |                                                     |
| TRANSFER FOR ELECTRICAL WIRING                               |               |           |           |               |                                                     |
| <b>COUNTY-WIDE OPERATIONS (414)</b>                          |               |           |           |               |                                                     |
| 01-414-5328 Tax Assessor Fee                                 | 350,000       | 40,024    |           | 390,024       |                                                     |
| 01-414-5991 Tax A/C Fee Reimb                                | (350,000)     |           | (40,024)  | (390,024)     |                                                     |
| ADJUST FEE & REIMBURSEMENT                                   |               |           |           |               |                                                     |

|                                                                                |               |           |           |               | AMENDMENT<br>NO. 95-032<br>FY 95 BUDGET<br>06/12/95<br>Page 2 |
|--------------------------------------------------------------------------------|---------------|-----------|-----------|---------------|---------------------------------------------------------------|
|                                                                                |               |           |           |               | FUND NO. 03                                                   |
|                                                                                |               |           |           |               | FUND TITLE ROAD & BRIDGE GENERAL                              |
| LINE ITEM - EXPENDITURES                                                       | APPROPRIATION | AMENDMENT |           | APPROPRIATION |                                                               |
|                                                                                | BEFORE        | INCREASES | DECREASES | AS            |                                                               |
|                                                                                | AMENDMENT     |           |           | AMENDED       |                                                               |
| <b>OPERATIONS (438)</b>                                                        |               |           |           |               |                                                               |
| 03-438-5719 Misc Eqpt                                                          | 10,000        | 700       |           | 10,700        |                                                               |
| 03-438-5021 Staff                                                              | 1,086,085     |           | (700)     | 1,085,385     |                                                               |
| TRANSFER FOR TWO EACH ENGINES FOR TRUCK WATERPUMPS FROM PERSONNEL COST SAVINGS |               |           |           |               |                                                               |

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**14071 AUTHORIZE FIRST SOUTHWEST TO SUBMIT A BID ON THE BONDS AND NOTES TO BE SOLD**

The following was submitted by First Southwest Company for approval:

Re: Financial Advisory Compliance to MSRB Rule G-23(d)(ii);

\$8,000,000 Hays County, Texas General Obligation Bonds, Series 1995  
 \$2,770,000 Hays County, Texas Anticipation Notes, Series 1995

A rule of the Municipal Securities Rulemaking Board, under which we operate, requires that we advise you in writing of our intentions to bid for our own account or with others for your Bonds and Notes and that we have your written consent to do so.

Our Financial Advisory Agreement and the Notice of Sale mailed to all prospective bidders and purchasers of your Bonds and Notes states that:

"First Southwest Company is employed as Financial Advisor to the County in connection with the issuance of the Bonds/Notes. The Financial Advisor's fee for services rendered with respect to the sale of the Bonds/Notes and is contingent upon the issuance and delivery of the Bonds/Notes. First Southwest Company may submit a bid for the Bonds/Notes, either independently or as a member of a syndicate organized to submit a bid for the Bonds/Notes."

It would be appreciate if you would indicate your approval by signing this letter in the space provided below and returning it to me.

Very truly yours,  
 s/ Dan Wegmiller

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize First Southwest to submit a bid on the Bonds and Notes to be sold. All voting "Aye".

**14072 APPROVE UTILITY PERMIT NO. 95104**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permit No. 95104 (CR 266/Francis Harris Lane) to Century Telephone Company as issued by the Road Department. All voting "Aye".

**14073 AUTHORIZE PURCHASE OF 5-DRAWER LEGAL FILE CABINET OUT OF COUNTY CLERK'S RECORD MANAGEMENT FUND**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize purchase of the 5-drawer legal file cabinet (\$225) out of County Clerk Records Management Fund. All voting "Aye".

**14074 APPROVE THE LOMR POLICY REVISIONS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the LOMR Policy Revisions as presented by Environmental Health. All voting "Aye".

**LOMAR Policy Revision**

The following policy shall apply to road and driveway construction in unstudied areas of Zone A of regulated floodplain in Hays County.

- ◆ The Hays County Floodplain Administrator shall determine the LOMR submission requirements and the engineering methodology for designing road crossings in unstudied Zone A based on the following considerations:
  - Drainage basin size and characteristics
  - Width of floodplain and estimated flows
  - Probable impact, both upstream and downstream, caused by the structure
  - Anticipated volume of traffic and possible public usage for this road
  - Ownership of property and easements impacted by the new development
- ◆ The Floodplain Administrator may decide a LOMR is unnecessary if the net effect of the structure causes a rise of one foot or less during a base flood discharge.

In general the following engineering methodology requirements shall apply

|                                                                                                                                        |                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>BASIN SIZE</b><br/>         &lt; 160 Acres<br/>         160-640 Acres<br/>         1-15 Sq. Mi.<br/>         &gt; 15 Sq. Mi.</p> | <p><b>METHODOLOGY</b><br/>         Rational Method<br/>         SCS Tabular or Graphical Method<br/>         SCS TR 20 or HEC I<br/>         HEC I</p> |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|

- ◆ The Floodplain Administrator may approve the use of comparable software programs and other methodologies, provided they are appropriate for the basin size.

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**14075 AUTHORIZE TERMINATION OF COUNTY ROAD DIRECTOR**

The Court advised that Darrel Brown has worked diligently and with perseverance to do the job of Road Administrator/Director to the best of his ability, however, his abilities have never completely matched up with the overall requirements of the position - the Court, therefore, proposes to sever employment effective June 15, 1995. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize termination of Darrel Brown as County Road Director. All voting "Aye".

**14076 AUTHORIZE APPOINTMENT OF DELBERT CHANCE AS ACTING DIRECTOR OF THE ROAD DEPARTMENT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the appointment of Delbert Chance as the Acting Director of the Road Department. All voting "Aye".

**14077 CROSS VALLEY SUBDIVISION - FIRST READING APPROVAL**

Tejas Business Park, J.V., owners of 35.455 acres in the Otis G. Eels Survey, propose to develop a 9 lots subdivision located on CR300 (Engelke Road) and Cross Lane - 10 ft. is being dedicated on CR300 (currently a 40' r-o-w). Robert McDonald presented the plat on first reading - a road maintenance agreement has been prepared for Cross Lane - we cannot force the other property owners on this road to enter into this agreement - plans are to upgrade Cross Lane. Niederwald Mayor Fern Howze stated that the City has approved this plat on first reading if Cross Lane is a dedicated right-of-way. A motion was made by Commissioner Barton, seconded by Commissioner Barton to approve "Cross Valley Subdivision" on first reading. All voting "Aye".

**14078 OAK FOREST SECTION ONE - FIRST READING APPROVAL**

967 Ltd., owner of 473+ acres located on Oak Grove Road (50' row), submitted plans to subdivide 66 acres of their property into 13 lots ( a total of 114 lots will be eventually developed) - additional right-of-way will be dedicated on Oak Grove Road. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Oak Forest Section One" subdivision on first reading. All voting "Aye".

**14079 ROLLING OAKS SECTION 3 REPLAT OF LOT 54 - FIRST READING AND CALL FOR A PUBLIC HEARING**

Donna Best, owner of Lot 54 Rolling Oaks Section 3, has submitted a replat of this lot into Lots 54A & 54B. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Rolling Oaks Section 3 Replat of Lot 54" on first reading and call for public hearing to be held June 26, 11995 at 9:00 A.M. All voting "Aye".

**14080 INDIAN HILL RANCH - SECOND READING APPROVAL**

Owner Farm Credit Bank of Texas is subdividing 516.15 ac out of the Memory B. Tatum Survey into 21 lots - located off FM150 - will be deed restricted - first reading approval has been received from the City of Mountain City - subdivision will have private roads and restrictions allow only one re-subdivision and only into two lots - they want to keep their road private and used only by the property owners. Patsy Greiner, Mapping/Planning, spoke of need for future planning for arterial roads. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Indian Hill Ranch" on second reading. All voting "Aye".

**14081 QUAIL MEADOWS - SECOND READING APPROVAL**

This subdivision was originally submitted under the name of "Dove Meadows" and obtained first reading approval on April 10, 1995 - consists of 101 lots for single family development - all lots are 0.5 acre or larger and all streets are 60' row . Commissioner Barton advised that the Homeowners Assoc. of Meadow Woods do not want to be connected to this subdivision. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Quail Meadows" subdivision on second reading. All voting "Aye".

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**PLATTING VARIANCE REQUEST - TWO PARCELS OUT OF THE JOSEPH MIX SURVEY (WOOD PROPERTY) - LOCATED ON CR194**

Property Owner Tommye Simmons Wood (Co-Trustee) & Texas Commerce Bank (Co-Trustee) are requesting a platting variance for two parcels of property out of the Joseph Mix Survey No. 34, each of which have road frontage on CR194 - the division of the property will be into a 23.386 acre tract and a 24.528 acre tract for residential and agricultural use - the property is not within any regulated floodplain, is outside of the Dripping Springs ETJ, and is not within the Edwards Aquifer Recharge Zone. Patsy Greiner, Mapping/Planning Coord., advised that both tracts have frontage (flag lots) on the county road which is actually a prescriptive easement - 30 feet of right-of-way off both lots is being requested for potential future roadway improvements. No action this date.

**PLATTING VARIANCE REQUEST - ONE TRACT (22.838 AC. MARTIN JAMES SURVEY) ON BELL SPRINGS ROAD (CR169) - CUMMINGS PROPERTY**

A variance to platting requirements was requested by David C. Drake, Agent for Owner William Cummings, for a 22.838 acre tract on Bell Springs Road (CR 169) - the division is for residential and agricultural use - the property is outside the Dripping Springs ETJ but has a small area within the floodplain. Patsy Greiner, Mapping/Planning Coord., advised that the original tract is split by Bell Springs Road and the owner wishes to sell the tract which is wholly contained on the east side of the road. No action this date.

**PLATTING VARIANCE REQUEST - TWO TRACTS ON E. LONE MAN CREEK ROAD (HUTCHESON PROPERTY)**

Jim Henderson presented a platting variance request on behalf of owner Laura S. Hutcheson and her mother who own 328 acres in Wimberley on E. Lone Man Creek Road - there is an old log cabin on this property which she does not plan to use and would like to sell this 27.350 acres which has direct access to FM3237 via an existing paved road and is not subject to floodplain or floodway problems because of a severe bluff on the creek side. - this tracts can never be cut into smaller tracts. Patsy Greiner, Mapping/Planning Coord., advised that this property owner was previously granted a variance to platting for division of tracts of no less than 75 acres (has four tracts: 85.311 ac., 75.065 ac., 75.067 ac, and 93.476 ac) - would like to divide the 93.476 acre tract into two parcels divided by the old roadway - there is a sliver of floodplain along the northwestern boundary of the 27.35 acre tract which borders Lone Man Creek, however, it is a high bluff and the majority of the tract is not in the floodplain. No action this date.

**3-G RANCH ADDITION SECTION 4 LOTS 1 & 2**

Patsy Greiner, Mapping/Planning Coord., advised that Developer Yvonne Gardner reports that she will have the privately-maintained roadway construction completed, however, the County Road Director reports that they have not called for any inspections. Action was postponed. Carrie Beatty, resident of 3-G Ranch Addition, spoke of her problems as a property owner in this subdivision for the last two years - advised the Court that she is selling her property and relocating to Wimberley - asked the Court to not forget the victims of illegal subdivisions - spoke of having to use BFI portapotties for the last two years and problems BFI has had with accessing her property at times - requested waiver of septic tank permit at her new location since she was never able to use the permit that was issued to her two years ago. No action taken.

**14082 MOUNTAIN CITY OAKS ESTATES - SECOND READING APPROVAL**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Mountain City Estates" subdivision on second reading. All voting "Aye".

**SOUTHERN WOODS SUBDIVISION**

Commissioner Barton advised that approval from the City of Hays has not been submitted - need to resolve the ETJ issue. Bill Couch advised that the developer has not filed a preliminary plat with the City of Hays. No action taken.

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**14083 LA TRUFFIERE REPLAT OF LOTS 2 & 3 - PUBLIC HEARING AND THIRD READING APPROVAL**

Judge Etheredge opened the public hearing to consider third reading on the replat of Lots 2 & 3 of La Truffiere subdivision (Lots 2A, 3A, 4 & 5). Nancy Cook, property owner, spoke - a Homeowners Association was established in 11986, however, she has at this time been unable to locate the Board Members in order to obtain their approval of the replat. Judge Etheredge called the public hearing closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "La Truffiere Replat of Lots 2 & 3" on third reading subject to approval by the Homeowners Association. All voting "Aye".

**14084 BEAR CREEK ESTATES SECTION 2 REPLAT OF LOT 47 - PUBLIC HEARING AND THIRD READING**

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Bear Creek Estates Section 2 Replat of Lot 47" (Lots 47A & 47B) on third reading. All voting "Aye".

**14085 OAK MEADOWS REPLAT OF LOT 18 (LOTS 18A-18D) - PUBLIC HEARING & THIRD READING**

Judge Etheredge called the public hearing open. Tom Ash spoke of Oak Meadows and Rocky Ranch Acres subdivisions on Hilliard Road - the private roads in these subdivisions were never built to county specs and the county eventually accepted them for county maintenance because the Homeowners Association never properly maintained them - felt like the current developer should not be allowed to build substandard roads. Public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Oak Meadows Replat of Lot 18" on third reading. All voting "Aye".

**14086 APPROVE RENEWAL OF CONTRACT WITH VICTORIA COUNTY FOR JUVENILE SERVICES**

A motion was made by Judge Etheredge, seconded by Commissioner Payne to approve renewal of contract for residential services for juveniles with Victoria County. All voting "Aye".

**CONTRACT FOR RESIDENTIAL SERVICES**

This agreement is made on this the 12th day of June, 1995, by and between VICTORIA COUNTY and HAYS County, a political subdivision of the State of Texas, hereinafter referred to as ("CONTRACTOR").

WHEREAS, VICTORIA COUNTY operates the Victoria County Juvenile Detention Center ("DETENTION CENTER") and has contracted with other various probation departments for housing of juveniles; and

WHEREAS, the DETENTION CENTER has been duly inspected and certified as being suitable for the detention of juveniles by the Victoria County Juvenile Board;

NOW, THEREFORE, the parties agree as follows:

**ARTICLE I**

1.01 PURPOSE: The purpose of the Contract is to provide housing in the DETENTION CENTER for juveniles from the County of CONTRACTOR, that have been adjudicated delinquent and placed on probation, and are court ordered as a condition of probation to be placed in the Post-Adjudication Placement Alternative.

**ARTICLE II**

2.01 TERM: The term of this contract is for a period commencing on the \_\_\_ day of \_\_\_\_\_, 199\_ and terminating on the \_\_\_ day of \_\_\_\_\_, 19\_\_.

2.02 TERMINATION: This contract may be terminated without cause by either party upon thirty (30) calendar days written notice to the other party. This contract may also be terminated immediately for cause if CONTRACTOR fails to provide proper documentation or otherwise breaches the covenants and agreements contained herein.

CONTRACTOR shall remove, on or before the termination date, all juveniles placed by CONTRACTOR in the DETENTION CENTER.

**ARTICLE III**

3.01 FACILITIES: VICTORIA COUNTY agrees to provide those juveniles housed in the DETENTION CENTER, room, board, and 24 hour daily supervision and approved educational program, recreational facilities, and counseling. Such detention space and service shall be provided by VICTORIA COUNTY at the request of CONTRACTOR. Such space, however, will be provided by VICTORIA COUNTY to CONTRACTOR on a space available basis (as determined by VICTORIA COUNTY).

3.02 MEDICAL: In the event the parent of any juvenile and/or such juvenile medical insurance does not cover the cost of medical care, emergency examinations, treatments, and/or hospitalization, CONTRACTOR agrees to be responsible for payment. VICTORIA COUNTY will notify CONTRACTOR of any medical emergency or condition requiring medical care within one regular working day of its occurrence.

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ARTICLE IV

4.01 FEES: For services rendered under this Agreement, CONTRACTOR shall pay the sum of EIGHTY-THREE (\$83.00) DOLLARS per day per child for each day the CONTRACTOR has juveniles in the DETENTION CENTER. Charges will include the day of admittance, regardless of hour of admittance; plus the number of days until released, including day of release, regardless of hour.

4.02 BILLING: VICTORIA COUNTY agrees to furnish CONTRACTOR an itemized bill, which shall include the daily charges specified above and all reimbursable expenses incurred by VICTORIA COUNTY for juveniles of CONTRACTOR through the date of the bill. Billings shall be made to CONTRACTOR at the following address \_\_\_\_\_, or such address requested in writing by CONTRACTOR.

4.03 PAYMENT: Payment shall be made monthly within twenty (20) days after billing by VICTORIA COUNTY. Payment shall be made to:

Victoria County Juvenile Services Department  
Victoria Regional Airport Bldg. 200  
Victoria, Texas 77904

ARTICLE V

5.01 CONDITIONS FOR PLACEMENT: When a juvenile is transported to the DETENTION CENTER, the officer effectuating the transfer should have the following with him:

- (1) Two copies of the signed Disposition Order with the conditions ordering the child into placement;
- (2) A copy of the written notification from CONTRACTOR to child's parents advising of his or her whereabouts.

5.02 RELEASE: Juveniles placed in Post-Adjudication care in the facilities shall be released at the time specified by the Court Order issued by the Judge of the Juvenile Court of CONTRACTOR, and at such time, CONTRACTOR shall, at its expense, remove such juveniles from the facility.

5.03 CHARGES FOR TRANSPORTATION: Should a juvenile in Post-Adjudication care not be removed by CONTRACTOR, its agents, servants, or employees, as noted in above Section 5.02 by 12:00 noon of the last day of placement, VICTORIA COUNTY will immediately deliver the juvenile to the Juvenile Court or a person authorized by the CONTRACTOR to receive juveniles. CONTRACTOR shall be assess a traveling charge to be determined by VICTORIA COUNTY.

5.04 ORDER OF RELEASE: Juveniles placed in the DETENTION CENTER shall not be removed prior to the dates set forth in the Court Order except to the Probation Officer or as allowed in Section 5.05, without delivery of Order for Release signed by the Judge of the Juvenile Court of CONTRACTOR. In the event said juvenile is not removed by the CONTRACTOR, VICTORIA COUNTY is hereby authorized to immediately deliver the juvenile to the CONTRACTOR or person authorized by the CONTRACTOR to receive juveniles. CONTRACTOR shall be charged for same in accordance with Section 5.03 above.

5.05 EXAMINATIONS: If a juvenile is placed in the DETENTION CENTER, and if found, in the sole judgment of VICTORIA COUNTY, to be mentally or physically unfit, dangerous and/or unmanageable or such juvenile's mental or physical condition would or might endanger that juvenile or other occupants of the DETENTION CENTER, then VICTORIA COUNTY will immediately give notice to a person or persons authorized by CONTRACTOR to remove the juvenile, and said juvenile shall be removed by an authorized person promptly, but in no event later than twelve (12) hours after notification. In the event said juvenile is not removed, VICTORIA COUNTY is authorized by CONTRACTOR to remove juvenile. CONTRACTOR shall be charged for same in accordance with Section 5.03.

5.06 ACCEPTANCE: VICTORIA COUNTY agrees that the DETENTION CENTER will accept any juvenile qualified hereunder, without regard to such juvenile's religion, race, sex, creed, color, or national origin.

ARTICLE VI

6.01 OPERATION: Nothing in this contract shall be construed to permit CONTRACTOR, its agents, servants, or employees in any way to manage, control, direct or instruct VICTORIA COUNTY, its servants or employees in any manner respecting any of their work, duties or functions pertaining to the maintenance and operation of the DETENTION CENTER.

ARTICLE VII

7.01 INSURANCE: CONTRACTOR shall, at its sole expense, procure and maintain throughout the term of this agreement, a policy or policies of insurance covering, among other matters that CONTRACTOR shall desire, any and all damages and/or claims that might arise out of the detention of juveniles placed by CONTRACTOR in the DETENTION CENTER. Such insurance shall include, but not be limited to, breach of confidentiality. The minimum limits of insurance shall be \$100,000.00 for property damage, \$100,000.00 per person and \$300,000.00 per occurrence. All of such policies shall name VICTORIA COUNTY, its officials, agents, and employees as additional named insured, and shall provide for 30 days advance notification to VICTORIA COUNTY prior to termination.

7.02 CONFIDENTIALITY AND INDEMNIFICATION: In consideration of VICTORIA COUNTY agreeing to provide access to information or records pertaining to a juvenile placed in the DETENTION CENTER by CONTRACTOR, CONTRACTOR agrees to indemnify and hold harmless VICTORIA COUNTY, and or its officials, agents, and employees for any damages and/or claims, including, but not limited to attorney's fee incurred in the event that any breach of confidentiality occurs as a result of VICTORIA COUNTY providing the information or records to CONTRACTOR.

ARTICLE VIII

8.01 ENTIRE AGREEMENT: This agreement supersedes any and all other Agreements, either oral or in writing, between the parties hereto with respect to the subject matter of this Agreement.

ARTICLE IX

9.01 APPLICABILITY: This Agreement shall inure solely to the benefit of the parties hereto and not to any third party recipients or supplier of services.

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ARTICLE X

10.01 ASSIGNABILITY: This agreement is not assignable.

ARTICLE XI

11.01 ATTORNEY'S FEES: If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees in addition to any other relief to which he may be entitled.

ARTICLE XII

12.01 GOVERNING LAW: The validity of this Agreement and of any of its terms or provisions, as well as the rights and duties of the parties hereunder, shall be governed by the law of the State of Texas, and venue shall lie exclusively in Victoria County, Texas.

ARTICLE XIII

13.01 AMENDMENT: This agreement may be amended by the mutual agreement of the parties hereto in writing to be attached to and incorporated into this Agreement.

ARTICLE XIV

14.01 LEGAL CONSTRUCTION: In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.



**VARIANCE REQUEST TO SPRINKLE EFFLUENT FOR AEROBIC SYSTEM**

Commissioner Payne spoke of letter submitted by Rick & Emily Phillips requesting a wastewater system variance that would allow an aerobic septic system with surface effluent application (spray/sprinkler) - Allen Walther has reservations about the maintenance agreement - the property in questions is a large acreage tract (Burnett Ranch Subd). Commissioner Barton stated that he spoke with the TNRCC person referred to in the letter and that person did not agree to all the statements made - they did speak highly of the technology but does not promote this system over sub-surface treatment. Bill Couch spoke of the technology being good, however, his concerns are the close proximity to the Creek - will the system be pond or tank storage? - rainfall is high in this area which could cause runoff - court needs to be cautious and be assured that this would be a high quality effluent - would requiring continuous monitoring of this type of system. No action taken this date.

**14087 AWARD CONTRACT FOR LANDSCAPE ARCHITECT FOR DRIPPING SPRINGS TRIANGLE PROJECT**

Only one proposal was received after advertising RFP for this ISTE A Enhancement Program Project (Dripping Springs Triangle): Stephen K. Domigan, Landscape Architect. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to award contract for professional services - Landscape Architect for the Dripping Springs Triangle Project to Stephen K. Domigan. All voting "Aye".

**14088 APPROVE APPOINTMENTS TO THE HAYS COUNTY HISTORICAL COMMISSION**

Judge Etheredge introduced Sharon Conner as the new Chairperson for the Hays County Historical Commission. Mrs. Conner stated that she is looking forward to working with the Court. Winton Porterfield advised that the Commission has a membership limit of 30 - 28 members to be appointed this date. Commissioner Payne commended the members for their service - would like to leave membership open for future appointments. Judge Etheredge stated that we need to maintain an active membership and replace those who do not regularly attend meetings, etc. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve appointment of members to the Hays County Historical Commission as presented this date. All voting "Aye".

- A. Precinct 1:
  1. Johnnie Armstead, 1421 W. Hopkins, San Marcos (current member)
  2. Francis Stovall, 20 Timberhurst Circle, San Marcos (current member)
  3. Sammie W. Williamson, 1317 Brown, San Marcos
  4. Al Lowman, 3603 Hunter Rd., San Marcos (current member)
  5. Ollie Giles, 524 Valley St., San Marcos
  
- B. Precinct 2:
  1. R. Scott Grundy, 1182 Live Oak Loop, Buda
  2. Lila Knight, 135 Park South Dr., Kyle (current member)
  3. Barbara Younts, 3920 Jack C. Hays Trail, Buda (current member)
  4. Angelita Tobias, 37-A Roland Lane, Kyle (current member)
  5. Mark Giberson, P.O.Box 357, Buda (current member)
  6. Ann Miller Strom, P.O.Box 367, Kyle (current member)

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- C. Precinct 3:
  1. Richard Rodriguez, 612 Franklin Dr., San Marcos
  2. Solia Rodriguez, 612 Franklin Dr., San Marcos (current member)
  3. Ofelia Vasquez-Philo, 505 Park Place, San Marcos (current member)
  4. Reed B. Parr, 2310 Bishop, San Marcos (current member)
  5. Bob Sappington, 708 Willow Ridge, San Marcos (current member)
  6. Toni Endicott, P.O. Box 271, Wimberley
  7. Claire Smullen, P.O.Box 2206, Wimberley (current member)
  8. Dr. Yoland F. Espinoza, 139 S. Comanche, San Marcos
  9. Helen Van Gundy, 301 Pecan, San Marcos (current member)
  10. Winton Porterfield, 610 Blanco St., San Marcos (current member)
  
- D. Precinct 4:
  1. Barbara Jordan Meyers, 2707 Gatlin Creek Rd., Dripping Springs
  2. Sharon Conner, 3001 Mt. Gainor Rd., Dripping Springs (current member - will be appointed chair by County Judge)
  3. Dana Norman, 102 Bob White Cove, Dripping Springs
  4. Mark Denton, 125 Traildriver, Austin (current member)
  5. Katherine Cannon, P.O. Box 589, Dripping Springs (current member)
  6. Mary Bonner, 4201 Lime Kiln, San Marcos (current member - did not turn in application but asked Lila Knight to be mentioned for reappointment)
  7. Al McGehee, 1403 Alamo Street, San Marcos (current member - did not turn in application but asked Lila Knight to be mentioned for reappointment)

**14089 AUTHORIZE TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM TO CONDUCT A BUY-BACK STUDY**

A subdivision that operates under the Annually Determined Contribution Rate Plan may authorize, for those current employees who have terminated a previous TCDRS membership by the withdrawal of deposits following termination of employment, the repurchase of forfeited credited service. Authorization will result in an increase in the employer's annual contribution rate since pension obligations will be increased when previously forfeited service credits are repurchased. Subdivisions interested in authorizing the repurchase of previously forfeited service credit should request the TCDRS office to perform a preliminary actuarial study to define the potential costs. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the County Treasurer to send a letter requesting the TCDRS office to conduct a buy back study. All voting "Aye".

**14090 APPROVE MALPRACTICE INSURANCE FOR DR. BIRDWELL AT THE CURRENT RENEWAL RATE**

The cost for renewal of the Medical Professional Liability Insurance Policy for Dr. Larry Birdwell is \$6,252.00. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve malpractice (Medical Professional Liability) insurance for Dr. Larry Birdwell at the current renewal rate of \$6,252.00. All voting "Aye".

**14091 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO CONTRACT AMENDMENT TO INCLUDE TESTING SERVICES FOR EVALUATION OF INPLACE RECYCLING**

Raba-Kistner-Brytest Consultants, Inc. submitted a proposal to provide construction materials observation and testing services for County Road Projects. Scope of Services: sampling of existing pavement materials, sieve analyses, Atterberg Limits tests, moisture-density relationship (Proctor) tests of untreated materials and base materials treated with emulsion, and nuclear moisture-density testing. They proposed to provide their services on an "as required" basis throughout the course of this project. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to authorize the County Judge to enter into a contract amendment with Raba-Kistner-Brytest Consultants, Inc. to include construction materials observation services for evaluation of in place recycling. All voting "Aye".

**WORKSHOP SESSION REGARDING TELEPHONE SYSTEM FOR THE JUSTICE CENTER**

Purchasing Agent Cindy Casparis spoke of need to prepare RFP's for the telephone system for the Justice Center - has discussed options with the Departments that will be located in that building - they would prefer a switchboard operator to direct calls or have an automated answering system. Scott Fisher, Account Representative for Century Telephone Co., Inc. spoke of CENTREX services: [1] No large initial capital outlay (less expensive than any stand-alone system), [2] Protection against obsolescence (updates are provided regularly offering access to new features), [3] Operational Transparency (uniform service across an entire metropolitan area - appearing to be a seamless operating system), [4] Lower operating costs, [5] Reliability/Survivability (low risk of system outage - equipment is located at Century Telephone's central office in a well-maintained building that exists specifically to house such equipment and maintenance personnel are available 24 hours a day). The end user has no responsibility for service or maintenance of switching equipment - Centrex offers a wide range of options for data communications that are flexible in terms of the transmission speeds they support, and that are independent of protocol - ISDN also helps the data user interface with the public network by providing a universal set of standards. Mr. Fisher spoke of Centrex allowing transfer of calls anywhere in the Century Telephone region - voice mail is available - you can customize the features for each individual unit. A discussion was had regarding voice mail - spoke of main menus and sub-menus.



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**WORKSHOP SESSION REGARDING THE HAYS COUNTY ROAD DEPARTMENT**

A workshop meeting regarding the County Road Department was held from 1:30 P.M. to 5:30 P.M. at the Hays County Environmental Health Dept. building. The following Road staff people were present: Acting Director Delbert Chance, Mechanic Garry Ingalsbe, Will Miles, Ernest Cordova (D.S.), Joe Ortiz (Kyle & countywide), Ernest Garcia (Wimb), and John Paul Garza (S.M).

Delbert Chance spoke of meeting held last week - submitted the following to the Court:

**HAYS COUNTY ROAD DEPARTMENT**

**MISSION STATEMENT**

**STRIVING TO BUILD & MAINTAIN  
QUALITY COUNTY ROADS**

**GOALS**

- ◆ Complete all phases of Bond Project by Year 2000
- ◆ Upgrade equipment and vehicles
- ◆ Respond courteously to customers
- ◆ Build new maintenance facility and satellite offices
- ◆ Continuously do quality work
- ◆ Increase communication and teamwork
- ◆ Establish workable, dependable scheduling
- ◆ Perform quality, timely preventive maintenance
- ◆ Promote safety

The Supervisors provided a list of priorities:

| <b>SAN MARCOS</b> | <b>KYLE</b> | <b>WIMBERLEY</b> | <b>DRIPPING SPRINGS</b> |
|-------------------|-------------|------------------|-------------------------|
|-------------------|-------------|------------------|-------------------------|

**ROADS FOR TOTAL RECONSTRUCTION**

- |                                                                                                                                                                                          |                                                                                                                                                          |                                                                                                                                                              |                                                                                                                      |
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| <ol style="list-style-type: none"> <li>1. Picasso Drive</li> <li>2. County Road 235<br/>(CR266 to Hunter)</li> <li>3. County Road 256</li> <li>4. Intersection of CR160 @ 161</li> </ol> | <ol style="list-style-type: none"> <li>1. County Road 157</li> <li>2. County Road 148</li> <li>3. County Road 127</li> <li>4. County Road 129</li> </ol> | <ol style="list-style-type: none"> <li>1. County Road 280</li> <li>2. County Road 220</li> <li>3. Valley Ridge Road</li> <li>4. Hugo Road (CR214)</li> </ol> | <ol style="list-style-type: none"> <li>1. County Road 162<br/>(CR266 to Hunt)</li> <li>2. County Road 191</li> </ol> |
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**TOTAL SEAL COAT**

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| <ol style="list-style-type: none"> <li>1. County Road 265</li> <li>2. County Road 266<br/>(Westfield to CR232)</li> <li>3. County Road 233<br/>(Hunter to Dead End)</li> </ol> | <ol style="list-style-type: none"> <li>1. Hays Country Oaks<br/>I &amp; II (Subd)</li> <li>2. County Road 310</li> <li>3. County Road 311</li> <li>4. Chaparral Park Sub.</li> <li>5. Coves of Cimarron Sub.</li> <li>6. Windmill Way</li> </ol> | <ol style="list-style-type: none"> <li>1. County Road 183</li> <li>2. County Road 221</li> <li>3. County Road 173</li> <li>4. Paradise Hills Sub.</li> <li>5. Paradise Valley Sub.</li> </ol> | <ol style="list-style-type: none"> <li>1. County Road 101 E.</li> <li>2. Harmon Hills Sub.</li> <li>3. Sunset Canyon Sub.</li> <li>4. County Road 355</li> <li>5. Bonham Lane</li> <li>6. Deer Creek Circle</li> <li>7. Big Country Sub.</li> <li>8. County Road 185</li> <li>9. County Road 191<br/>(1.5 mi. of gravel sec)</li> </ol> |
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**SPOT SEAL**

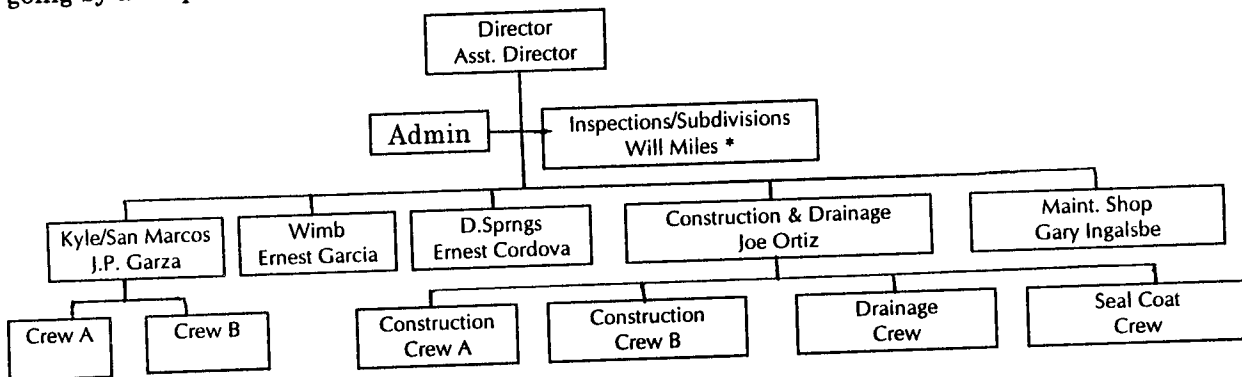
- |                                                                                                                                                                |                                                                                                                                                                                                        |                                                                                               |                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Siesta Verde Sub.</li> <li>2. Willow Creek Estates</li> <li>3. Country Estates</li> <li>4. The Settlement</li> </ol> | <ol style="list-style-type: none"> <li>1. Woods of Cimarron</li> <li>2. Chaparral Park Sub</li> <li>3. Blanco River Crossing Sub.</li> <li>4. Leisurewoods Sub.</li> <li>5. County Road 119</li> </ol> | <ol style="list-style-type: none"> <li>1. River Road</li> <li>2. White Rabbit Sub.</li> </ol> | <ol style="list-style-type: none"> <li>1. Big Country sub.</li> <li>2. County Road 191</li> <li>3. Sunset Canyon Sub.</li> </ol> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|

**EQUIPMENT TO BE REPLACED**

- |                                                                                                                                  |                                                                                                                                                                                                  |                                                                                                                                 |                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>08-01 Equip. Trailer</li> <li>07-01 Brush Chipper</li> <li>04-01 Gallion Blade</li> </ol> | <ol style="list-style-type: none"> <li>02-19 Ford Dump Truck</li> <li>02-14 Ford Dump Truck</li> <li>02-02 Water Truck</li> <li>04-04 JD Blade</li> <li>03-04 Massey Furgason Tractor</li> </ol> | <ol style="list-style-type: none"> <li>04-05 Gallion Blade</li> <li>02-18 Ford Water Truck</li> <li>03-07 Long Mower</li> </ol> | <ol style="list-style-type: none"> <li>01-12 Ford Pick Up</li> <li>04-08 Cat 12 Blade</li> <li>04-09 Cat 120 Blade</li> </ol> |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|

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Commissioner Payne stated that he felt like CR220 did not have enough people using it to warrant reconstruction - suggested seal coat - Hugo Road (CR214) is included in the bond issue - stated that he would like to see the work spread around in his area - stated that he committed to do Wimberley Oaks Road - his crew tore this paved road up prior to the road department taking over and it needs to be added to the reconstruction list. Commissioner Molenaar spoke of Goldenwood & Saddletree subdivisions entitled to a yearly maintenance program - need to check on agreements that were entered into. Delbert Chance stated that he was not aware of any agreements - spoke of need for a dedicated crew to do City projects - rural citizens complain that we do City work instead of theirs - there is a definite problem with not having sufficient personnel - spoke of need to replace gas water trucks with more fuel efficient models. Discussion was had regarding pickups (consensus was to not go with crew cab but with 3/4 Ton Extended Cab) and water tanks for trucks/State contract dumptrucks (would need an extended frame) - went through list of equipment from anticipation notes. Discussed needs for precinct barns, mechanic shop, and centralized road department office - Gary stated that he felt like \$200,000.00 was not enough to outfit a mechanic shop (5 bays are needed). Delbert Chance spoke of telephone calls dominating their work schedule instead of going by a set plan. Court reviewed the organizational chart.



\* Sign Program, MIS Program, Safety Program (Part time)  
Primary is Will Miles Assistant is Carrigan

Delbert Chance spoke of need for designated crews for drainage, seal coat, and construction - we need to pursue contract mowing east of IH35 in order to reduce liability, manpower, and equipment - spoke of drainage problems - precinct crews would continue with patching, signs, etc.

The Court convened into closed Executive Session to discuss personnel matters. Upon completion of executive session the court reconvened into open session.

Delbert Chance spoke of combining Kyle and San Marcos into one service area - this will create a large crew which will operate out of the Kyle barn - spoke of need for engineering of drainage areas - Joe Ortiz will handle the seal coat & drainage crews - J.P. Garza will handle Precincts 1 & 2 regular maintenance duties - spoke of hiring a person for vehicle maintenance to operate a Service Truck which would provide preventative maintenance and lube. Judge Etheredge voiced his concerns about job descriptions - do we need to reconsider their current job descriptions? Delbert stated that the Mechanic's Assistant, Joe Ortiz, and Will Miles' positions could be re-evaluated. Commissioner Barton spoke of contract mowing - the Court is supportive. Judge Etheredge stated that the contractor would have to have general liability insurance - the Purchasing Agent can prepare RFP's for mowing services - spoke of attempt to deal with the confusion over overtime for call out. George Aitken stated that the Court can authorize the Road Director to declare emergency overtime (double time pay on holidays or anything over 40 hrs during a regular week is time & 1/2) - advised that the week starts at 11:00 P.M. on Saturday night and ends at 11:00 P.M. the following Saturday - spoke of Director adjusting hours without personnel being advised (personnel must be advised of any adjustments). Judge Etheredge spoke of road reclaimer (Bomag machine) - was advised that the Road Supervisors would rather have more maintainers - he would rather have a bomag machine - he has seen what Travis County had done with their bomag (will outwork a maintainer). A brief discussion was had regarding special projects.

MINUTES APPROVED IN OPEN COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1995.

EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



JUNE 14, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 14TH DAY OF JUNE A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN A SPECIAL JOINT WORKSHOP MEETING WITH THE SAN MARCOS CITY COUNCIL AND THE SAN MARCOS CISD BOARD OF TRUSTEES. THE FOLLOWING COMMISSIONERS' COURT MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>LINDA C. FRITSCH</b>    | <b>DEPUTY COUNTY CLERK</b>  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

San Marcos City Council Members present were: Mayor Kathy Morris, Councilmen Billy Moore, Bob Mooney, Joe Cox, Fred Guerra, and Rick Hernandez. San Marcos CISD Trustees present were Ruben Garza, Lupe Costilla, and Doug Stewart

**BROADWAY STREET UPDATE**

SMCISD School Superintendent Dr. Tom Anderson spoke of progress made on Broadway Street - the bid awarded came in lower than anticipated (\$153,000.00) - project should be complete by August 1, 1995 - improvements should solve the drainage problems. City and County should receive a pro-rated reimbursement due to lower cost of the project.

**RIGHT-OF-WAY FROM LIME KILN ROAD TO HOLLAND STREET**

County Judge Eddy Etheredge spoke of county's re-alignment project on Lime Kiln Road - advised that a property owner on Lime Kiln is willing to dedicate r-o-w through his property in order to connect Lime Kiln Road with Holland Street - the County is willing to acquire 40% of the r-o-w if the City is agreeable. City Planning Director Ron Patterson spoke of connection shown on the 1983 Thoroughfare Plan, however, due to the topography (160 ft. vertical drop) and floodplain in the area it is not a future consideration for the City - a better connection would be further out.

**COURTHOUSE SQUARE RENOVATION UPDATE (SIDEWALKS)**

County Judge Eddy Etheredge introduced the Architects for the Courthouse Renovation Project - they will need to work closely with City Staff. The Architect Firm will be developing a program and will need to coordinate with the City - they have met with Ron Patterson and Mr. Parrish to discuss the City's sidewalk project and have contacted TXDOT regarding long-term plans on Hopkins Street - they have a good relationship with the Texas Historical Commission - time frame for the courthouse renovation is 24 months - spoke of it being critical that they turn the plan around in a short time frame. Councilman Fred Guerra spoke of concerns about parking around the Courthouse during the renovation. Judge Etheredge stated that information is being gathered at this time to address that situation. Ron Patterson, City Planning Director, presented drawings of the sidewalk project, starting with San Antonio Street (Phase I) which will consist of removing overhead utilities, putting in street lights, and addressing ADA requirements.

**TROLLEY SYSTEM**

San Marcos Transit Manager Gary Barrett spoke of Trolley System which started up June 3, 1995 - the first six days reported 876 boardings (150 per day) - they have had positive remarks - currently running tow leased vehicles - next three vehicles are coming in August. Ruben Garza spoke in support of the trolley system. Gary Barrett spoke of benches that will be installed once we have determined the location needs. County Judge Eddy Etheredge spoke of Park-N-Ride location at the old hospital property (has broke ground) - spoke of minor problem with trolley customers using the restroom facilities at the Courthouse Annex. City Councilman Fred Guerra asked if bus stops were flexible (answer: Yes) - need to evaluate the stops and make modifications - need to check on possible violation of sign ordinance by placement of benches with advertisement. City Councilman Rick Hernandez spoke of need to offer information to boarders - drivers need to communicate with riders. Commissioner Jeff Barton (& CARTS Board Member) voiced his appreciation to the City of San Marcos for moving forward with the Trolley System.

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**GEOGRAPHIC INFORMATION SYSTEM UPDATE**

County Judge Eddy Etheredge spoke of feasibility study done for countywide GIS - the RFP's went out and two vendors responded - county has scheduled a meeting for June 22, 1995 at 6:00 P.M. at the County Extension Office and Environmental Health Office for demonstration from each vendor - vendors were provided with aerial photos and will demonstrate the seamless map and placement of parcels into the GIS system - stated that we need the GIS and he felt like other entities would benefit from the data - GIS evolves around CAD's willingness to participate and utilize the information - urged members of the taxing entities to attend the meeting/demonstrations. Councilman Billy Moore advised that the City's Planning Dept. and Public Works already have GIS, SWTSU has GIS, and the SMCISD has partial GIS - felt like the County GIS would pick up lost taxable property, economic development, etc. Councilman Bob Mooney stated that he has looked at a GIS in Oakland, California and the overlays were unbelievable.

**AFTER SCHOOL CARE SURVEY**

Kim Porterfield (SMCISD) spoke of survey that was sent home with school children for parental input regarding after school care - 54% of the surveys were returned and most parents were in favor of income based fee for the service - programming was an important issue. SMCISD President Ruben Garza spoke of TAAS scores having greatly improved - would like to proceed with an after school care program as a combined effort by the city and school. Mayor Kathy Morris spoke of need to determine costs.

**HABITAT CONSERVATION PLAN**

City Manager Larry Gilley spoke of joint meeting with SWTSU, the River Foundation, and City Staff regarding the condition of the San Marcos River (siltation problems) - application has been made with the Corps of Engineers for removal of siltation in problems areas - approval would be needed from the Texas Fish & Wildlife Dept. and would require a Habitat Conservation Plan - SWTSU and the City of San Marcos have agreed to participate financially and with staff resources. Mayor Morris spoke of having been denied a permit - silt is 14 ft. at City Park - a survey is being done in order to get a permit - flood control dams have helped in some areas and cause problems in others - we must steward the river - asked for assistance from the County and School District. Commissioner Jeff Barton stated that the County may have limited experience to provide.


**CITY, COUNTY, AND SCHOOL DISTRICT PRECINCT LINES**


Mayor Kathy Morris spoke of voting precinct lines not being contiguous - requires multiple ballots at times - the next census will be in the year 2000 - we could possibly modify these lines within the City limits - spoke of need to direct our respective Election Staff to look into the possibilities - there is no single place to go to at times to vote on various issues - there is a lack of coordination and a lot of improvement could be made. Roger Fernandez (SMCISD) spoke of problems with single member districts which sometimes requires three ballots at one precinct. Councilman Ron Hart stated that one of the major concerns is the different voting locations for one election. Commissioner Jeff Barton stated that the Hays CISD has also gone to single member districts and is having the same problems.

Dr. Tom Anderson spoke of State Board of Education currently receiving nominations for "Hero of Education" - the SMCISD will be nominating Reeca Boyd - requested that the City and County also adopt a resolution in favor of this nomination.

Meeting was adjourned .

MINUTES APPROVED IN OPEN COURT ON THE 24<sup>th</sup> DAY OF July, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



JUNE 19, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 19TH DAY OF JUNE A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCHE   | DEPUTY COUNTY CLERK  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**INTRODUCTION OF NEW COUNTY EMPLOYEES**

New County Employees that were presented to the Court were: Anna Michelle Mendoza (D. A.'s office), Christina Kostella (D.A.'s office), and Lisa Granberg (J.P. 1-2 office). Other new employees that were not present are: Gracie Trevino (Personal Health Dept.), Rebecca Herring (Personal Health Dept.), and Sandra Wagner (JP3).

**14092 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$170,015.04 as presented by the County Auditor. All voting "Aye".

|                   |              |                      |               |                   |              |
|-------------------|--------------|----------------------|---------------|-------------------|--------------|
| Fines             | \$ 13.00     | Auditors Ofc         | \$ 184.07     | Treasurers Ofc    | \$ 62.67     |
| Extension Ofc     | \$ 276.75    | Grants Admin         | \$ 163.37     | Juvenile Prob     | \$ 394.58    |
| Election Admin    | \$ 7.07      | Indigent Care        | \$ 3,382.07   | Transfer Station  | \$ 5,502.42  |
| Bldg. Maint.      | \$ 2,285.91  | Environ Health       | \$ 860.93     | Personal Health   | \$ 6,555.62  |
| Civic Center      | \$ 123.22    | Countywide Oper      | \$ 5,640.02   | Tax A/C           | \$ 600.90    |
| District Clerk    | \$ 124.39    | County Clerk         | \$ 1,050.33   | Sheriffs Ofc      | \$ 1,261.90  |
| Jail Operations   | \$ 22,782.40 | County Judge         | \$ 408.89     | Human Resources   | \$ 1,043.85  |
| Co Crt @ Law 1    | \$ 13.64     | District Atty        | \$ 589.91     | J.P. 1-1          | \$ 10.57     |
| J.P. 1-2          | \$ 453.41    | J.P. 2               | \$ 155.80     | J.P. 4            | \$ 101.10    |
| J.P. 5            | \$ 154.46    | D.P.S.               | \$ 97.38      | Constable 1       | \$ 118.20    |
| Constable 2       | \$ 49.80     | Constable 4          | \$ 82.34      | Dist Crt Oper     | \$ 8,176.07  |
| Co & JP Crt Oper  | \$ 13,826.56 | Veterans Admin       | \$ 2.66       | Computer Svcs     | \$ 447.15    |
| Co Crt @ Law 2    | \$ 3.62      | CJD Juv Svcs Grant   | \$ 1,320.00   | Fire Marshal/EMC  | \$ 22.40     |
| TABC              | \$ 52.54     | Dist Crt Reporter    | \$ 20.54      | CCAP Grant        | \$ 2,288.40  |
| Legal Aid Ofc     | \$ 2.50      | Corridor Incub Grant | \$ 47.73      | Dunbar Grant      | \$ 2,275.00  |
| DA DARE Grant     | \$ 74.11     | * Gen Fund Credit *  | * \$ 28.48 *  | R&B Operating     | \$ 20,854.94 |
| Precinct 1        | \$ 168.00    | Precinct 2           | \$ 237.84     | Precinct 3        | \$ 147.23    |
| Precinct 4        | \$ 15.72     | * R&B Gen Credit *   | * \$ 137.50 * | Co Clk Rec Mng    | \$ 9.84      |
| Health Svcs Grant | \$ 552.14    | Hays Co I&S          | \$ 33,360.41  | Road Construction | \$ 3,626.33  |
| Foster Care Fund  | \$ 13,717.93 | Adult Prob Oper      | \$ 14,142.34  | Adult Prob Fac    | \$ 238.05    |

**14093 APPROVE BUDGET AMENDMENT NO. 95-033**

The following budget amendments were proposed:  
District Attorney - Transfer to cover travel expense of witness. District Court Reporter - Transfer to cover telephone expenses. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-033 as proposed by the County Auditor. All voting "Aye".

| BUDGET AMENDMENT NO. 95-033   | FUND NO. 01 - FUND TITLE | GENERAL   |
|-------------------------------|--------------------------|-----------|
| LINE ITEM - EXPENDITURE       | INCREASES                | DECREASES |
| DISTRICT COURT REPORTER (482) |                          |           |
| 01-482-5489 Telephone         | \$ 208.00                |           |
| 01-482-5488 Data Lines        |                          | \$ 208.00 |
| DISTRICT ATTORNEY (423)       |                          |           |
| 01-423-5443 Witness Expense   | \$ 700.00                |           |
| 01-423-5161 Insurance         |                          | \$ 700.00 |

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**14094 APPROVE UTILITY PERMITS AUTHORIZED BY THE ROAD DEPARTMENT**

Utility Permits for approval are: #95-209 to Goforth Water Supply Corp.  
 #95-105 to Century Telephone of San Marcos, Inc.  
 A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permits #95-105 & #95-209 as presented by the Hays County Road Department. All voting "Aye".

**14095 AUTHORIZE THE COUNTY TO SPONSOR A PARADE PERMIT FROM THE STATE FOR WIMBERLEY CHAMBER & VFW**

The Wimberley Chamber of Commerce has plans for a "VFW 50th Year of Rodeo Parade" to be held Sunday July 2, 1995 along RR12 - a permit from the State is required - requesting that the County sponsor the parade for permitting purposes (Commissioner Payne to handle the permit application). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize Commissioner Payne to sponsor, on behalf of Hays County, a parade permit from the State as requested by the Wimberley Chamber of Commerce & VFW. All voting "Aye".

**14096 RE-APPOINT MEMBERS TO THE HAYS MEMORIAL HEALTH FACILITIES DEVELOPMENT CORP.**

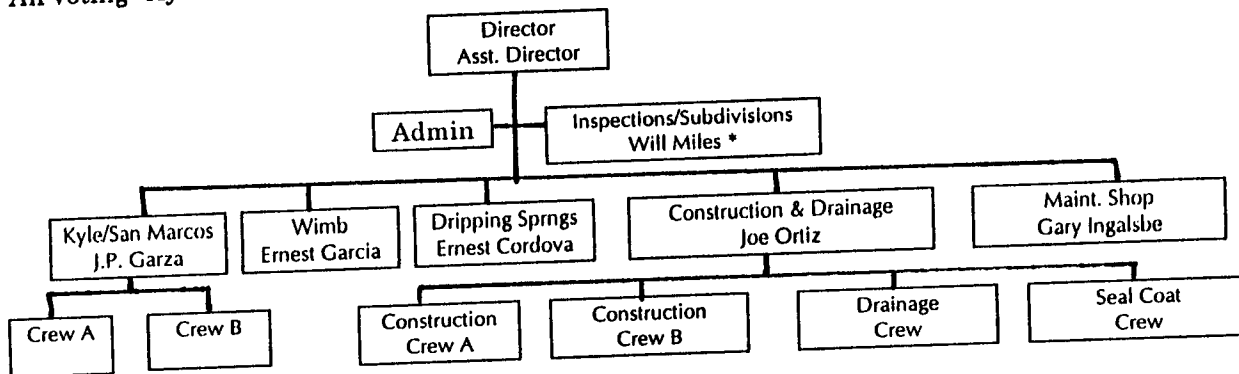
A letter was received from Fulbright & Jaworski regarding the Hays Memorial Health Facilities Development Corp. - a Board meeting was held May 12, 1995 with eight members present - a committee consisting of Marcos Hernandez, Patty Sullivan, and William Moore was appointed with respect to the actions to be taken by the Board in connection with the Adventist Health System/Sunbelt, Inc. letter of credit substitution - we expect the Board will be asked to issue a small amount of bonds for the medical Center sometime this year - the Bylaws of the Corporation have been reviewed and they suggested that the Commissioners' Court appoint or reappoint members of this Board to serve the remainder of the terms expiring July 1996. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to re-appoint William M. Johnson, Tom Haley, Patty Sullivan, Noble Haden, Marcos Hernandez Jr., Ollie Giles, Don Green, Jim H. McCrocklin, Dr. William Moore, Mary Salinas, and Blas Tenorio as Board Members to the Hays Memorial Health Facilities Development Corporation. All voting "Aye".

**14097 AWARD ANNUAL CONTRACT FOR METAL PIPE**

Bids were submitted by Metal Culverts Inc., Wilson Culverts Inc., Caldwell Culvert Company, and Texas Steel Culvert Co. Inc. for annual contract for metal pipe. Purchase Agent Cindy Casparis advised that the pricing was very close between Metal Culverts Inc. and our current contractor Wilson Culverts Inc. - high usage items were compared to determine the low bidder - recommends awarding contract to Metal Culverts Inc.. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award the annual contract for metal pipe to Metal Culverts Inc. All voting "Aye".

**14098 APPROVE ORGANIZATIONAL CHANGES IN THE ROAD DEPARTMENT**

Acting Road Director Delbert Chance advises that his proposal changes four areas to three and enhances their ability to provide service to customers - it creates an "inspection/subdivision" function - combines Kyle, San Marcos, and Buda - creates a dedicated county-wide construction & drainage function - aligns safety and management info system under inspections/subdivisions. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve organizational changes in the Road Department. All voting "Aye".



\* Includes MIS and Safety (Safety is a Part time duty)

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**14099 CONVERT ROAD MAINTENANCE WORKER III GRADE 7 TO MECHANIC GRADE 8**

Under organizational change, lube truck and preventive maintenance is aligned under the Maintenance Shop Foreman - this position is to support the field lube operation and do minor maintenance (Supported by Acting Road Director, Maintenance Shop Foreman, and Human Resources Director. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to convert Road Maintenance Work III Grade 7 position to Mechanic Grade 8 position. All voting "Aye".

**14100 APPROVE AMENDMENT TO THE COUNTY PERSONNEL POLICY MANUAL REGARDING OVERTIME IN THE ROAD DEPARTMENT**

Request approval for Road Director to declare when an "emergency" (i.e. flooding) exists and to pay cash as follows:

- |    |                                                                                                                                                             |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Para 6.08 Time and one half for hours worked over 40 during a 7 day work period. (taking a holiday during the 7 day period does not count for hours worked) |
| 2. | Para 9.02 Cash at twice the regular rate if the employee works on the holiday itself.                                                                       |

Human Resource Director advises that its OK to download this decision to the Road Director - reasonable to pay cash for these type of non-routine emergency situations.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve amendment to the County Personnel Policy allowing the Road Director to declare when an "emergency" exists and the pay overtime accordingly. All voting "Aye".

**14101 AUTHORIZE ESTABLISHMENT OF COUNTY AFFIRMATIVE ACTION PLAN**

Human Resources Director George Aitken advised that the County needs to have an Affirmative Action Plan - during the hire process and the movement of employees Human Resources will advise departments how the County is doing regarding groups or categories of employees. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize establishment of the Hays County Affirmative Action Plan. All voting "Aye".

**EQUAL EMPLOYMENT OPPORTUNITY POLICY**

**HAYS COUNTY**

The policy of HAYS County to be an equal opportunity employer. The objective of this policy is to recruit, hire, train and promote persons in all job classifications without regard to race, color, religion, sex, national origin, age, handicap or veterans' status. Such decisions are made based on the individual's qualifications as they relate to the particular job vacancy and to the enhancement of equal employment opportunity.

Personnel decisions such as compensation, benefits, transfers, county sponsored training or education will be administered without regard to race, religion, color, sex, national origin, age, handicap or veterans' status.

Human Resources, has been designated as the EEO focal point. The Director has overall responsibility for the implementation and monitoring of the equal employment opportunity policy of HAYS County. The Director has the full support of Commissioners' Court in this endeavor.

*Pete Rodriguez*  
Pete Rodriguez, Pct 1

*Jeff Barton*  
Jeff Barton, Pct 2

*Craig Payne*  
Craig Payne, Pct 3

*Russ Molenaar*  
Russ Molenaar, Pct 4

*Eddy A. Etheredge*  
Eddy A. Etheredge  
County Judge

ATTEST  
*Ronnie Dannelley*  
Ronnie Dannelley, County Clerk



June 19, 1995  
(Date)

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**RESPONSIBILITY FOR IMPLEMENTATION  
OF EQUAL EMPLOYMENT OPPORTUNITY POLICY**

HAYS County Commissioners' Court has the overall responsibility for implementation of the equal employment opportunity policy. The day-to-day responsibilities for the implementation of the policy are delegated to the Human Resources Director, who, as EEO Officer, has the full support of the Court. Elected and appointed officials of various department will be responsible for initiating, administering and controlling activities within their area of responsibility in order to ensure full implementation of the policy.

**DUTIES OF EEO OFFICER**

The responsibilities of the EEO Officer will include but are not limited to the following:

1. Developing policy statements, affirmative action programs, internal and external communication techniques.
2. Assisting in the identification of problem areas.
3. Assisting line management in arriving at solutions to problems.
4. Measure the effectiveness of HAYS County EEO programs.
5. Determine the degree to which the County goals and objectives has been attained.
6. Serving as liaison between employees and management.
7. Serving as liaison between Hays County and organizations or community action groups concerned with employment opportunities.
8. Keeping management informed of the latest developments in the equal opportunity area.

**RESPONSIBILITIES OF DEPARTMENT MANAGERS**

Management will share responsibilities under the equal employment opportunity policy. Their duties will include, but not limited, to the following:

1. Assisting in the identification of problem areas.
2. Meeting with supervisors and employees to be certain HAYS County policies are being followed
3. Reviewing the qualifications of employees to ensure that minorities and women are given opportunities for transfers and promotions.
4. Providing career counseling for employees.
5. Ensuring that:
  - i. Posters are properly displayed.
  - ii. Minority and female employees are afforded a full opportunity and are encouraged to participate in all HAYS County sponsored educational, training, recreational and social activities.
6. Preventing harassment of employees placed through affirmative action efforts.

**DISSEMINATION POLICY  
INTERNAL DISSEMINATION**

HAYS County policy on equal employment opportunity will continue to be publicized internally by:

1. Including the policy in the HAYS County Personnel Policy Manual.
2. Publicizing the policy in the County newsletter.
3. Discussing the policy in both employee orientation and management training programs.
4. Posting the policy on county bulletin boards.

**EXTERNAL DISSEMINATION**

The HAYS County policy on equal employment opportunity has been and will continue to be explained to outside sources through the following methods:

1. Informing recruiting sources of HAYS policy, stipulating has been and will continue to refer minorities and women for positions listed.
2. Incorporating the Equal Opportunity clause in all purchase orders, leases, contracts, etc. covered by Executive Order 11246, amended, and its implementing regulations.
3. Sending written notification of the County's policy to all subcontractors, vendors, and suppliers requesting appropriate action on their part.

**UTILIZATION ANALYSIS**

- A. Hays County 1990 Census Summary of Occupation by Sex and Race/Ethnicity
- B. Hays County 1990 Census, Race by Sex by Employment Status.
- C. Hays County, January 1990 Summary
- D. Hays County Distribution of EEO Groups and Comparison with CLF
- E. Hays County Distribution of EEO Groups and Comparison by Occupational Category



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**AVAILABILITY DETERMINATION**

Job groups within HAYS County are being examined to determine whether minorities and women are being under-utilized in comparison to their availability Atch F.

In determining whether there is under-utilization, eight factors have been considered for minorities and women. In addition, where any one minority group constitutes more than 5% or more of the labor area population, a separate weight factor analysis has been conducted for that minority group. The factors to be considered in determining minority availability are:

1. The minority population of the labor area surround HAYS County.
2. The size of the minority unemployment force in the labor area surrounding the facility.
3. The percentage of the minority work force as compared with the total work force in the immediate labor area.
4. The general availability of minorities having requisite skills in the immediate labor area.
5. The availability of promotable and transferable minorities within HAYS County's organization.

**ESTABLISHMENT OF GOALS AND TIMETABLES**

Attached is Exhibit G, setting forth aspirations and timetables for HAYS County. Goals are not created as rigid and inflexible quotas which must be met, but as targets deemed reasonably attainable by means of applying good faith effort to make all aspects of the entire Affirmative Action Program work. In establishing timetables, HAYS County has considered the anticipated expansion, contraction and turnover of or in the work force.

Goals, timetables and affirmative action commitments have been designed to correct underutilization in as short a time as reasonably possible.

**IDENTIFICATION OF PROBLEM AREAS  
AND CORRECTIVE ACTION**

HAYS County has made an in-depth analysis of the following in identifying the extent to which problem areas exist in meeting its affirmative action obligations:

1. Composition of the work force by minority group status and sex.
2. Composition of applicant flow by minority group status and sex.
3. The total selection process including position description, position titles, worker specifications, application forms, interview procedures, referral procedures and final selection process.
4. Transfer and promotion practices
5. All County training programs
6. Work force attitudes
7. Technical phases of compliance, such as posters, retention of applications, and notification to subcontractors.

HAYS County had considered whether any of the following circumstances exist.

1. Whether there is an underutilization of minorities and women in specific job groups.

Such underutilization will be corrected in as short a period of time as reasonably possible.

2. The vertical movement of minority and female employees is being addressed to the extent appropriate under the terms of this Affirmative Action Program consistent with HAYS County's policy to promote from within wherever is reasonable possible.
3. Special emphasis is given to the selection and promotion of qualified minorities and females.
4. Whether applications and related pre-employment forms are in compliance with federal legislation.
5. All applications and related pre-employment forms have been reviewed for current compliance with federal legislation and will be updated as changes in such requirements occur.
6. Whether position descriptions accurately reflect actual functions and duties.

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COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

Commissioners' Court shall continue to require the following:

Recruitment and Advertisement

1. HAYS County actively recruits both men and women for all jobs. Referral sources are informed that HAYS County has no specific sex preference and seeks only qualified applicants without regard to race, sex, color, religion or national origin.
2. Advertisements, when placed, are put in a general category with no sex preference indicated. All advertisements are followed by "Equal Employment Opportunity".

JOB POLICIES AND PRACTICES

1. Personnel policies stipulate that all policies and practices apply to every employee on an equal basis regardless of the sex of employee.
2. All employees have an equal opportunity to any job for which they are qualified.
3. No distinction is made between the sexes in regard to equal opportunity, wages, hours or other conditions of employment.
4. There is no distinction between the employment treatment of a woman or a man on the basis of marital status.
5. HAYS County provides physical facilities to both female and male employees.
6. Females are not penalized in their employment because of time spent away on account of childbearing.
7. No distinction is made between men and women as to retirement age for any particular job.

Sexual Harassment Policy

HAYS County has adopted a sexual harassment policy which prohibits unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature which interferes with employee performance, creates an intimidating hostile or offensive work environment, or which affects conditions of employment or employment decisions. This policy will be posted on employee bulletin.

COMPLIANCE WITH GUIDELINE  
DISCRIMINATION BECAUSE OF RELIGION  
OR NATIONAL ORIGIN

Equal Employment Policy

HAYS County ensures that all applicants and employees are not discriminated against on the basis of religion or national origin by reviewing its employment practices in order to ensure that members of the various religions and/or ethnic groups are receiving fair consideration for job opportunities.

HAYS County is involved in the following recruitment activities to guarantee non-discrimination based on religion or national origin:

1. HAYS County informs all management, supervisors and all employees of its commitment to provide equal employment opportunity without regard to religion or national origin.
2. HAYS County has developed internal procedures within the County to ensure implementation of equal employment opportunity without regard to religion or national origin.
3. Recruitment sources are used to provide equal employment opportunity to all persons, without regard to religion or national origin.
4. HAYS County has established contacts with religion and ethnic organizations.

Accommodations to Religious Observance and Practice

HAYS County accommodates the religious observance and practices of employees or applicants unless such accommodation creates undue hardship on the County. The extent of the County's obligation is determined by business necessity, financial costs and expenses, and resulting personnel problems.

Non-Discrimination

HAYS County does not discriminate against any qualified employee or applicant because of race, color, religion, sex, or national origin in implementing its EEO policy regarding non-discrimination on the basis of national origin or religion.

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Age Discrimination Guidelines

HAYS County will not discharge or refuse to hire any individual or otherwise discriminate against any individual over the age of 40 with respect to compensation, terms, conditions or privileges of employment because of such individual's age. HAYS County will also not limit or classify its employees in any way which would deprive them of employment opportunities or otherwise adversely affect their status because of their age over 40.

**SUPPORT OF ACTION ORIENTED PROGRAMS**

HAYS County continues its active involvement in community relations and community programs in some of the following ways:

- a. Individuals of Commissioners' Court continue to be members in various Community and Civic Boards.
- b. Active support is given to the local Vocational Programs.
- c. Commissioners' court members/Elected Officials work with local high school and high school administrators to aid minority and female students to compete on a more equitable basis for jobs.
- d. Awards and promotions that are received are publicized.

**AFFIRMATIVE ACTION POLICY REGARDING HANDICAPPED WORKERS**

Policy Statement

HAYS County takes affirmative action to employ, promote and otherwise treat qualified handicapped workers without regard to their disability in the following areas: employment, promotion, demotion or transfer, termination, compensation and selection for training programs.

Definitions

"Handicapped individual" means a person who:

- 1. has a physical or mental impairment which substantially limits one or more of such person's major life's activities,
- 2. has a record of such impairment, or
- 3. is regarded as having such an impairment.

For purposes of this plan, a handicapped individual is "substantially limited" if he or she is likely to experience difficulty in securing, retaining or advancing in employment because of a handicap.

"Qualified handicapped individual" means a handicapped individual who as defined above is capable of performing a particular job, with reasonable accommodation to his or her handicap.

Invitation to Participate

HAYS County will invite all applicants and employees who believe themselves covered by the Act to identify themselves to HAYS County.

The following form may be used to accomplish such invitation:

If you have such a handicap and would like to be considered under the affirmative action program, please tell us. This information is voluntary and refusal to provide it will not subject you to discharge or disciplinary treatment. Information concerning individual shall be kept confidential, except that:

- i. supervisors and managers may be informed regarding restrictions on the work or duties of handicapped individuals, and regarding necessary accommodations, and
- ii. first aid personnel may be informed, when and to the extent appropriate, if the condition might require emergency treatment; and
- iii. Officials investigating compliance with the Act shall be informed.

If you are handicapped, we would like to include you under the affirmative action program. It would assist us if you tell us about:

- i. any special methods, skills and procedures which qualify you for positions that you might not otherwise be able to do because of your handicap, and
- ii. the accommodations which would enable you to safely perform positions of that kind, including special equipment, changes in the physical layout of the job, elimination of certain duties relating to the job or other accommodations

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**PROPER CONSIDERATION OF QUALIFICATIONS**

The employment practices and procedures used by HAYS County do not contain any inhibitors to the recruitment, hire or advancement of known handicapped persons.

**PHYSICAL AND MENTAL QUALIFICATIONS**

HAYS County will review physical or mental job qualification requirements to ensure that, to the extent qualifications requirements tend to screen out qualified handicapped individuals, they are job related and are consistent with the business necessity and the safe performance of the job.

Whenever HAYS County applies physical or mental job qualifications requirements in the selection of applicants or employees for employment or other change in employment status such as promotion, demotion, or training to the extent that qualifications requirements tend to screen out qualified handicapped individuals, the requirements shall be related to the specific job or jobs for which the individual is being considered and shall be consistent with business necessity and the safe performance of the job.

Whenever HAYS County conducts a comprehensive medical examination prior to employment the results of such an examination shall be used only for purposes of complying with the statute. Whenever HAYS County inquires into an applicant's or employee's physical or mental condition or conducts a medical examination prior to employment of change in employment status, information obtained in response to such inquiries or examination are kept confidential except that:

1. Supervisors and managers may be informed regarding restrictions on the work or duties of handicapped individuals and regarding accommodations; and
2. First aid and safety personnel may be informed, where and to the extent appropriate, if the condition might require emergency treatment; and
3. officials investigating compliance shall be informed.

**ACCOMMODATION TO PHYSICAL AND MENTAL LIMITATIONS**

HAYS County will make reasonable accommodation to the physical and mental limitations of an employee or applicant unless such accommodation would impose an undue hardship on the conduct of HAYS County's business. In determining the extent of such hardship, the following factors among others may be considered: (1) business necessity, and (2) financial costs and expenses.

**OUTREACH, POSITIVE RECRUITMENT, AND EXTERNAL DISSEMINATION OF POLICY**

HAYS County will develop efforts to employ qualified handicapped individuals in such a manner as to foster understanding, acceptance, and support among HAYS County's executive management, supervisory, and all other employees and to encourage such persons to take the necessary action to aid HAYS County in meeting this obligation.

HAYS County will establish meaningful contacts with appropriate social services agencies, organizations of and for handicapped individuals, vocational rehabilitation agencies or facilities, for such purposes as advice, technical assistance and referral of potential employees.

**14102 APPROVE THE COMMISSIONERS' COURT MINUTES OF MAY 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioners' Court Minutes of May 1995. All voting "Aye".

**14103 APPOINTMENTS TO THE HAYS COUNTY CHILD WELFARE BOARD**

A memo was received from Anna Farr of the Hays County Child Welfare Board suggesting the reappointment of members to the Board and a new appointment - Betty Garnett from Dripping Springs has just resigned and we are still looking for a Dripping Springs representative. Commissioner Barton stated that he would like to add someone from his precinct at a later date. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the appointments as recommended to the Hays County Child Welfare Board. All voting "Aye".

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**HAYS COUNTY CHILD WELFARE BOARD  
1995 APPOINTMENTS**

Marty Juel  
Sarah Carlisle  
Elaine Jones  
Terry Pacheco  
Karen Brown  
Angelita Tobias  
Lois LaCoss (new)

**14104 ACTION DENYING REQUEST TO SELL BEER ON THE COURTHOUSE LAWN FOR THE GREAT AMERICAN RACE**

Interstate Batteries Great North American Car Race Food Vendor Chair Bobbi Carmichael has requested approval for the sale of beer on the courthouse lawn for the event being held July 9, 1995. Judge Etheredge advised that he has serious reservations on approving this request - we have allowed the sale of beer by one non-profit organization vendor in the past - it would be difficult to maintain control with numerous vendors. Commissioner Molenaar stated that we should not allow the sale of alcohol on courthouse grounds as it sets a bad example. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to deny request to sell beer on the courthouse lawn for the Great North American Car Race to be held July 9, 1995. All voting "Aye".

**14105 CROSS VALLEY - SECOND READING APPROVAL**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Cross Valley" subdivision on second reading. All voting "Aye".

**14106 YORK CREEK RANCH - SECOND READING APPROVAL**

Flood study has been submitted - Road Dept. to visit the site to inspect road construction. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "York Creek Ranch" on second reading. All voting "Aye".

**REQUEST FOR PLATTING VARIANCE BY CARL LASNER (2 TRACTS OFF FM3237)**

Carl Lasner, property owner, originally wanted to sell off two parcels with each to have access to the creek - rather than the four tracts originally laid out (two residential lots with each owning a small lot on the creek) which resulted in two small lots, Patsy Greiner suggested that the tracts connect to create two lots which meet the county standard for septic and well - access to property is by numerous paved easements. Commissioner Payne stated that he will support a platting variance but not a road variance - he foresees future development in this area - advised that the owner need to contact him regarding this matter.

**14107 OAK FOREST SECTION ONE - SECOND READING APPROVAL**

Commissioner Barton advised that we need to check on ETJ and touch base with the water supplier. Patsy Greiner, Mapping/Planning Coord., stated that this subdivision is in the Dripping Springs ETJ - all lots are over five acres over the recharge zone. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Oak Forest Section One" subdivision on second reading. All voting "Aye".

**14108 ROLLING OAKS REPLAT OF LOT 54 - SECOND READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Rolling Oaks Replat of Lot 54" on second reading. All voting "Aye".

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**14109 PRICE ADDITION LOT 1 - FIRST READING APPROVAL**

H. Y. Price Enterprises owns 50.14 acres out of the Jesusa Perez League located at the corner of RM150 and RM3237 - proposes to create a 1.64 acre lot at this intersection (location of Hays City Store). Discussion was had regarding the septic system being located outside of the property fence line. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Price Addition Lot 1" subdivision on first reading subject to relocation of the property line to include the septic system or create an easement. All voting "Aye".

**14110 GREEN PASTURES SECTION 3 REPLAT OF PART OF BLOCK 16 - FIRST READING**

Commissioner Barton advised that Thunderhead Lane is not listed as a county maintained road (a private road with public easement). Patsy Greiner, Mapping/Planning Coord., spoke of lake located on this property - original intention was for homeowner's use - has concerns over access to two lots during flooding and over percolation on small lot due to soil - Tumbleweed Trail should be renamed Skyview Terrace. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Green Pastures Section 3 Resubdivision of part of Block 16" on first reading and call for a public hearing to be held July 10, 1995 at 9:00 A.M. All voting "Aye".

**14111 INDIAN HILL RANCH - THIRD READING APPROVAL**

Peter Hofstra presented "Indian Hill Ranch" subdivision (Lots 1-21) on third and final reading - flood study has been submitted to Environmental Health. Patsy Greiner, Mapping/Planning Coord., stated that Allen Walther needs to review the flood study. Commissioner Barton stated that developer has a signed legal contract on the road construction. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Indian Hill Ranch" subdivision on third reading subject to final review and acceptance of flood study by Environmental Health. All voting "Aye".

**14112 RANCHO MADRONE SECTION ONE - THIRD READING APPROVAL**

Eddy Gumbert presented "Rancho Madrone Section One" subdivision on third reading - culverts have been approved by the Road Department - spoke of agreement with Blanco Bend Property Owners Association and other property owners regarding road improvements. Commissioner Payne advised that the road did not meet with his approval at this time (concrete not poured and not happy with material used) - would like to see the road completed. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Rancho Madrone Section One" subdivision on third reading subject to road approval by Commissioner Payne. All voting "Aye". Note: Commissioner Payne to submit his approval into the minutes at a later date.

**BLANCO RIVER RANCH SUBDIVISION**

Patsy Greiner, Mapping/Planning Coord., spoke of this subdivision being located out Post Road in the San Marcos ETJ - a letter of credit is needed. Tim Haney, Engineer, stated that they will build the roads prior to filing the plat. Court advised that third reading will be put on hold until the road is built or a letter of credit is filed.

**14113 MOUNTAIN CITY OAKS ESTATES - THIRD READING APPROVAL**

Commissioner Barton spoke of this subdivision being located in the boundaries of Mountain City - County was asked to review and approve - the road belongs to the City and is maintained by the County through an interlocal agreement. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Mountain City Oaks Estates" subdivision on third reading. All voting "Aye".

**14114 PLATTING VARIANCE GRANTED ON TWO TRACTS ON E. MT. GAYNOR ROAD (WOOD PROPERTY)**

A discussion of this variance was held June 12, 1995. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance on two tracts (23.386 ac & 24.526 ac out of the Joseph Mix Survey) on E. Mt. Gaynor Road (Wood property). All voting "Aye".

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**14115 PLATTING VARIANCE GRANTED TO WILLIAM CUMMINGS - 22.838 AC. TRACT ON BELL SPRINGS ROAD**

Variance discussion was held June 12, 1995. Commissioner Molenaar advised that 30 ft. dedication was requested on CR169 (Bell Springs Road) - would like to acquire the additional 30 ft. on opposite side of the road whenever possible. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to William Cummings on a 22.838 acre tract in the Martin James Survey which has road frontage on Bell Springs Road (CR169). All voting "Aye".

**14116 PLATTING VARIANCE GRANTED TO LAURA HUTCHESON FOR TWO TRACTS ON E. LONE MAN CREEK**

Variance discussion was held June 12, 1995. This property was granted a variance to be divided into tracts of no less than 75 acres - this owner has four (4) tracts total = 85.311 ac., 75.065 acres, 75.067 acres, and 93.476 acres - she wishes to divide the 93.476 acre tract into two parcels divided by the old roadway (will create a 27.35 acre tract and a 66.126 acre tract) - surveyor drawing is needed to record with the deed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Laura Hutcheson for division of an original 93.476 acre tract on East Lone Man Creek Road into two tracts - a 27.35 acre tract and a 66.126 acre tract. All voting "Aye".

**VARIANCE REQUEST FOR A ONE ACRE TRACT ON FM150**

This was not an agenda item - Ken Caplin of Jim Walter Homes (out of Houston) appeared before the Court - spoke of home being built down a private road off FM 150 on a one acre tract out of an original 4.96 acre tract - a site development permit was acquired and the project has started - construction was stopped by the Environmental Health Dept. Patsy Greiner, Mapping/Planning Coord., advised that this property does not meet variance guidelines that say it must be a two acres or more. Commissioner Barton spoke of this property not fronting on a public road nor is it on a privately maintained easement - a fair amount of work is needed prior to the court approving a variance - he will meet with Mr. Caplin.

**14117 APPROVE PROGRAMMING PLAN FOR HAYS COUNTY COURTHOUSE AS RECOMMENDED BY FORD, POWELL & CARSON AND THE COURTHOUSE MANAGEMENT TEAM**

Jeff Pitzer (Ford, Powell & Carson) spoke of plans for the courthouse based on current personnel and growth - square footage was determined for each person - went over Relationship Diagram on Page 5 and Floor Diagram, County Commissioners' Suite, and Area Distribution Charts on Page 6 - they tried to limit small offices - provided targeted square footages - discussed growth allowed in the plan. Commissioner Barton spoke of need to think about a County Attorney's office. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve Programming Plan for the Hays County Courthouse as presented and recommended by Ford, Powell & Carson and the Courthouse Management Team. All voting "Aye".

**14119 ACCEPT REVISED "DESCRIPTION OF RESPONSIBILITY" FOR RIGHT-OF-WAY AGENTS FOR THE ROAD IMPROVEMENT PROJECTS AND AUTHORIZE HIRING AN ADDITIONAL R-O-W AGENT**

John Doucet (Doucet & Associates Inc.) presented a revised "Description of Responsibility" for Right-of-Way Agents which better defines the scope of services for the agents and should help eliminate duplicate efforts between the agents and other entities such as researching the ownership of parcels which is being done by the title company:

1. Negotiate in good faith directly with property owners for the acquisition of right-of-way for the Hays County Roadway Improvement Project.
2. Act as liaison with the public concerning right-of-way acquisition.
3. Determine and maintain records of the appraised value of property to be acquired according to the records of the Hays County Central Appraisal District.
4. When needed, coordinate efforts of an appraiser in assessing values of effected properties.
5. On request of the Project Attorney, assist the Project Attorney in assembling condemnation packages.
6. Prepare authorization for issuance of disbursements of payment for the purchase of right-of-way and ensure disbursements are applied first to unpaid county taxes.
7. Review all purchase contracts and closing documents with the Project Attorney.
8. Obtain signature on deeds and lien releases for each parcel and have filed for record.
9. Maintain records of right-of-way expenditures.
10. Prepare biweekly progress reports to be submitted to D&A.
11. All efforts of the Right-of-Way Acquisition Agent shall be coordinated through D&A

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Mr. Doucet advised that he had investigated the possibility of hiring additional R-O-W Agents to assist in the acquisition of right-of-way and has interviewed Frank Spellman who has many years of experience in this field and could begin work immediately - they are also investigating the credentials of other agents, however, these agents could not begin until late September or October as they are working on the Austin Airport project - recommended hiring Mr. Spellman to begin work immediately (in cooperation with Eric Moerbe) at \$25 per hour plus \$.30 per mile and other reimbursables - provided a professional services agreement similar to the previous agent agreement for the Courts execution. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the revised "Description of Responsibility" for the Right-of-Way Agents and authorize the County Judge to enter into an Agreement for Professional Services (Right of Way Acquisition Agent) with Frank J. Spellman. All voting "Aye".

**14120 APPROVE A FULLTIME DEPUTY COUNTY CLERK (COURTS DIVISION) POSITION AT GRADE 6**

Records Management Officer J. L. Howze appeared before the court on behalf of County Clerk Ronnie Dannelley to request an additional fulltime Deputy County Clerk for the Courts Division - the workload in the Courts has increased to the point that we are unable to keep up with it - if we allow overtime we will fall behind when the comp time is taken - no courts personnel has been added since 1988 - there are funds available in Records Management to fund this position - Comal County has 8 Clerks and Williamson County has 10 Clerks in their Courts Divisions and plan on requesting additional personnel (letters were submitted) - County Court at Law Judges Howard Warner & Linda Rodriguez support this request. Commissioner Payne suggested approving a temporary fulltime position. Judge Etheredge spoke of his concerns about personnel being requested by other departments in their budget requests. Assistant County Clerk Linda Fritsche explained the necessity for this person so that documents can be entered into the computer and filed as quickly as possible and so that reports to the State can be sent in promptly. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve a permanent fulltime Deputy County Clerk (Courts Division) position at Grade 6 effective July 1, 1995. All voting "Aye".

**14121 AUTHORIZE POSSIBLE ENFORCEMENT ACTION RELATED TO SUBDIVISION PLAT VIOLATION IN 2001 HIDDEN HILLS SUBDIVISION (PRECINCT 2)**

Commissioner Barton spoke of plat showing all lots fronting on FM2001 - a road has been cut through which creates a safety issue - gravel driveway were linked together and access the roadway - this is in violation of the plat and creates a traffic hazard. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to authorize Commissioner Barton (Pct. 2) to seek possible enforcement action related to subdivision plat violation in 2001 Hidden Hills Subdivision. All voting "Aye".

**DISCUSSION REGARDING SITE FOR THE NEW SAN MARCOS AREA FOOD BANK**

Commissioner Rodriguez spoke of county property that was being used by the Jackson Chapel - would be a good location for the food bank. Judge Etheredge spoke of need to clarify ownership on Lots Pt. 7 & 8 Block 4 D. S. Combs Addition (property inventory shows that county owns all of Lot 8, however, CAD records reflect that the county only owns the SE portion [80'X122'] and the SW1/2 of Lot 7) - will need more research.

**14122 CONSIDERATION AND ACTION ON AN ORDER AUTHORIZING THE ISSUANCE OF \$8,000,000 "HAYS COUNTY GENERAL OBLIGATION BONDS, SERIES 1995", LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE COUNTY TO PAY THE INTEREST ON SAID BONDS AND TO CREATE A SINKING FUND FOR THE REDEMPTION THEREOF AND THE ASSESSMENT AND COLLECTION OF SUCH TAXES, AUTHORIZING THE SALE OF THE BONDS, AND ENHANCING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE OF SAID BONDS.**

Dan Wegmiller from First Southwest Company appeared before the Court - bids have been received - rating agencies confirm an "A" upgraded to positive outlook - if the county keeps going in the right direction you will be upgraded to an "A+" - our tax base has potential for growth and the county has done a good job of managing growth - our overall national comparison was good - bidders had the option of hand delivering their bids or submit by phone.



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HAYS COUNTY \$8,000,000 GENERAL OBLIGATION BONDS,  
 SERIES 1995  
 TABULATION OF BIDS

| NAME                                | NET INTEREST COST      | EFFECTIVE INTEREST RATE |
|-------------------------------------|------------------------|-------------------------|
| Merrill Lynch, etal                 | PASSED                 | PASSED                  |
| Griffin, Kubik, Stephens & Thompson | \$ 3,915,511.46        | 5.348 %                 |
| <b>* Paine Webber, Inc., etal</b>   | <b>\$ 3,899,419.79</b> | <b>5.32647 %</b>        |
| First Southwest Company, etal       | \$ 3,932,634.33        | 5.371840%               |
| NationsBank Capital Markets         | PASSED                 | PASSED                  |
| Prudential-Securities               | \$ 3,939,870.83        | 5.3817 %                |

\* WINNING BID

A motion was made by Commissioner Barton, seconded by Commissioner Payne to adopt order authorizing the issuance of \$8,000,000 "Hays County General Obligation Bonds, Series 1995", levying a continuing direct annual ad valorem tax on all taxable property within the county to pay the interest on said bonds and to create a sinking fund for the redemption thereof and the assessment and collection of such taxes, authorizing the sale of the bonds, and enhancing provisions incident and related to the issuance of said bonds. All voting "Aye".

**14123 CONSIDERATION AND ACTION ON AN ORDER AUTHORIZING THE ISSUANCE OF \$2,770,000 "HAYS COUNTY ANTICIPATION NOTES, SERIES 1995", LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE COUNTY TO PAY THE INTEREST ON SAID NOTES AND TO CREATE A SINKING FUND FOR THE REDEMPTION THEREOF AND THE ASSESSMENT AND COLLECTION OF SUCH TAXES, AUTHORIZING THE SALE OF THE NOTES, AND ENHANCING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE OF SAID NOTES.**

Dan Wegmiller of First Southwest Company presented the tabulation of bids received for \$2,770,000 in anticipation notes - these notes were recommended by the County Auditor - will provide better interest rate than regular financing.

HAYS COUNTY \$2,770,000 ANTICIPATION NOTES,  
 SERIES 1995  
 TABULATION OF BIDS

| NAME                                | NET INTEREST COST    | EFFECTIVE INTEREST RATE |
|-------------------------------------|----------------------|-------------------------|
| Merrill Lynch, etal                 | PASSED               | PASSED                  |
| Griffin, Kubik, Stephens & Thompson | \$ 542,063.33        | 5.032 %                 |
| <b>* Zions Bank</b>                 | <b>\$ 534,514.98</b> | <b>4.962229 %</b>       |
| Paine, Webber, Inc., etal           | \$ 546,508.33        | 5.073573 %              |
| First Southwest Company, etal       | PASSED               | PASSED                  |
| NationsBank Capital markets         | PASSED               | PASSED                  |
| Prudential-Securities               | \$ 546,211.67        | 5.0708 %                |

\* WINNING BID

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to adopt order authorizing the issuance of \$2,770,000 "Hays County Anticipation Notes, Series 1995", levying a continuing direct annual ad valorem tax on all taxable property within the county to pay the interest on said notes and to create a sinking fund for the redemption thereof and the assessment and collection of such taxes, authorizing the sale of the notes, and enhancing provisions incident and related to the issuance of said notes as recommended by the County Auditor. All voting "Aye".

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**14124 AUTHORIZE MAINTENANCE DIRECTOR TO EXPEND ANTICIPATION NOTES FUNDS AND PREPARE A POLICY STATEMENT FOR ADA PROJECTS**


Ron Knott, Maintenance Director, advised that the Election Office renovations will be completed by July 1, 1995 (restrooms and A/C) with an estimated completion cost of \$9-10,000 with a \$6-7,000 shortfall - renovation of the Tax Office (counter, drop ceiling, restroom, & floors) has started and he predicts a shortfall of \$6-8,000 - would like to use funds from anticipation notes that are earmarked for ADA Compliance to cover these expenses - funds are also needed to pay for the ADA Policy, Engineering fees, and training.

A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize the Director of Maintenance to expend funds from anticipation notes to complete renovations at the Elections Office and Tax office to bring them into ADA compliance in an amount not to exceed \$17,000.00. All voting "Aye".

A motion was made by Commissioner Barton, seconded by Judge Etheredge to direct the Director of Maintenance to prioritize a list, prepare a policy statement & prospective budget, and bring it back to the Court. All voting "Aye". Commissioner Payne (ADA Officer) to work with Ron Knott.

MINUTES APPROVED IN OPEN COURT ON THE 24th DAY OF July, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 22ND DAY OF JUNE A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCH    | DEPUTY COUNTY CLERK  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**WORKSHOP - GIS DEMONSTRATIONS**

Judge Etheredge called the meeting to order - the purpose of this meeting is to allow two vendors to demonstrate their company's Geographic Information System - no action will be taken - the only member not present was Pete Rodriguez (The Sheriff's Dept. video-taped the demos). Central Appraisal District Board President Pat Benner called his meeting to order - the only member not present was Paul Garnett.

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Judge Etheredge welcomed everyone present - spoke of jointly planning our future - there are approximately 26 separate taxing entities in the County (apprx. 15 had representatives present) - in 1993 the Commissioners' Court began discussions on planning the future of Hays County - we came upon GIS and began exploring that issue and found that many State agencies are currently using GIS - GIS is like a library of information (empty until you fill it up) - anyone who chooses to participate can put in and take out information. Judge Etheredge spoke of needs analysis (feasibility study) that was done in which the CAD shared the cost - GIS Consultant Robert Maggio sent out requests for proposal and two vendors responded and will demonstrate their programs - we will then take information and discuss and see if we move forward and how to structure the system - we could create a management board - the county has had aerial photos taken and placed markers - global position monuments are being set in place - some entities in the county already have some form of GIS - Hays county is 22nd in the State on rate of growth - we need to do a better job of planning for the future and better use of our dollars - the CAD and County have made no commitments - we are gathering information before we decide what we are going to do - a base map must be created and the logical place to do that is with the CAD - asked that the decision to go with or not go with GIS be made by the entities supporting the Central Appraisal District. CAD President Pat Benner spoke of maps at the CAD (not digitized) - it will take a tremendous amount of money to digitize their maps and the Board did not want to commit taxpayers money on their own - they recently purchased a PC and software to begin digitizing their maps and will have a base map for the GIS - they will go along with whatever the taxing entities desire. Dr. Robert Maggio (Professor at Texas A&M University) spoke of his being brought on board to chart the course and obtain information - he did the needs assessment survey and obtained information on current systems and future needs - a good solid base map is necessary - spoke of monuments which help to create a seamless base map - a book of the monuments will be available - aerial photographs will be used to map features on the base map - additional information (i.e. property ownership, etc.) will be stacked on the base map and will be shared by other departments and entities - we have to look at the computer equipment and software - data is the most costly part of the system (75% of the cost) - there are multiple ways to get the information into the system: (1) CAD & County Mapping Dept. personnel can enter in-house, (2) Contract out the data entry, (3) combination of contract services and county personnel. Dr. Maggio explained the various uses for GIS: road names, road maintenance, appraised property values, ownership, environmental information (i.e. septic systems), and FEMA information. Each vendor was provided with some aerial photos and parcel maps to aid in their demonstrations.

#### Intergraph Corp.

Opening statements were made by Chitra Subramaniam - she attended SWTSU and was an intern with the Hays County Mapping Dept. John Bennett spoke of technology - data is everywhere throughout the county and you need to get the data into one system to be shared with everyone - GIS is a tool to manipulate mapping data - their software runs on windows and is compatible with other software - it will run on less expensive computers - spoke of Texas Dept. of Corrections having 40 stations to convert maps to digitized state using inmate services - Texas A&M University is training students on Intergraph equipment and a training facility is located in Dallas - the Williamson County CAD also uses Intergraph. Steve Stewart demonstrated the DeskMap System and MapInfo - entities will not be hooked up electronically - data will be obtained via tape and regular updates will be provided. John Bennett stated that entities could be networked and individual entities could add their own information

#### ESRI (Environmental Systems Research Institutes, Inc.)

Daniel Stone spoke of getting data into the system is the most time consuming and costly - you want the system to identify information like population, property values, etc. - their system uses ARCINFO and ARCVIEW - spoke of public access data that is available from census records - their system runs on PC or workstations. Demonstrated routing for emergency vehicles, police vehicles, etc. - can reroute traffic in cases of road construction, flooding, etc.


Judge Etheredge thanked everyone who attended - advised that the technology exists and is an excellent planning tool - feels like it is important that the system be tied into the CAD to create a seamless base map which could be utilized by law enforcement, road department, schools, cities, etc. - we need to move forward and support this system - we will need to determine what our needs are and build from the ground up (parcels and ownership) - the county could go off and do it for ourselves and do our own thing - we can provide a lot of information (add new lots, streets names, etc. on new subdivisions) that would be automatically sent to the CAD office - we think we can create a lot of info through our regular development processes (septic systems, building permits, etc.). Commissioner Barton asked "do we share a common vision and goal?" - if so, we need to determine how it will be shared.

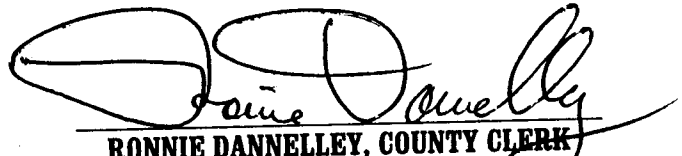
Note: The CAD Board members did not stay for the entire demonstration workshop.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to adjourned. All present voting "Aye".

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MINUTES APPROVED IN OPEN COURT ON THE 24<sup>th</sup> DAY OF July, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 HAYS COUNTY, TEXAS

  
**RONNIE DANNELLEY, COUNTY CLERK**  
 HAYS COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 26TH DAY OF JUNE A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

**EDDY A. ETHEREDGE**  
**PETER RODRIGUEZ**  
**CRAIG D. PAYNE**  
**RUSS G. MOLENAAR**  
**RONNIE DANNELLEY**

**COUNTY JUDGE**  
**COMMISSIONER, PCT. 1**  
**COMMISSIONER, PCT. 3**  
**COMMISSIONER, PCT. 4**  
**COUNTY CLERK**

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14125 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to approve payment of county invoices in the amount of \$ 406,751.61 as presented by the County Auditor. All present voting "Aye".

|                     |              |                     |              |                     |               |
|---------------------|--------------|---------------------|--------------|---------------------|---------------|
| Fines               | \$ 638.00    | Auditors Ofc        | \$ 43.20     | Treasurers Ofc      | \$ 156.45     |
| Extension Ofc       | \$ 305.70    | Grants Admin        | \$ 828.00    | Juv Probation       | \$ 559.63     |
| Election Admin      | \$ 1,423.70  | Indigent Care       | \$ 25,231.66 | Transfer Station    | \$ 232.69     |
| Bldg. Maint         | \$ 19,101.66 | Environ Health      | \$ 399.17    | Personal Health     | \$ 270.60     |
| Civic Center        | \$ 2,620.31  | Countywide Oper     | \$ 13,085.59 | Tax A/C             | \$ 677.81     |
| District Clerk      | \$ 68.73     | County Clerk        | \$ 390.96    | Sheriffs Ofc        | \$ 128,800.38 |
| Jail Operations     | \$ 24,867.77 | County Judge        | \$ 39.00     | Human Resources     | \$ 1,414.03   |
| District Attorney   | \$ 291.25    | J.P. 1-1            | \$ 65.63     | J.P. 1-2            | \$ 6.61       |
| J.P. 3              | \$ 78.38     | J.P. 4              | \$ 104.41    | J.P. 5              | \$ 97.78      |
| D.P.S.              | \$ 184.19    | Constable 1         | \$ 415.23    | Constable 3         | \$ 311.59     |
| Constable 4         | \$ 46.34     | Constable 5         | \$ 188.46    | Dist Crt Operations | \$ 2,604.46   |
| Co & JP Crt Oper    | \$ 1,263.70  | Veterans Admin      | \$ 195.70    | Computer Svcs       | \$ 3,640.66   |
| Co Crt @ Law 2      | \$ 76.00     | Fire Marshal/EMC    | \$ 885.74    | TABC                | \$ 19.12      |
| Dist Crt Reporter   | \$ 5.10      | TJPC CCAP Grant     | \$ 4,956.90  | Legal Aid Ofc       | \$ 1,765.00   |
| Corridor Incub Grnt | \$ 2,718.12  | Dunbar Grant        | \$ 2,323.82  | R&B Operations      | \$ 12,770.46  |
| Precinct 1          | \$ 228.00    | Precinct 2          | \$ 214.00    | Precinct 3          | \$ 82.90      |
| Precinct 4          | \$ 163.56    | *R&B Gen Credit*    | * \$ 11.95 * | Health Svcs Grants  | \$ 2,136.08   |
| Hot Check Fee Fund  | \$ 273.00    | Law Library Fund    | \$ 530.35    | Road Construction   | \$ 109,305.51 |
| Courthouse Renov    | \$ 5,137.05  | Courthouse Security | \$ 21.59     | Adult Prob Oper     | \$ 8,185.85   |
| Adult Prob Fac      | \$ 470.36    | Anticipation Notes  | \$ 23,845.62 |                     |               |

**14126 APPROVE BUDGET AMENDMENT NO. 95-034**

The following budget amendments were proposed:

Auditor's Office - Line item transfer to cover all membership fees & bonds.

Treasurer's Office - Line item transfer to pay for Transfer Station tickets.

Human Resources - Line item transfer to cover freight charges.

J.P. 1-2 - Line item transfer to cover seminar expenses of staff.

Sheriff's Dept. - Line item transfer to cover expenses of A/C repair equipment for vehicles.

District Attorney - Line item transfer to pay State Bar Dues of one employee.

Commissioner Pct. 4 - Line item transfers to cover new phone and monthly expense of telephone and office supplies.

Hot Check Fee Fund - Line item transfer to cover State Bar Dues of one employee.

Building Maintenance - Line item transfer from pest control to cover equipment lease and office expense.

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A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to approve Budget Amendment Number 95-034 as proposed by the county Auditor. All present voting "Aye".

**BUDGET AMENDMENT NO. 95-034**  
**FUND NO. 01 - FUND TITLE GENERAL**

| <u>LINE ITEM - EXPENDITURE</u>                  | <u>INCREASES</u> | <u>DECREASES</u> |
|-------------------------------------------------|------------------|------------------|
| <b>AUDITOR</b>                                  |                  |                  |
| 01-401-5321 Membership Fees & Bonds             | \$ 10.00         |                  |
| 01-401-5211 Office Supplies                     |                  | \$ 10.00         |
| <b>TREASURER</b>                                |                  |                  |
| 01-402-5461 Printing                            | \$ 280.00        |                  |
| 01-402-5213 Books & Periodicals                 |                  | \$ 150.00        |
| 01-402-5331 Continuing Education                |                  | \$ 130.00        |
| <b>HUMAN RESOURCES</b>                          |                  |                  |
| 01-421-5711 Office Equipment                    | \$ 27.00         |                  |
| 01-421-5489 Telephone                           |                  | \$ 27.00         |
| <b>JUSTICE OF PEACE 1-2</b>                     |                  |                  |
| 01-425-5331 Cont Educ                           | \$ 418.00        |                  |
| 01-425-5311 Travel                              |                  | \$ 68.00         |
| 01-425-5473 Equip Rent/Lease                    |                  | \$ 350.00        |
| <b>SHERIFF</b>                                  |                  |                  |
| 01-418-5719 Misc. Equip                         | \$ 800.00        |                  |
| 01-418-5413 Veh Mtc. Repair                     |                  | \$ 800.00        |
| <b>DISTRICT ATTORNEY</b>                        |                  |                  |
| 01-423-5321 Membership Fees & Bonds             | \$ 235.00        |                  |
| 01-423-5121 Insurances                          |                  | \$ 235.00        |
| <b>BUILDING MAINTENANCE</b>                     |                  |                  |
| 01-410-5473 Equip. Lease                        | \$ 750.00        |                  |
| 01-410-5211 Office Supplies                     | \$ 75.00         |                  |
| 01-410-5456 Pest Control                        |                  | \$ 825.00        |
| <b>FUND NO. 03 - FUND TITLE R&amp;B GENERAL</b> |                  |                  |
| <b>COMMISSIONER PRECINCT 4</b>                  |                  |                  |
| 03-442-5711 Office Equipment                    | \$ 600.00        |                  |
| 03-552-5211 Office Supplies                     | \$ 100.00        |                  |
| 03-552-5489 Telephone                           | \$ 500.00        |                  |
| 03-552-5353 Special Project                     |                  | \$ 1,200.00      |
| <b>FUND NO. 011 - FUND TITLE HOT CHECK FEE</b>  |                  |                  |
| <b>HOT CHECK FEE</b>                            |                  |                  |
| 11-446-5321 Membership Fees & Bonds             | \$ 270.00        |                  |
| 11-448-5391 Misc.                               |                  | \$ 270.00        |

**14127 ACCEPT THE ANNUAL REPORT OF THE HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #5**

A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to accept the Annual Report submitted by the Hays County Rural Fire Prevention District #5. All present voting "Aye" (See report in file)

**14128 AWARD CONTRACT ON UNIFORMS, MATS AND MOP HEADS**

Bids on uniforms, mats and mop heads were submitted by Mission Uniform & Linen (Round Rock), Cintas Corp. (Austin), Unifirst (Austin), Chuck Honley Uniform (San Marcos), and Admiral Linen & Uniform (Austin). Purchasing Agent Cindy Casparis advised that the overall low bidder was Mission Uniform & Linen with a two year contract with option to renew for an additional year. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to award contract on uniforms, mats and mop heads to Mission Uniform & Linen. All present voting "Aye".

**14129 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR CABLING AT JUSTICE CENTER**

A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to approve specifications and authorize the County Auditor to advertise for bids for cabling at the Justice Center. All present voting "Aye".

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**14130 CANCEL COMMISSIONERS' COURT MEETING OF JULY 3, 1995**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to cancel the regular Commissioners' Court Meeting of July 3, 1995. All present voting "Aye".

**14131 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS AT THE INTERSECTION OF CEDAR SPRINGS SUBDIVISION AND CHAPARRAL**

A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to call for a public hearing to be held July 10, 1995 at 9:00 a.m. to consider establishing traffic regulations at Cedar Springs Subdivision and Chaparral. All present voting "Aye".

**14132 THE RANCH AT OAK TERRACE - SECOND READING APPROVAL**

This is a four lot subdivision located off Oak Terrace Road - access to lots is through a 40 foot private road easement - requesting a variance on road standards. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "The Ranch at Oak Terrace" on second reading. All present voting "Aye".

**14133 RADIANCE PHASE I REPLAT OF LOT 22 - FIRST READING AND CALL FOR PUBLIC HEARING**

Property owner Constance Austin proposes to replat Lot 22 of Radiance Phase I (12.19 acres) into nine lots (Lots 20-C, 22-C, 25, 26, 27, 28, 29, 30, 31, 32 & 33) with two private driveways for access. Allen Walther, Environmental Health Director, spoke of modification needed to plat relative to lot size on Lots 27 & 29 (less than one acre each). Constance Austin stated that she is requesting a variance to the lot size on these two lots - spoke of common area that will belong to the Homeowners Association. Mr. Walther spoke of this subdivision being over the recharge zone and the fact that the minimum lot size requirement is state law - TNRCC would have to approve this variance before he would make a recommendation. Robert Shaw (POA) spoke of access to the common lot through Lot 23C. Judge Etheredge stated that TNRCC will probably not accept lots less than one acre - suggested that a portion of Lot 22 be considered a part of these two lots to increase the lot size. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Radiance Phase I Replat of Lot 22" on first reading and call for a public hearing to be held July 10, 1995. All present voting "Aye".

**PLATTING VARIANCE REQUEST - 7.235 ACRE TRACT ON FM1826 (CLINTON GILES)**

A variance to the platting requirements was requested from Clinton Giles - the division of property is to facilitate construction of two homes for family members and is for residential use. Environmental Health Director Allen Walther advised that this property has unstudied 100 year flood plain on it - recommended no action until a more detailed survey is submitted.

**14134 GREEN PASTURES SECTION 3 REPLAT OF BLOCK 16 - SECOND READING APPROVAL**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Green Pastures Section 3 Replat of Block 16" on second reading. All present voting "Aye".

**BEAR CREEK OAKS REPLAT OF LOT 18 IN SECTION 2 AND PART OF LOT 30 IN SECTION 3 - VARIANCE DISCUSSION**

Bill Boothby and Brett Gerhardt appeared before the Court requesting a variance to platting two adjacent lots in Bear Creek Oaks (an unrecorded subdivision) - the two lots comprise a total area of 8.24 acres and it is their intention of divide the land into two equal portions of 4.12 acres and purchase them separately and construct single family residences on each of the two resulting parcels. Staff recommendation is to require platting - we have required other to plat in this unrecorded subdivision - lots are surveyed to center of the road - need to require that roadway be deeded to the county - property is located in the ETJ of the City of Austin and they will be required to go by their rules as well.

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**14135 OAK FOREST SECTION ONE - THIRD READING APPROVAL**

A thirteen lot subdivision consisting of 65.69 acres out of the Sinclair Gervais Survey located on Oak Grove Road owned by 967 Ltd. - the subdivision by virtue of the lot size and street configuration is exempted from the requirements of the subdivision ordinance of the City of Dripping Springs. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to approve "Oak Forest Section One" subdivision on third reading. All present voting "Aye".

**14136 ROLLING OAKS SECTION 3 REPLAT OF LOT 54 - THIRD READING APPROVAL**

Commissioner Payne questioned the fact that lots go to center of a county maintained road. Surveyor Ray Kotowski advised that all lots in this subdivision go to the center of the road and the road has never been dedicated to the public. Commissioner Molenaar advised that the roadway need to be dedicated to the County. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Rolling Oaks Replat of Lot 54 (Lots 54A & 54B)" on third reading subject to excluding the roadway from the lots and dedicating that right-of-way to the County. All present voting "Aye".

**14137 VARIANCE TO ALLOW SPRINKLING EFFLUENT FOR AEROBIC WASTEWATER SYSTEM IN PRECINCT THREE DENIED**

This variance request was discussed in the June 12, 1995 meeting. Emily Phillips, property owner, appeared before the Court requesting a variance to allow sprinkling effluent for aerobic wastewater system in the Burnett Ranch subdivision. Environmental Health Director Allen Walther stated that TNRCC does allow surface application of effluent under certain conditions, however, we do not allow it - we feel that the best treatment is subsurface - our greatest concern is possible breakdown of the system and malfunction of sanitization process - runoff is another great concern - there is a serious safety concern - the potential for disease transmission is greater with a surface system if it fails - requested time to go and check with adjoining counties that allow this type of system and see how its working for them - suggested that we notify adjacent property owners and hold a public hearing. Tim Taylor, Registered Sanitarian and factory representative for this system, spoke of having designed over 2,000 of these systems - they have a proven tract record - this type of system has been studied to death - the State has a detailed set of specs - requires monitoring by a licensed service person and reports to be filed - requires a maintenance agreement that must be filed with the County Clerk's office. Allen Walther spoke of problems with receiving maintenance reports required for subsurface treatment systems - it is difficult to get people to keep their maintenance agreements up to date, permits renewed, and reports filed. Tim Taylor spoke of Harris County software program that monitors these systems and generates letters warning of compliance - violators can be charged \$500 per day per violation) - asked that request not be denied - the technology is there. Allen Walther suggested holding a public hearing and see if the citizens approve of this technology countywide. Judge Etheredge spoke - this type of system cannot be any worse than a failing standard septic system - when we allow a surface or a subsurface application, we need to be able to monitor the maintenance - there are certain situations where we might not want to approve these systems - we need flexibility - we need public input. A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant a variance and allow the sprinkling of effluent for an aerobic wasterwater system in Precinct 3. Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Molenaar voting "No". MOTION FAILED.

**14138 AUTHORIZE THE COUNTY'S DELINQUENT TAX ATTORNEY TO SALE PROPERTY**

Tax Assessor/Collector Luanne Caraway spoke of property in Kyle that was seized for delinquent taxes in November 1990 - there is currently a mobile home and a home on the property with families living there (no rent or taxes are being paid) - taxes are owed to Hays County, Hays CISD and the City of Kyle - no bid has been received for this property - it appears that when property was seized for taxes there was a hardship case at the location (an elderly lady) and she was allowed to stay on the property - since that time it is now occupied by someone else - we could get a writ of possession to remove the occupants and put the property up for sale - Court needs to decide if we will accept a bid for less than the amount of taxes due (\$17,208). A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to authorize sale of delinquent tax property in Kyle at market value. Commissioner Payne and Commissioner Molenaar voting "Aye", Commissioner Rodriguez and Judge Etheredge voting "No". MOTION FAILED.

A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to authorize the County's Delinquent Tax Attorney to sale delinquent tax property in Kyle for whatever amount can be received even if it is less than the amount of taxes due. All present voting "Aye".

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**14139 APPROVE REQUEST BY TAX ASSESSOR-COLLECTOR FOR AN ADDITIONAL MOTOR VEHICLE WORKER (GRADE 5)**

Tax Assessor-Collector Luanne Caraway spoke of bookkeeper retiring (Grade 5) - there are funds in her budget for the remainder of this year to support this request - spoke of reorganization of her department which created staff reduction. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve request by Tax Assessor-Collector for an additional Motor Vehicle Worker at Grade 5. All present voting "Aye".

**14140 AUTHORIZE HAYS COUNTY TO SEEK PARTY STATUS BEFORE THE TNRCC REGARDING SAFRA PROPERTIES INC. AND HUNTINGTON ESTATES**

Ilene Connally spoke of concerns about a well and septic systems in the area of Huntington Estates - could be contaminating the aquifer - requested that Commissioner Barton be authorized to have intervenor status in this issue. Keith Pardue, Environmental Attorney, spoke of 200 homeowners that are concerned about their water quality. Judge Etheredge advised that party/intervenor status would allow Hays County to participate in negotiations - Commissioner Barton will pay for expenses out of his special projects line item. Huntington Estates was approved under old subdivision regulations - the current issue pertains to transfer of Certificate of Convenience & Necessity. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to authorize Hays County to seek party status before the TNRCC regarding Safra Properties, Inc. and Huntington Estates. All present voting "Aye".

**SAN MARCOS AREA FOOD BANK (NOT AN AGENDA ITEM)**

Alma Briggs (San Marcos Area Food Bank) spoke of county property on Herndon & Centre Streets - the lease was never executed by Jackson Chapel on this property - the Food Bank could utilize the 120X80 foot piece of property for their new building - requesting authorization from the County so that they can proceed with their grant application.

**HAYS COUNTY PERSONAL HEALTH DEPARTMENT - WORKSHOP**

Director of Nursing Julie Hornberger and County Physician Dr. Larry Birdwell appeared before the Court to review health department activities in 1994, update of state grant funding for fiscal year 95-96, update of Senate Bill 10, and to address specific goals of clients to be served for FY95-96.

**SUMMATION OF HAYS COUNTY'S FINANCIAL, STAFFING PATTERN AND CLIENT VISITS FROM 1991-1994**

| YEAR | CLINIC SITES | TOTAL VISITS | STAFF PATTERN | # CLIENTS PER VISIT PER MONTH | PROGRAM INCOME | FUNDING       |
|------|--------------|--------------|---------------|-------------------------------|----------------|---------------|
| 1991 | 1            | 8,620        | 12.00         | 718                           |                | \$ 198,702.00 |
| 1992 | 2            | 11,934       | 14.20         | 1,165                         | \$ 60,613.00   | \$ 372,583.00 |
| 1993 | 2+           | 15,235       | 16.30         | 1,270                         | \$ 151,615.00  | \$ 591,974.00 |
| 1994 | 2+           | 17,830       | 23.25         | 1,486                         | \$ 141,528.00  | \$ 623,753.00 |

1991 ♦ Clinic site located in San Marcos - Buda and Dripping Springs had 4 hours a month satellite coverage on a rotating basis.

1992 ♦ Permanent clinic sites in San Marcos and Kyle

1993 ♦ Physician was hired, Family Practice staff was hired and Family Practice operating on a limited basis (remodel in progress) - Kyle clinic operating 5 days a week - satellite in Dripping Springs was increased to 4 hours per week - Wimberley clinic half a day on a weekly basis June through December - since 1992 grant funding increased by \$ 192,684.00.

1994 ♦ Family Practice Clinic operating 28 hours per week in San Marcos and Kyle - Wimberley clinic 1/2 day on Wed PM Dripping Springs clinic 1/2 day Thursday PM - since 1993 grant funding has increased by \$31,779.00

**PROJECTED 1995**

♦ Total budget of \$502,718.00 (a decrease of 20%) - a \$100,000.00 shortfall in funding by State in MCH & PPIP - a decrease in staffing to 19 (a 15% decrease) - projected program income will remain the same at \$150,000.00

**GRANT FUNDING UPDATE**

For Fiscal Year 95-96 Maternal & Child Health Funding will be allocated through a fee for service basis. The State anticipates all grant funding will move to the fee for service basis in the next year or so. All grants will be closely monitored in respect to the projected numbers anticipated to be served by each funding site and the number of clients served by the individual programs. All grants will have rigid criterion too follow as to the clientele that can be served and counted under the grant requirements. Grant funding renewal will be done on a competitive yearly basis.



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How grant funding changes will affect the Hays County Health Dept. - In the past all citizens of the county were welcomed to participate in county health dept. services, now under the new guidelines only the clients who fall into the grant criterion will be recognized as clientele served. Guaranteed allotment of grant funding wil not exist. Funding will be based on a monthly or quarterly billing system to the state health dept. for the clients seen that fit into the grant criterion - now quarterly allotment statements are mailed to the state for funding that is reserved and can be counted on to meet county budget requirements. Projected client numbers to be served will be closely scrutinized and evaluated as to cost per service and need of area to be served. Each year will be unpredictable as to the grant funding the county may be eligible to receive and the programs to be offered.

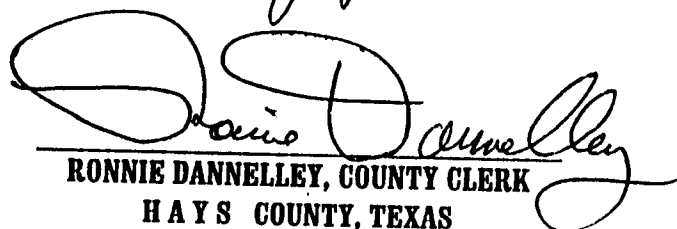
COPC GRANT FUNDING - It has been learned from the State Health Dept. that our county health dept. who has received COPC funding in the past will be receiving funding from the same pot of money as the Community Action Agency of Primary Health Care. The State does not see this as a conflict of interest as ong as the County Health Dept. does not count the Primary Health Care client but only counts the services rendered. Concerned about hard feelings or misunderstandings resulting between our programs - our programs are located in the same building which could produce client confusion - fighting for clients could result without clear cut guidelines to be followed - an adversarial feeling from Primary Health Care has resulted in the past month.

**SENATE BILL 10**

Senate Bill 10 establishes the framework for a new Medicaid financing and Medicaid health care delivery system in Texas. A waiver from the federal government is necessary to allow Texas to use managed care for Medicaid clients and to lock in federal Medicaid funding for five years. Locking in federal funding should put Texas in the best position to guard against the negative impact of likely federal cutbacks in the Medicaid program. Otherwise, the full brunt of these changes will be borne by local taxpayers. The new financing and delivery systems will improve coordination and reduce duplication among the many entities now involved in indigent health care. SB10 requires certain local public entities ("Funding Entities") to make available for federal matching certain public funds or resources they now spend on indigent health care. Funding Entities receive back, as part of the matching process, at least as much as the amount that they originally make available. Funding Entities within a single county that provide matching resources have the option to create a nonprofit entity called an intergovernmental initiative (IGI) - if Funding Entities do not create an IGI, then managed care is provided through the state program. The health care delivery system must be designed to realize cost savings - competition to participate in the health care delivery system promotes efficient and effective use of public funds - both private and public health care entities have an opportunity to participate in the local health care delivery plan and will be provided notice of the bid process - Medicaid clients have a choice of managed care plans or providers - requiring a uniform method for setting capitation rates and selecting providers ensures fairness to managed care plans and providers.

MINUTES APPROVED IN OPEN COURT ON THE 24th DAY OF July, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 10TH DAY OF JULY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELEY     | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14141 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of County Invoices in the amount of \$169,546.96 (7/4/95 run) and \$305,693.96 (7/11/95 run) as presented by the County Auditor. All voting "Aye".

June 4, 1995 run:

|                  |               |                    |              |                  |             |
|------------------|---------------|--------------------|--------------|------------------|-------------|
| Auditor          | \$ 2,205.83   | Treasurer          | \$ 1,213.40  | Extension Office | \$ 103.29   |
| Grants Admin     | \$ 245.21     | Juvenile Prob      | \$ 326.58    | Election Admin   | \$ 58.73    |
| Comm & Soc Svcs  | \$ 128,608.50 | Indigent Care      | \$ 64.00     | Transfer Station | \$ 60.46    |
| Bldg. Maint.     | \$ 361.35     | Environ Health     | \$ 176.80    | Personal Health  | \$ 188.20   |
| Civic Center     | \$ 41.14      | Countywide Oper    | \$ 14,332.97 | Tax A/C          | \$ 149.69   |
| District Clerk   | \$ 377.62     | County Clerk       | \$ 506.43    | Sheriff's Ofc    | \$ 2,659.48 |
| Jail Operations  | \$ 7,026.65   | County Judge       | \$ 154.92    | Human Resources  | \$ 42.76    |
| Co Crt @ Law 1   | \$ 194.82     | District Attorney  | \$ 356.77    | J.P. 1-1         | \$ 49.82    |
| J.P. 1-2         | \$ 77.18      | J.P. 2             | \$ 12.50     | J.P. 5           | \$ 125.00   |
| D.P.S.           | \$ 665.18     | Constable 1        | \$ 43.09     | Dist Crt Oper    | \$ 105.16   |
| Veterans Admin   | \$ 35.58      | Computer Svcs      | \$ 786.68    | Co Crt @ Law 2   | \$ 28.45    |
| Fire Marshal/EMC | \$ 40.62      | TABC               | \$ 20.10     | Dist Crt Reprtr  | \$ 58.48    |
| Legal Aid Svcs   | \$ 25.91      | DA DARE Grant      | \$ 19.00     | R&B Operations   | \$ 472.63   |
| Co Clk Rec Mng   | \$ 2,611.91   | Health Svcs Grants | \$ 500.00    | Law Library Fund | \$ 75.00    |
| Adult Prob Oper  | \$ 3,011.47   | Adult Prob Fac     | \$ 1,334.60  |                  |             |

June 11, 1995 run:

|                   |              |                    |              |                   |              |
|-------------------|--------------|--------------------|--------------|-------------------|--------------|
| Auditor           | \$ 440.10    | Treasurer          | \$ 160.50    | Extension Office  | \$ 175.62    |
| Grants Admin      | \$ 10.80     | Juvenile Probation | \$ 237.62    | Indigent Care     | \$ 1,463.03  |
| Transfer Station  | \$ 74.83     | Bldg. Maint.       | \$ 5,595.46  | Environ Health    | \$ 522.04    |
| Civic Center      | \$ 417.38    | Countywide Oper    | \$ 2,755.27  | Tax A/C           | \$ 393.41    |
| District Clerk    | \$ 150.00    | County Clerk       | \$ 616.21    | Sheriffs Ofc      | \$ 10,011.65 |
| Jail Operating    | \$ 7,123.87  | County Judge       | \$ 385.99    | Human Resources   | \$ 940.74    |
| District Attorney | \$ 935.44    | J.P. 1-2           | \$ 152.08    | J.P. 2            | \$ 14.34     |
| J.P. 4            | \$ 155.69    | J.P. 5             | \$ 109.80    | D.P.S.            | \$ 909.74    |
| Constable 1       | \$ 40.90     | Constable 2        | \$ 50.41     | Constable 3       | \$ 50.00     |
| Constable 5       | \$ 180.35    | District Crt Oper  | \$ 3,191.92  | Co & JP Crt Oper  | \$ 2,618.78  |
| Veterans Admin    | \$ 350.00    | Computer Svcs      | \$ 3,098.12  | Co Crt @ Law 2    | \$ 16.38     |
| Prot Hmkr Grant   | \$ 307.08    | Fire Marshal/EMC   | \$ 16.30     | TJPC CCAP Grant   | \$ 1,722.00  |
| Crn Justice Info  | \$ 75,000.00 | Corr Incub Grant   | \$ 61.04     | Dunbar Grant      | \$ 4,548.82  |
| DA DARE Grant     | \$ 313.04    | *Gen Fund Credit*  | \$ 541.38    | R&B Operations    | \$ 75,657.86 |
| Precinct 1        | \$ 264.00    | Precinct 2         | \$ 553.59    | Precinct 4        | \$ 266.00    |
| Co Clk Rec Mng    | \$ 8,531.23  | Health Svcs Grant  | \$ 1,100.00  | Road Construction | \$ 32,947.92 |
| Courthouse Renov  | \$ 12,952.84 | Adult Prob Oper    | \$ 27,588.37 | Adult Prob Fac    | \$ 1,240.41  |
| Animal Control    | \$ 48.90     | DA Reimb Fund      | \$ 19,767.52 |                   |              |

14142 APPROVE BUDGET AMENDMENT NO. 95-035

The following budget amendments were proposed:

Extension Office - To cover Expenses of vehicle repairs = \$ 50.00

Building Maintenance - To cover expenses in misc. veh. eqpt mtc&repair and vehicle maintenance = \$700

TB Dept. Health Svcs Fund -To reduce expenses in line with grant revenue - increases at budget time due to across the board COLA = \$830

Dir of Nursing/Health Svcs Fund - To reduce salary and related fringe, in line with grant revenue - increases at budget time due to across the board COLA.

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Adult Probation CSR Dept - Re-allocate funds for part-time CSR Supervisor, cover construction costs, and replace old equipment = \$ 2,217.00  
Immunization Dept. Health Svcs Fund - To reduce expense in line with grant revenue - increases at budget time due to across-the-board COLA - also move unneeded salary expense into supplies.  
PIIP Dept. Health Svcs Fund - To reduce revenue and expense to equal grant award = \$7,522.00  
County Clerk - Transfer money from permanent records to office supplies.= \$2,000.00  
 A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve budget amendment no. 95-035 as proposed by the County Auditor. All voting "Aye".

| FUND NO. 01                                                    |                  | AMENDMENT NO. 95-035<br>FY 95 BUDGET<br>07/10/95 |           |                          |
|----------------------------------------------------------------|------------------|--------------------------------------------------|-----------|--------------------------|
| FUND TITLE GENERAL                                             |                  |                                                  |           |                          |
| LINE ITEM - EXPENDITURES                                       | AMENDMENT BEFORE | INCREASES                                        | DECREASES | APPROPRIATION AS AMENDED |
| <u>EXTENSION SERVICES (403)</u>                                |                  |                                                  |           |                          |
| 01-403-5413 Veh Mtc & Rep                                      | 500              | 50                                               |           | 550                      |
| 01-403-5272 Veh Supplies                                       | 400              |                                                  | 50        | 350                      |
| TO COVER EXPENSE TO REPAIR VEHICLE                             |                  |                                                  |           |                          |
| <u>BUILDING MAINTENANCE (410)</u>                              |                  |                                                  |           |                          |
| 01-410-5413 Vehicle Maint                                      | 1,900            | 400                                              |           | 2,300                    |
| 01-410-5419 Misc Equip Mtc and Repair                          | 1,200            | 300                                              |           | 1,500                    |
| 01-410-5456 Pest Control                                       | 2,675            |                                                  | 700       | 1,975                    |
|                                                                |                  | 700                                              | 700       |                          |
| TO COVER EXPENSES                                              |                  |                                                  |           |                          |
| FUND NO. 10                                                    |                  |                                                  |           |                          |
| FUND TITLE HEALTH SERVICES GRANTS                              |                  |                                                  |           |                          |
| LINE ITEM - EXPENDITURES                                       | AMENDMENT BEFORE | INCREASES                                        | DECREASES | APPROPRIATION AS AMENDED |
| <u>TB (465)</u>                                                |                  |                                                  |           |                          |
| 10-465-5021 Staff Salaries                                     | 19,132           |                                                  | 811       | 18,321                   |
| 10-465-5110 Co FICA/Med                                        | 1,464            |                                                  | 63        | 1,401                    |
| 10-465-5121 Co Retirement                                      | 1,339            |                                                  | 56        | 1,283                    |
| 10-465-5391 Other                                              | 1,902            | 830                                              |           | 2,632                    |
|                                                                |                  | 830                                              | 830       |                          |
| TO REDUCE EXPENSES IN LINE WITH GRANT REVENUE                  |                  |                                                  |           |                          |
| <u>DIRECTOR OF NURSING (478)</u>                               |                  |                                                  |           |                          |
| 10-478-5011 Dept Head                                          | 20,971           |                                                  | 711       | 20,260                   |
| 10-478-5021 Staff Salary                                       | 3,349            |                                                  | 1,018     | 2,331                    |
| 10-478-5110 County FICA                                        | 1,869            |                                                  | 142       | 1,727                    |
| TO REDUCE SALARY AND RELATED FRINGE IN LINE WITH GRANT REVENUE |                  |                                                  |           |                          |

| FUND NO. 10                                                  |                  | AMENDMENT NO. 95-035<br>FY 95 BUDGET<br>07/10/95<br>Page 2 |           |                          |
|--------------------------------------------------------------|------------------|------------------------------------------------------------|-----------|--------------------------|
| FUND TITLE HEALTH SERVICES GRANTS                            |                  |                                                            |           |                          |
| LINE ITEM - EXPENDITURES                                     | AMENDMENT BEFORE | INCREASES                                                  | DECREASES | APPROPRIATION AS AMENDED |
| <u>IMMUNIZATION (708)</u>                                    |                  |                                                            |           |                          |
| 10-708-5021 Salaries                                         | 32,187           |                                                            | 3,000     | 29,187                   |
| 10-708-5110 FICA                                             | 1,777            |                                                            | 444       | 1,333                    |
| 10-708-5121 Retirement                                       | 1,348            |                                                            | 338       | 1,010                    |
| 10-708-5160 Insurance                                        | 2,307            |                                                            | 919       | 1,388                    |
| 10-708-5219 Supplies                                         | 1,200            | 3,000                                                      |           | 4,200                    |
| TO REDUCE EXPENSE IN LINE WITH GRANT REVENUE                 |                  |                                                            |           |                          |
| <u>PIIP (725)</u>                                            |                  |                                                            |           |                          |
| 10-725-5021 Staff Salaries                                   | 44,468           |                                                            | 4,076     | 40,392                   |
| 10-725-5110 Fica/Medicare                                    | 3,843            |                                                            | 453       | 3,090                    |
| 10-725-5121 Retirement                                       | 3,499            |                                                            | 375       | 3,124                    |
| 10-725-5160 Insurance                                        | 4,500            |                                                            | 2,568     | 1,912                    |
| 10-725-5219 Supplies                                         | 1,590            |                                                            | 30        | 1,560                    |
| 10-725-5311 Travel                                           | 550              |                                                            |           | 550                      |
| 10-725-5391 Other                                            | 200              |                                                            |           | 200                      |
| 10-725-5448 Contract Svcs                                    | 750              |                                                            |           | 750                      |
| 10-725-5719 Equipment                                        | 1,757            |                                                            |           | 1,757                    |
|                                                              | 60,857           |                                                            | 7,522     | 53,335                   |
| <u>REVENUES</u>                                              |                  |                                                            |           |                          |
|                                                              |                  | DECREASES                                                  | INCREASES |                          |
| 10-384-6725                                                  | 57,836           | 6,021                                                      |           | 51,815                   |
| TO REDUCE REVENUE AND EXPENSE IN ACCORDANCE WITH GRANT AWARD |                  |                                                            |           |                          |

| FUND NO. 34                                                                                     |                  | AMENDMENT NO. 95-035<br>FY 95 BUDGET<br>07/10/95<br>Page 3 |           |                          |
|-------------------------------------------------------------------------------------------------|------------------|------------------------------------------------------------|-----------|--------------------------|
| FUND TITLE ADULT PROBATION                                                                      |                  |                                                            |           |                          |
| LINE ITEM - EXPENDITURES                                                                        | AMENDMENT BEFORE | INCREASES                                                  | DECREASES | APPROPRIATION AS AMENDED |
| <u>ADULT PROBATION CSR (488)</u>                                                                |                  |                                                            |           |                          |
| 34-488-5021 Staff Salaries                                                                      | 53,750           | 255                                                        |           | 54,005                   |
| 34-488-5121 Retirement                                                                          | 3,240            | 62                                                         |           | 3,302                    |
| 34-488-5311 Travel                                                                              | 4,407            |                                                            | 2,217     | 2,190                    |
| 34-488-5219 Supplies & Oper.                                                                    | 3,182            | 1,400                                                      |           | 4,582                    |
| 34-488-5499 Facil, Util, & Equip                                                                | 5,708            | 500                                                        |           | 6,208                    |
| REALLOCATE FUNDS FOR PART-TIME CSR SUPERVISOR. COVER CONSTRUCTION COSTS. REPLACE OLD EQUIPMENT. |                  |                                                            |           |                          |

| FUND NO. 01               |                  | AMENDMENT NO. 95-035<br>FY 95 BUDGET<br>07/10/95<br>Page 4 |           |                          |
|---------------------------|------------------|------------------------------------------------------------|-----------|--------------------------|
| FUND TITLE GENERAL        |                  |                                                            |           |                          |
| LINE ITEM - EXPENDITURES  | AMENDMENT BEFORE | INCREASES                                                  | DECREASES | APPROPRIATION AS AMENDED |
| <u>COUNTY CLERK (417)</u> |                  |                                                            |           |                          |
| 01-417-5211 Office Sply   | 6,500            | 2,000                                                      |           | 8,500                    |
| 01-417-5215 Perm Records  | 18,620           |                                                            | 2,000     | 16,620                   |
| TO COVER OFFICE EXPENSE   |                  |                                                            |           |                          |

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**14143 APPROVE UTILITY PERMITS ISSUED BY THE ROAD DEPARTMENT**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Utility Permits No. 95210 (Southwestern Bell), No. 95412 (Southwestern Bell), and No. 95211 (County Line Water Supply) as presented by the Hays County Road Department. All voting "Aye".

**14144 APPROVE TREASURER'S REPORT FOR MARCH, APRIL, AND MAY 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the County Treasurer's Report for March, April, and May 1995. All voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
MARCH 31, 1995

|                    | General                     | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library        | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Series 1994<br>Notes | Courthouse<br>Ren. & Road<br>Bond 1994 |
|--------------------|-----------------------------|----------------------------|-----------------------|--------------------|----------------------------|----------------------|-----------------------------|--------------------------------------|----------------------------------------|
| <b>CHECKING</b>    |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | \$1,522,659.54              | \$650,088.65               | \$1,986.47            | \$2,271.49         | \$28,185.81                | \$843,782.79         | \$142,647.29                | \$1,607.19                           | \$1,702.02                             |
| M/M Int.           | \$1,813.03                  | \$854.15                   |                       | \$5.72             | \$134.18                   | \$2,149.05           | \$171.93                    | \$8.09                               | \$7.35                                 |
| Deposits           | \$2,645,007.91              | \$630,941.14               | \$2,963.17            | \$520.00           | \$215,755.31               |                      | \$56,062.39                 | \$7,870.43                           | \$97,850.00                            |
| Disbursements      | \$4,078,689.02              | \$1,279,286.27             | \$2,903.30            | \$1,199.50         | \$242,403.23               | \$584.55             | \$197,073.81                | \$7,616.93                           | \$98,018.21                            |
| Ending Bal.        | \$90,791.46                 | \$2,597.67                 | \$2,046.34            | \$1,597.71         | \$1,672.07                 | \$845,347.29         | \$1,807.80                  | \$1,868.78                           | \$1,541.16                             |
| <b>INVESTMENTS</b> |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | \$4,933,141.43              | \$645,960.16               | \$0.00                | \$10,065.79        | \$533,812.58               | \$0.00               | \$83,227.12                 | \$174,833.64                         | \$5,437,248.52                         |
| M/M Int.           | \$30,126.48                 | \$5,552.19                 | \$0.21                | \$52.21            | \$2,548.00                 |                      | \$735.25                    | \$878.57                             | \$27,093.57                            |
| Deposits           | \$1,700,000.00              | \$1,038,000.00             | \$1,250.00            | \$1,000.00         | \$90,000.00                |                      | \$115,000.00                | \$2,000.00                           | \$97,850.00                            |
| Disbursements      | \$855,000.00                | \$133,750.00               |                       |                    | \$150,350.00               |                      |                             |                                      | \$97,850.00                            |
| Ending Bal.        | \$5,808,267.91              | \$1,555,762.35             | \$1,250.21            | \$11,118.00        | \$476,010.58               | \$0.00               | \$198,962.37                | \$177,712.21                         | \$5,366,492.09                         |
| *****              |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
|                    | Courthouse<br>Road Bond I&S | Jail<br>I&S                | Jail<br>Addition I&S  | Hays County<br>I&S | Public<br>Works I&S        | Springlake<br>I&S    | Pioneer<br>Trails<br>I&S    | Burnett<br>Road<br>I&S               | Anticipation<br>Notes<br>I&S           |
| <b>CHECKING</b>    |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | \$103,321.99                | \$112,120.10               | \$27,346.79           | \$69,226.56        | \$45,624.40                | \$7,314.01           | \$5,128.17                  | \$9,826.89                           | \$130,517.25                           |
| M/M Int.           | \$155.96                    | \$144.04                   | \$34.16               | \$101.63           | \$54.97                    | \$16.26              | \$8.80                      |                                      | \$184.01                               |
| Deposits           | \$98,527.41                 | \$29,701.49                |                       | \$120,470.59       |                            | \$9,200.26           | \$1,185.77                  | \$2,675.32                           | \$72,761.17                            |
| Disbursements      | \$200,252.74                | \$140,163.12               | \$25,559.69           | \$188,107.64       | \$44,084.96                | \$15,000.00          | \$4,800.00                  | \$11,005.00                          | \$200,818.88                           |
| Ending Bal.        | \$1,752.62                  | \$1,802.51                 | \$1,821.26            | \$1,691.14         | \$1,594.41                 | \$1,530.53           | \$1,522.74                  | \$1,497.21                           | \$2,615.57                             |
| <b>INVESTMENTS</b> |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | \$56,209.24                 | \$264,758.74               | \$140,902.60          | \$198,352.65       | \$161,400.29               | \$52,780.18          | \$10,171.48                 | \$0.00                               | \$134,465.37                           |
| M/M Int.           | \$599.57                    | \$1,572.66                 | \$746.39              | \$937.43           | \$876.95                   | \$306.50             | \$64.36                     | \$1.85                               | \$1,061.59                             |
| Deposits           | \$115,000.00                | \$88,000.00                | \$14,000.00           | \$27,300.00        | \$24,000.00                | \$15,000.00          | \$4,800.00                  | \$11,000.00                          | \$140,000.00                           |
| Disbursements      |                             |                            |                       | \$103,100.00       |                            |                      |                             |                                      |                                        |
| Ending Bal.        | \$171,808.81                | \$354,331.40               | \$155,648.99          | \$123,690.08       | \$186,277.24               | \$68,086.68          | \$15,035.84                 | \$11,001.85                          | \$275,526.96                           |

**TEMPORARY TRANSFERS:**

11-95 GENERAL TO HAYS COUNTY INTEREST AND SINKING \$13,500.00

*Michelle Tuttle*  
Michelle Tuttle  
Hays County Treasurer

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
MARCH 31, 1995

|                    | Adult<br>Probation<br>Operating        | Adult<br>Probation<br>Facilities | Courthouse<br>Security       | Records<br>Management                | Records<br>Preservation       | Animal<br>Control | Sheriff's<br>Drug<br>Forfeiture | District<br>Attorney Drug<br>Forfeiture | District<br>Attorney<br>Reimburs. |
|--------------------|----------------------------------------|----------------------------------|------------------------------|--------------------------------------|-------------------------------|-------------------|---------------------------------|-----------------------------------------|-----------------------------------|
| <b>CHECKING</b>    |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$275,219.07                           | \$392.17                         | \$3,748.13                   | \$4,362.36                           | \$2,703.00                    | \$523.60          | \$1,567.03                      | \$3,994.40                              | \$7,628.73                        |
| M/M Int.           | \$350.75                               |                                  |                              | \$10.92                              |                               |                   | \$4.25                          |                                         | \$18.18                           |
| Deposits           | \$193,644.47                           | \$3,000.00                       | \$1,870.00                   | \$10,890.00                          | \$7,050.00                    | \$3,445.00        |                                 |                                         | \$27,024.39                       |
| Disbursements      | \$465,036.91                           | \$3,213.02                       | \$4,050.00                   | \$13,690.12                          | \$8,230.00                    | \$2,387.31        | \$1,571.28                      | \$3,994.40                              | \$30,250.91                       |
| Ending Bal.        | \$4,177.38                             | \$179.15                         | \$1,568.13                   | \$1,573.16                           | \$1,523.00                    | \$1,581.29        | \$1,571.28                      |                                         | \$4,420.35                        |
| <b>INVESTMENTS</b> |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$350,098.10                           | \$31,693.59                      | \$30,197.33                  | \$33,732.36                          | \$11,072.34                   | \$6,055.65        | \$0.00                          | \$0.00                                  | \$106,436.90                      |
| M/M Int.           | \$2,460.18                             | \$148.03                         | \$158.19                     | \$179.60                             | \$56.36                       | \$29.29           |                                 |                                         | \$566.85                          |
| Deposits           | \$278,750.00                           |                                  | \$4,000.00                   | \$7,000.00                           | \$2,250.00                    |                   |                                 |                                         | \$17,400.00                       |
| Disbursements      | \$42,500.00                            | \$3,000.00                       |                              | \$3,750.00                           | \$5,900.00                    | \$3,250.00        |                                 |                                         | \$8,000.00                        |
| Ending Bal.        | \$588,808.28                           | \$28,841.62                      | \$34,355.52                  | \$37,161.96                          | \$7,478.70                    | \$2,834.94        | \$0.00                          | \$0.00                                  | \$116,403.75                      |
| *****              |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
|                    | Historical<br>Commission<br>Trust Fund | Foster<br>Care                   | Health<br>Services<br>Grants | Texas Capital<br>Fund/<br>New Canaan | General<br>First<br>Southwest |                   |                                 |                                         |                                   |
| <b>CHECKING</b>    |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$1,778.02                             | \$2,238.87                       | \$3,444.45                   | \$0.00                               | \$678.06                      |                   |                                 |                                         |                                   |
| M/M Int.           | \$4.15                                 |                                  | \$17.54                      |                                      | \$53.45                       |                   |                                 |                                         |                                   |
| Deposits           |                                        | \$20,757.75                      | \$96,038.30                  |                                      | \$304,000.00                  |                   |                                 |                                         |                                   |
| Disbursements      |                                        | \$22,995.62                      | \$97,686.75                  |                                      | \$301,223.90                  |                   |                                 |                                         |                                   |
| Ending Bal.        | \$1,782.17                             | \$1.00                           | \$1,813.54                   | \$0.00                               | \$3,507.61                    |                   |                                 |                                         |                                   |
| <b>INVESTMENTS</b> |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$6,555.48                             | \$0.00                           | \$65,828.80                  | \$0.00                               | \$301,223.90                  |                   |                                 |                                         |                                   |
| M/M Int.           | \$32.92                                |                                  | \$314.33                     |                                      |                               |                   |                                 |                                         |                                   |
| Deposits           |                                        |                                  | \$24,000.00                  |                                      |                               |                   |                                 |                                         |                                   |
| Disbursements      |                                        |                                  | \$59,100.00                  |                                      |                               |                   |                                 |                                         |                                   |
| Ending Bal.        | \$6,588.40                             | \$0.00                           | \$31,043.13                  | \$0.00                               | \$301,223.90                  |                   |                                 |                                         |                                   |

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COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
APRIL 30, 1995

|                    | General                     | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library        | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Notes<br>Series 1994 | Courthouse<br>Ren. & Ro<br>Bond 1994 |
|--------------------|-----------------------------|----------------------------|-----------------------|--------------------|----------------------------|----------------------|-----------------------------|--------------------------------------|--------------------------------------|
| <b>CHECKING</b>    |                             |                            |                       |                    |                            |                      |                             |                                      |                                      |
| Begin. Bal.        | \$90,791.46                 | \$2,597.67                 | \$2,046.34            | \$1,597.71         | \$1,672.07                 | \$845,347.29         | \$1,807.80                  | \$1,868.78                           | \$1,541.                             |
| M/M Int.           | \$648.70                    | \$125.05                   |                       | \$5.25             | \$173.18                   | \$1,946.80           | \$12.70                     | \$4.27                               | \$14.                                |
| Deposits           | \$1,523,114.43              | \$320,235.42               | \$1,780.68            | \$1,320.00         | \$146,619.20               | \$27,400.00          | \$7,370.16                  | \$4,300.00                           | \$118,966.                           |
| Disbursements      | \$1,360,072.05              | \$236,429.78               | \$1,397.36            | \$75.00            | \$141,149.37               | \$1,722.81           | \$4,645.43                  | \$1,527.62                           | \$116,999.                           |
| Ending Bal.        | \$254,482.54                | \$86,528.36                | \$2,429.66            | \$2,847.96         | \$7,315.08                 | \$872,971.28         | \$9,190.66                  |                                      | \$1,522.                             |
| <b>INVESTMENTS</b> | TexPool                     | TexPool                    |                       | TexPool            | TexPool                    |                      | TexPool                     | TexPool                              | TexP                                 |
| Begin. Bal.        | \$5,808,267.91              | \$1,555,762.35             | \$1,250.21            | \$11,118.00        | \$476,010.58               | \$0.00               | \$198,962.37                | \$177,712.21                         | \$5,366,492.                         |
| M/M Int.           | \$27,796.26                 | \$7,289.38                 | \$6.04                | \$54.00            | \$2,183.26                 |                      | \$966.05                    | \$853.13                             | \$25,590.                            |
| Deposits           |                             |                            |                       |                    |                            |                      |                             |                                      |                                      |
| Disbursements      | \$500,000.00                | \$84,350.00                |                       |                    | \$31,750.00                |                      |                             |                                      |                                      |
| Ending Bal.        | \$5,336,064.17              | \$1,478,701.73             | \$1,256.25            | \$11,172.00        | \$446,443.84               | \$0.00               | \$199,928.42                | \$174,265.34                         | \$5,273,332.                         |
| *****              |                             |                            |                       |                    |                            |                      |                             |                                      |                                      |
|                    | Courthouse<br>Road Bond I&S | Jail<br>I&S                | Jail<br>Addition I&S  | Hays County<br>I&S | Public<br>Works I&S        | Springlake<br>I&S    | Pioneer<br>Trails<br>I&S    | Burnett<br>Road<br>I&S               | Anticipation<br>Notes<br>I&S         |
| <b>CHECKING</b>    |                             |                            |                       |                    |                            |                      |                             |                                      |                                      |
| Begin. Bal.        | \$1,752.62                  | \$1,802.51                 | \$1,821.26            | \$1,691.14         | \$1,594.41                 | \$1,530.53           | \$1,522.74                  | \$1,497.21                           | \$2,629.5                            |
| M/M Int.           | \$14.98                     | \$10.17                    | \$5.31                | \$14.85            | \$5.65                     | \$5.08               | \$3.51                      |                                      | \$13.9                               |
| Deposits           | \$8,875.78                  | \$4,578.23                 | \$846.84              | \$42,025.25        | \$1,508.44                 | \$1,185.54           |                             | \$426.45                             | \$6,020.5                            |
| Disbursements      | \$560.00                    |                            |                       | \$42,134.86        |                            |                      |                             |                                      |                                      |
| Ending Bal.        | \$10,083.38                 | \$6,390.91                 | \$2,673.41            | \$1,596.38         | \$3,108.50                 | \$2,721.15           | \$1,526.25                  | \$1,923.66                           | \$8,664.0                            |
| <b>INVESTMENTS</b> | TexPool                     | TexPool                    | TexPool               | TexPool            | TexPool                    | TexPool              | TexPool                     | TexPool                              | TexPool                              |
| Begin. Bal.        | \$171,808.81                | \$354,331.40               | \$155,648.99          | \$123,690.08       | \$186,277.24               | \$68,086.68          | \$15,035.84                 | \$11,001.85                          | \$275,526.9                          |
| M/M Int.           | \$832.08                    | \$1,720.37                 | \$755.75              | \$490.18           | \$904.43                   | \$330.57             | \$73.03                     | \$53.41                              | \$1,337.7                            |
| Deposits           |                             |                            |                       |                    |                            |                      |                             |                                      |                                      |
| Disbursements      | \$900.00                    |                            |                       |                    |                            |                      |                             |                                      |                                      |
| Ending Bal.        | \$172,140.89                | \$356,051.77               | \$156,404.74          | \$37,275.00        | \$86,905.26                | \$187,181.67         | \$15,108.87                 | \$11,055.26                          | \$276,864.74                         |

*Michele Tuttle*  
Michele Tuttle  
Hays County Treasurer

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
APRIL 30, 1995

|                    | Adult<br>Probation<br>Operating        | Adult<br>Probation<br>Facilities | Courthouse<br>Security       | Records<br>Management                | Records<br>Preservation       | Animal<br>Control | Sheriff's<br>Drug<br>Forfeiture | District<br>Attorney Drug<br>Forfeiture | District<br>Attorney<br>Reimburs. |
|--------------------|----------------------------------------|----------------------------------|------------------------------|--------------------------------------|-------------------------------|-------------------|---------------------------------|-----------------------------------------|-----------------------------------|
| <b>CHECKING</b>    |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$4,177.38                             | \$179.15                         | \$1,568.13                   | \$1,573.16                           | \$1,523.00                    | \$1,581.29        | \$1,571.28                      | \$3,994.40                              | \$4,420.35                        |
| M/M Int.           | \$53.37                                |                                  |                              | \$8.84                               |                               |                   | \$3.62                          |                                         | \$10.52                           |
| Deposits           | \$193,234.38                           | \$4,650.00                       | \$2,624.00                   | \$12,180.00                          | \$1,565.00                    | \$1,542.00        |                                 | \$546.00                                | \$20,277.52                       |
| Disbursements      | \$183,120.44                           | \$4,814.95                       |                              | \$7,093.49                           |                               | \$1,990.81        |                                 |                                         | \$16,126.73                       |
| Ending Bal.        | \$14,344.69                            | \$14.20                          | \$4,192.13                   | \$6,668.51                           | \$3,088.00                    | \$1,132.48        | \$1,574.90                      | \$4,540.40                              | \$8,581.66                        |
| <b>INVESTMENTS</b> | TexPool                                | TexPool                          | TexPool                      | TexPool                              | TexPool                       | TexPool           |                                 |                                         | TexPool                           |
| Begin. Bal.        | \$588,808.28                           | \$28,841.62                      | \$34,355.52                  | \$37,161.96                          | \$7,478.70                    | \$2,834.94        | \$0.00                          | \$0.00                                  | \$116,403.75                      |
| M/M Int.           | \$2,742.26                             | \$126.23                         | \$166.80                     | \$169.25                             | \$36.30                       | \$13.77           |                                 |                                         | \$543.99                          |
| Deposits           |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Disbursements      | \$55,000.00                            | \$4,650.00                       |                              | \$2,700.00                           |                               |                   |                                 |                                         |                                   |
| Ending Bal.        | \$536,550.54                           | \$24,317.85                      | \$34,522.32                  | \$34,631.21                          | \$7,515.00                    | \$2,848.71        | \$0.00                          | \$0.00                                  | \$8,900.00                        |
| *****              |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
|                    | Historical<br>Commission<br>Trust Fund | Foster<br>Care                   | Health<br>Services<br>Grants | Texas Capital<br>Fund/<br>New Canaan | General<br>First<br>Southwest |                   |                                 |                                         |                                   |
| <b>CHECKING</b>    |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$1,782.17                             | \$1.00                           | \$1,813.54                   | \$0.00                               | \$3,507.61                    |                   |                                 |                                         |                                   |
| M/M Int.           | \$3.77                                 |                                  | \$214.72                     |                                      | \$14.92                       |                   |                                 |                                         |                                   |
| Deposits           | \$36.00                                | \$43,513.64                      | \$211,383.52                 | \$2,643.38                           |                               |                   |                                 |                                         |                                   |
| Disbursements      |                                        | \$20,044.52                      | \$87,700.13                  | \$1,321.69                           |                               |                   |                                 |                                         |                                   |
| Ending Bal.        | \$1,821.94                             | \$23,470.12                      | \$125,711.65                 | \$1,321.69                           | \$3,522.53                    |                   |                                 |                                         |                                   |
| <b>INVESTMENTS</b> | TexPool                                |                                  | TexPool                      |                                      | Discount Note                 |                   |                                 |                                         |                                   |
| Begin. Bal.        | \$6,588.40                             | \$0.00                           | \$31,043.13                  | \$0.00                               | \$301,223.90                  |                   |                                 |                                         |                                   |
| M/M Int.           | \$31.98                                |                                  | \$30.42                      |                                      |                               |                   |                                 |                                         |                                   |
| Deposits           |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                   |
| Disbursements      |                                        |                                  | \$28,700.00                  |                                      |                               |                   |                                 |                                         |                                   |
| Ending Bal.        | \$6,620.38                             | \$0.00                           | \$2,373.55                   | \$0.00                               | \$301,223.90                  |                   |                                 |                                         |                                   |

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COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
MAY 30, 1995

|                    | General                     | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library        | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Notes<br>Series 1994 | Courthouse<br>Ren. & Road<br>Bond 1994 |
|--------------------|-----------------------------|----------------------------|-----------------------|--------------------|----------------------------|----------------------|-----------------------------|--------------------------------------|----------------------------------------|
| <b>CHECKING</b>    |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | \$254,482.54                | \$86,528.36                | \$2,429.66            | \$2,847.96         | \$7,315.08                 | \$872,971.28         | \$9,190.66                  | \$1,527.62                           | \$3,522.54                             |
| M/M Int.           | \$781.61                    | \$121.38                   |                       | \$5.77             | \$122.05                   | \$1,436.63           | \$12.90                     | \$3.81                               | \$6.61                                 |
| Deposits           | \$1,247,377.64              | \$276,842.86               | \$2,515.78            | \$690.00           | \$270,517.29               | \$91,950.00          | \$4,576.80                  | \$8,500.00                           | \$134,682.50                           |
| Disbursements      | \$1,490,558.79              | \$351,282.55               | \$3,418.43            | \$1,361.70         | \$190,337.81               | \$963,405.00         | \$12,250.00                 | \$8,478.90                           | \$136,331.30                           |
| Ending Bal.        | \$12,083.00                 | \$12,210.05                | \$1,527.01            | \$2,182.03         | \$87,616.61                | \$2,952.91           | \$1,530.36                  | \$1,552.53                           | \$1,880.35                             |
| <b>INVESTMENTS</b> | TexPool                     | TexPool                    |                       | TexPool            | TexPool                    |                      | TexPool                     | TexPool                              | TexPool                                |
| Begin. Bal.        | \$5,336,064.17              | \$1,478,701.73             | \$1,256.25            | \$11,172.00        | \$446,443.84               | \$0.00               | \$199,928.42                | \$174,265.34                         | \$5,273,332.58                         |
| M/M Int.           | \$27,035.93                 | \$7,335.58                 | \$11.76               | \$56.50            | \$2,415.86                 | \$1,869.42           | \$1,051.27                  | \$870.28                             | \$26,324.07                            |
| Deposits           | \$240,000.00                | \$40,000.00                | \$1,650.00            |                    | \$65,000.00                | \$871,400.00         | \$12,250.00                 |                                      |                                        |
| Disbursements      | \$568,225.00                | \$167,825.00               |                       |                    | \$41,775.00                | \$91,950.00          |                             | \$8,500.00                           | \$134,000.00                           |
| Ending Bal.        | \$5,034,875.10              | \$1,358,212.31             | \$2,918.01            | \$11,228.50        | \$472,084.70               | \$781,319.42         | \$213,229.69                | \$166,635.62                         | \$5,165,656.65                         |
| *****              |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
|                    | Courthouse<br>Road Bond I&S | Jail<br>I&S                | Jail<br>Addition I&S  | Hays County<br>I&S | Public<br>Works I&S        | Springlake<br>I&S    | Pioneer<br>Trails<br>I&S    | Burnett<br>Road<br>I&S               | Anticipation<br>Notes<br>I&S           |
| <b>CHECKING</b>    |                             |                            |                       |                    |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | \$10,083.38                 | \$6,390.91                 | \$2,673.41            | \$1,596.38         | \$3,108.50                 | \$2,721.15           | \$1,526.25                  | \$1,923.66                           | \$8,664.05                             |
| M/M Int.           | \$15.27                     | \$10.45                    | \$5.62                | \$14.69            | \$7.45                     | \$5.68               | \$4.14                      |                                      | \$13.21                                |
| Deposits           | \$5,201.29                  | \$2,843.04                 | \$525.88              | \$33,999.86        | \$936.72                   | \$698.05             |                             | \$472.58                             | \$3,738.67                             |
| Disbursements      | \$13,738.20                 | \$7,700.00                 | \$1,650.00            | \$34,076.77        | \$2,500.00                 | \$1,900.00           |                             | \$850.00                             | \$10,875.70                            |
| Ending Bal.        | \$1,561.74                  | \$1,544.40                 | \$1,554.91            | \$1,534.16         | \$1,552.67                 | \$1,524.88           | \$1,530.39                  | \$1,546.24                           | \$1,540.23                             |
| <b>INVESTMENTS</b> | TexPool                     | TexPool                    | TexPool               | TexPool            | TexPool                    | TexPool              | TexPool                     |                                      | TexPool                                |
| Begin. Bal.        | \$172,140.89                | \$356,051.77               | \$156,404.74          | \$86,905.26        | \$187,181.67               | \$68,417.25          | \$15,108.87                 | \$11,055.26                          | \$276,864.74                           |
| M/M Int.           | \$915.45                    | \$1,826.05                 | \$796.49              | \$417.51           | \$952.46                   | \$352.27             | \$76.43                     | \$58.71                              | \$1,435.65                             |
| Deposits           | \$13,700.00                 | \$7,700.00                 | \$1,650.00            | \$16,500.00        | \$2,500.00                 | \$1,900.00           |                             | \$850.00                             | \$10,800.00                            |
| Disbursements      | \$0.00                      |                            |                       | \$17,550.00        |                            |                      |                             |                                      |                                        |
| Ending Bal.        | \$186,756.34                | \$365,577.82               | \$158,851.23          | \$86,272.77        | \$190,634.13               | \$70,669.52          | \$15,185.30                 | \$11,963.97                          | \$289,100.39                           |

TEMPORARY TRANSFERS: #12-95 from General to Hays County I & S \$13,500.00  
#13-95 from General to Foster Care \$3,110.00

*Michèle Tuttle*  
Michèle Tuttle  
Hays County Treasurer

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
MAY 30, 1995

|                    | Adult<br>Probation<br>Operating        | Adult<br>Probation<br>Facilities | Courthouse<br>Security       | Records<br>Management                | Records<br>Preservation       | Animal<br>Control | Sheriff's<br>Drug<br>Forfeiture | District<br>Attorney Drug<br>Forfeiture | District<br>Attorney<br>Reimburse. |
|--------------------|----------------------------------------|----------------------------------|------------------------------|--------------------------------------|-------------------------------|-------------------|---------------------------------|-----------------------------------------|------------------------------------|
| <b>CHECKING</b>    |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                    |
| Begin. Bal.        | \$14,344.69                            | \$14.20                          | \$4,192.13                   | \$6,668.51                           | \$3,088.00                    | \$1,132.48        | \$1,574.90                      | \$4,540.40                              | \$8,581.66                         |
| M/M Int.           | \$59.86                                |                                  |                              | \$18.45                              |                               |                   | \$3.88                          |                                         | \$13.27                            |
| Deposits           | \$206,305.78                           | \$4,625.00                       | \$2,398.00                   | \$8,760.50                           | \$1,165.00                    | \$1,003.00        |                                 | \$165.60                                | \$19,655.89                        |
| Disbursements      | \$199,293.25                           | \$4,548.97                       | \$3,228.90                   | \$11,588.35                          | \$1,675.00                    | \$2,052.96        |                                 | \$800.00                                | \$20,052.05                        |
| Ending Bal.        | \$21,417.08                            | \$90.23                          | \$3,361.23                   | \$3,859.11                           | \$2,578.00                    | \$82.52           | \$1,578.78                      | \$3,906.00                              | \$8,198.77                         |
| <b>INVESTMENTS</b> | TexPool                                | TexPool                          | TexPool                      | TexPool                              | TexPool                       | TexPool           |                                 |                                         | TexPool                            |
| Begin. Bal.        | \$536,550.54                           | \$24,317.85                      | \$34,522.32                  | \$34,631.21                          | \$7,515.00                    | \$2,848.71        | \$0.00                          | \$0.00                                  | \$108,047.74                       |
| M/M Int.           | \$2,508.12                             | \$104.01                         | \$184.80                     | \$185.62                             | \$43.50                       | \$13.41           |                                 |                                         | \$567.04                           |
| Deposits           |                                        |                                  | \$3,125.00                   | \$3,200.00                           | \$1,675.00                    |                   |                                 |                                         | \$8,900.00                         |
| Disbursements      | \$90,100.00                            | \$4,625.00                       |                              | \$0.00                               |                               | \$750.00          |                                 |                                         | \$3,500.00                         |
| Ending Bal.        | \$448,958.66                           | \$19,796.86                      | \$37,832.12                  | \$38,016.83                          | \$9,233.50                    | \$2,112.12        | \$0.00                          | \$0.00                                  | \$114,014.78                       |
| *****              |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                    |
|                    | Historical<br>Commission<br>Trust Fund | Foster<br>Care                   | Health<br>Services<br>Grants | Texas Capital<br>Fund/<br>New Canaan | General<br>First<br>Southwest |                   |                                 |                                         |                                    |
| <b>CHECKING</b>    |                                        |                                  |                              |                                      |                               |                   |                                 |                                         |                                    |
| Begin. Bal.        | \$1,821.94                             | \$23,470.12                      | \$125,711.65                 | \$1,321.69                           | \$3,522.53                    |                   |                                 |                                         |                                    |
| M/M Int.           | \$4.60                                 |                                  | \$152.43                     |                                      | \$17.67                       |                   |                                 |                                         |                                    |
| Deposits           | \$35.00                                | \$18,899.53                      | \$67,715.32                  | \$1,321.69                           |                               |                   |                                 |                                         |                                    |
| Disbursements      |                                        | \$26,575.88                      | \$183,078.58                 | \$2,643.38                           |                               |                   |                                 |                                         |                                    |
| Ending Bal.        | \$1,861.54                             | \$15,793.77                      | \$10,500.82                  | \$0.00                               | \$3,540.20                    |                   |                                 |                                         |                                    |
| <b>INVESTMENTS</b> | TexPool                                |                                  | TexPool                      |                                      | Discount Note                 |                   |                                 |                                         |                                    |
| Begin. Bal.        | \$6,620.38                             | \$0.00                           | \$2,373.55                   | \$0.00                               | \$301,223.90                  |                   |                                 |                                         |                                    |
| M/M Int.           | \$33.51                                |                                  | \$350.77                     |                                      |                               |                   |                                 |                                         |                                    |
| Deposits           |                                        |                                  | \$122,000.00                 |                                      |                               |                   |                                 |                                         |                                    |
| Disbursements      |                                        |                                  | \$45,775.00                  |                                      |                               |                   |                                 |                                         |                                    |
| Ending Bal.        | \$6,653.89                             | \$0.00                           | \$78,949.32                  | \$0.00                               | \$301,223.90                  |                   |                                 |                                         |                                    |

JULY 10, 1995

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**14145 APPROVE PURCHASE OF A CHAIR AND WORKSTATION FOR THE TAX ASSESSOR-COLLECTOR'S OFFICE OUT OF COUNTYWIDE UNSPECIFIED EQUIPMENT**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve purchase of a chair and workstation for the Tax Assessor-Collector's office in the amount of \$270.00 out of the Countywide Unspecified Equipment line item. All voting "Aye".

**14146 CALL FOR A PUBLIC HEARING TO CONSIDER AMENDING THE COUNTY WASTEWATER ORDINANCE REGARDING THE USE OF SPRAY APPLICATION OF WASTEWATER EFFLUENT**

On July 19, 1995 the Commissioners Court denied a variance request by Emily Phillips of Wimberley which would have allowed a spray application system of wastewater effluent - Hays County's current rules and regulations do not allow this type of system. The Court discussed at that time the need to hold a public hearing to consider possibly amending the county wastewater ordinance - research was to be done to determine how well this type of system is working in surrounding counties which do allow their use. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to call for a public hearing to be held July 24, 1995 at 9:00 a.m. to consider amending the County Wastewater Ordinance regarding the use of spray application of wastewater effluent. All voting "Aye".

**14147 ACCEPT INTERNAL AUDIT OF DISTRICT CLERK**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to accept the internal audit of the District Clerk. All voting "Aye".

**14148 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ACCEPT BIDS ON ANNUAL CONTRACT FOR ROAD BUILDING MATERIALS**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve specifications and authorize the County Auditor to accept bids on annual contract for road building materials. All voting "Aye".

**14149 AWARD CONTRACT FOR PROJECT MANAGEMENT SERVICES ON WIMBERLEY WATER SYSTEM IMPROVEMENT PROJECT AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE CONTRACT**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to award contract for Project Management Services on Wimberley Water System Improvement Project to Bill Langford Associates and to authorize the County Judge to execute the contract. All voting "Aye".

**14150 AWARD CONTRACT FOR ENGINEERING SERVICES ON WIMBERLEY WATER SYSTEM IMPROVEMENT PROJECT AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE CONTRACT**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to award contract for Engineering Services on Wimberley Water System Improvement Project to Hejl, Lee & Associates Inc., and to authorize the County Judge to execute the contract. All voting "Aye".

**14151 AUTHORIZE USE OF THE COURTHOUSE LAWN FOR UP TO EIGHT WEEKS FOR A SIGN PROMOTING HABITAT FOR HUMANITY'S FUND-RAISER**

A letter was received from Diane Sanders, Fund Raising Chairperson for Habitat for Humanity/San Marcos Affiliate, requesting permission to place a sign on the square to kick off the fund raising activities - they are planning to start construction on their first home in September - would like to have sign in place approximately eight weeks. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize use of the courthouse lawn for up to eight weeks for a sign promoting Habitat for Humanity's fund-raiser. All voting "Aye".

**14152 BEAR CREEK OAKS REPLAT OF LOT 18 SECTION 2 & PT. LOT 30 SECTION 3 - FIRST READING**

Allen Walther, Environmental Health Director, advised that this property was original heard as a variance request - 25' will be dedicated for roadway purposes. A motion was made by Commissioner Molenaar, seconded by Commissioner

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**RADIANCE REPLAT OF LOT 22 (LOTS 20-C, 22-C, 25-33) - PUBLIC HEARING**

Judge Etheredge called the public hearing open. Dr. Tom Vannatta appeared before the Court (owner of Lots 2A & 2B of Goldenwood Subd. - adjoining property) objecting to the resubdivision of Lot 22A - stated that he had only been aware of this resubdivision two weeks ago. His objections were as follows: The plan contains no lot lines, no provisions for driveways or parking, no descriptions of the structures to be built, no details about the water/septic, and no provisions for a storm drain/filtration system - this resubdivision would dramatically increase run-off into Lots 2A & 2B and Lot 1 (an already flood prone lot that can be as much as 70% under water during flooding). Not shown on the plan is the underground water supply otherwise known as a cave that runs underneath Lots 2A & 2B which goes west toward the original Crystal Ranch homestead located in the green belt between Goldenwood and Goldenwood West - Ms. Austin's intent is to place 2-6 duplexes on the west end of the lot - this means that we could have up to 12 families living in 5-6 acres - at the minimum it would be 4 families living in close proximity (100 ft. of his home) - would have an impact on drainage, septic, the underground water supply, noise pollution, and aesthetics. Should the water well on Lot 2A become polluted, this will cause irreparable damages. Should runoff water over Lots 2A & 2B be increased because of a failure to put in a storm drain system, this will cause irreparable damage which may not be pure rainwater. Goldenwood is an established single family dwelling community where lot sizes, at a minimum, are 2 acres. The area behind Lots 2A & 2B was represented by a Radiance representative at the time of land purchase as "for agricultural use" - was forced by the drainage of the area to build his home on the back side of the lot. They do not want a commercial rental development in close proximity to their home - it will lower the property values and the quality of life. Felt like there is ample space in the Radiance community to accommodate additional apartments that will not impact neighborhoods that are based on 2 acre spacing. He would like to be able to review any proposed deed restrictions. Proposed the following standards to be met for resubdividing of Lot 22A:

1. All contiguous property to the Goldenwood subdivision be developed to minimum Goldenwood standards, one single family dwelling per two acres.
2. All proper and correct precautions be taken to guard against new runoff from the west end of Lot 22A into Goldenwood Lots 1, 2A , & 2B. The topo map does not detail the drainage in the area. New construction will aggravate existing drainage and endanger the water supply. Urban commercial developments typically include storm drains and/or filtration systems.
3. Deed restriction be necessitated that limit the construction on contiguous properties to Goldenwood to single family dwellings and that any multiple family units be built in areas nearest Radiance.
4. Septic standards should be higher than normal for this area due to runoff and the condition of the soil.
5. Community integrity be maintained through the controlled development of single family dwellings adequately spaced and placed.

Environmental Health Director Allen Walther spoke of his concerns regarding the two lots that do not meet the one acre requirement - there are specific laws regarding minimum lot size. Developer Constable Austin spoke - a floodplain study was submitted - she proposes to develop 12.19 acres into eight home sites - the City of Dripping Springs would require a communal septic system for high density areas - Radiance has strict restrictions and covenants regarding structures - septic fields are not permitted and high tech systems must be utilized - 18 duplexes have been build in this subdivision and has had no adverse affect on property values - there is no more space in Radiance for duplexes which is what is needed - they will provide adequate green space between adjoining property in Goldenwood (100 feet) - presented a letter from, TNRCC which approves variance on lot size requirement under the following conditions: (1) if a group well is to be constructed to serve the referenced development, it must be located up-gradient of the subdivision. a good location would be in the 3.4 acre common area. Please keep in mind that there is a 150ft setback requirement between a water well and a wastewater drainfield. A better alternative would be to tie-in to the Radiance Water Supply Corporation system. (2) A duplex is considered as a two-residence structure which would require a two-acre lot. Each of the proposed lots must have only a one-family residence. Duplexes are not to be constructed on any of the lots. (3) All local and state requirements must be met for the group well if it is to be constructed. (4) Before any home construction is begun, a Water Pollution and Abatement Plan must be approved by this office since the development lies over the Edward Aquifer Recharge Zone. (5) The on-site sewerage disposal systems for each lot must each be approved and permitted by the Hays County Health Department. Judge Etheredge called the public hearing closed. Allen Walther advised that he was not sure that a variance was given by TNRCC - he will contact that office to clarify this letter. A brief discussion was had regarding averaging lot density - more flexible rules are needed.



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**GREEN PASTURES SECTION 3 REPLAT OF BLOCK 16 - PUBLIC HEARING**

Judge Etheredge called the public hearing open. No public input was received - the public hearing was closed. Allen Walther, Environmental Health Director, advised that the final plat has been submitted.

**GOFORTH ACRES PHASE 1 BLOCK A & BLOCK B**

No one appeared representing this subdivision. Commissioner Barton stated that he has no objections to this subdivision - a non-profit organization is interested in parkland in this subdivision. No action was taken.

**14154 PLATTING VARIANCE GRANTED TO CLINTON GILES ON A 7.235 ACRE TRACT**

Clinton Giles appeared before the Court requesting a variance to the platting requirements for one 7.235 acre tract of property located on FM 1826 - the division of property is to facilitate construction of two homes for family members and is for residential use - the survey drawing will be attached to the deed upon recording at the County Clerk's office. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Clinton Giles on a 7.235 acre tract located on FM 1826. All voting "Aye".

**14155 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CORRECTION DEED FOR PROPERTY ON HILLTOP DRIVE IN PRECINCT 3 (CR337)**

Commissioner Payne spoke of property on Hilltop Drive in Wimberley - a home was built in county right-of-way - Former County Judge Walter Burnett executed a deed to the property owner in January 1985 (Vol. 498 Pg. 652) in exchange for property at the corner of Hilltop Drive & Brinkley Drive pursuant to Commissioners' Court Resolution # 7465 adopted Dec. 10, 1984 (Vol. M Pg. 202) - a correction deed is needed to reflect the correct metes and bounds description. District Attorney Marcos Hernandez stated that the original document recorded in 1985 needs to be referred to in the corrected deed. A motion was made by Commissioner Payne, seconded by Judge Etheredge to authorize the County Judge to execute a correction deed for property located on Hilltop Drive (CR337) in Precinct 3. All voting "Aye". (Warranty Deed from Hays County to Southwest Guaranty Trust Company and Marian Neal Lyeth - 0.007 acres being a portion of Hilltop Drive [CR337] in Paradise Hills Section 1)

**14156 AUTHORIZE A FIFTEEN (15) YEAR LEASE TO THE SAN MARCOS AREA FOODBANK FOR COUNTY PROPERTY LOCATED AT CENTRE & HERNDON STREETS IN THE CITY OF SAN MARCOS**

Commissioner Rodriguez spoke of county property located at the corner of Centre and Herndon Streets in the City of San Marcos - the Court had agreed to lease this property to the Jackson Chapel for parking use (Aug. 12, 1991 N/726 #10895), however, that lease was never executed and the property was never utilized. Alma Briggs, SM Area Foodbank Director, stated that she had spoken with Rose Brooks regarding the parking situation and it was agreed that parking space would be available to the Church. District Attorney Marcos Hernandez advised that the Church needs to be properly notified of the County's action. Commissioner Rodriguez to notify Church Administrators. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to authorize a fifteen (15) year lease at \$1.00 per year to the San Marcos Area Foodbank for county property located at Centre & Herndon Streets in the City of San Marcos (also known as part of Lot 8 Block 4 of the D. S. Combs Addition). All voting "Aye".

**TEXACO FLEET MANAGEMENT - PRESENTATION**

Commissioner Molenaar introduced Rodgers Storey & Bryan Godwin - they will make a presentation to the Court regarding services available that would replace the current storage tank system and would provide better records. Bryan Godwin (Texaco Representative) spoke of fleet billing - reports are comprehensive monthly histories of all transportation charges as well as specific driver and vehicle information and analysis that would take days or weeks to compile (vehicle number, date & time of transaction, product code, & transaction number/location) - fuel discounts run from 1% for fuel purchases of a least \$1,000 per month up to 3% for those of \$10,000 or more - Texaco services are available in all areas of the county including Buda, Dripping Springs, & Wimberley. Judge Etheredge spoke of current contract for fuel - we will be required to go out for bids for this type of service.

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**14157 AUTHORIZE ADVERTISING FOR POSITION OF SANITARIAN IN THE ENVIRONMENTAL HEALTH DEPARTMENT TO FILL VACANCY**

Allen Walther, Environmental Health Director, requested authorization to fill a vacant Sanitarian position in his Department - Grade 11 Minimum - funds are available. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to authorize advertising for the position of Sanitarian in the Environmental Health Department - Grade 11 Minimum - to fill current vacancy. All voting "Aye".

**DISCUSSION -DRAINAGE AT THE NEW MIDDLE SCHOOL IN DRIPPING SPRINGS @CREEK RD. & HWY. 290**

Commissioner Molenaar spoke of request from the City of Dripping Springs that drainage be addressed by the county - the new middle school (located in the city limits of Dripping Springs) has created the problem. Judge Etheredge stated that the County does have an interlocal agreement with the City of Dripping Springs for limited road maintenance - drainage is not included in this agreement. District Attorney Marcos Hernandez advised that the County could negotiate a price for this project. Acting Road Director Delbert Chance stated that there was already a drainage problem and it has now been compounded by construction of the new school. Judge Etheredge spoke of there not being enough communication between entities regarding situations that have been created that affect other entities. DeDe Stevenson, resident of Dripping Springs, asked if project Engineers are held accountable for situations such as this. Engineer John Doucet spoke of State Law that requires Engineers to take into consideration runoff that might affect adjoining properties and downstream. Road Dept. to prepare estimates for cost of project.

**14158 AUTHORIZE REMOVAL OF DUMPSTER AND POSTING OF "NO DUMPING" SIGNS AT THE DRIPPING SPRINGS TRIANGLE**

Commissioner Molenaar spoke of complaints he is receiving regarding the dumpster on the Dripping Springs Triangle - currently requiring two dumps per week. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize removal of the dumpster located on the Dripping Springs Triangle and posting of "No Dumping" signs. All voting "Aye".

**DISCUSSION REGARDING DRAINAGE ON LIME KILN ROAD**

Acting Road Director Delbert Chance has spoken to property owners in Lime Kiln Road area regarding the drainage structures on that roadway. John Doucet (Doucet & Assoc.) spoke of having driven Lime Kiln Road & Hilliard Road to address drainage concerns for reconstruction - the existing structures are inadequate - box culverts need to be extended out - some structures would affect existing homes. Commissioner Molenaar spoke of Hilliard Road at Valley View subdivision where we will need to relocate flow so that homes won't be flooded.

**VERTEX - DISCUSSION REGARDING AUDITING SERVICES RELATED TO FEDERAL FUNDS**

Claudia and Robert Lang (VERTEX) appeared before the Court and spoke of auditing services they provide related to federal funds - they help to maximize available federal funds - they look at the county's budget and program/services, staffing & indirect costs and they then look at federal programs available - their company is based in Austin - they work on a contingency basis after funds are received (22% fee for 2 years) - they keep up with new legislation and additional entitlements and negotiate with Federal & State Agencies for services - requires specialized knowledge. Judge Etheredge advised that the Court needs a copy of their contract for review.

**14159 AWARD CONTRACT FOR CABLING OF THE JUSTICE CENTER**

Purchasing Agent Cindy Casparis and Data Processing Administrator Debbie Polk opened bids at 10:00 a.m. this date for cabling of the Hays County Justice Center - their recommendation is to award bid to low bidder Carroll Systems. The following bids were presented:

|                   | <u>Bid Price</u> | <u>Completion Days</u> |
|-------------------|------------------|------------------------|
| Carroll Systems   | \$ 22,916.00     | 15 days                |
| Altcomm           | \$ 24,896.00     | 12 days                |
| Colcom            | \$ 27,766.00     | 5 days                 |
| Austin Techhadata | \$ 28,500.00     | 14 days                |
| Electra Link      | \$ 28,556.00     | 20-25 days             |

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to award contract for cabling of the Hays County Justice Center to Carroll Systems in the amount of \$22,916.. All voting "Aye".

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**EXECUTIVE SESSION - CONTEMPLATED LITIGATION (SECTION 551.071 LGC)**

The Court convened into a closed executive session to discuss possible litigation regarding the contract related to the Juvenile Services Center. Upon completion of the closed session, the Court reconvened into open meeting. No action was taken.

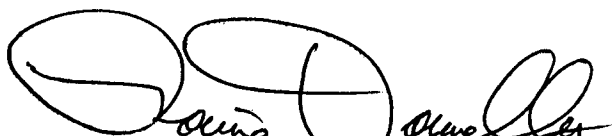
**WORKSHOP SESSION REGARDING PERSONAL HEALTH DEPARTMENT SERVICES**

Judge Etheredge advised that a decision must be made by July 31, 1995 regarding health services. Director of Nursing Julie Hornberger spoke of services covered by Medicaid. Federal changes in Medicaid: Block Grants allow states greatest flexibility, no entitlement to services, and less federal dollars - Entitlement cap provides least flexibility for states, federal rules and requirements remain, and federal dollars capped (stated at full risk beyond cap) - Waivers allow state greater flexibility than current system, state negotiates terms with the feds, and must be cost neutral to federal government - Waivers can change services/delivery systems, eligibility (who and how), financing mechanisms, and other rules that limit creativity. Types of managed care: HMO-full capitation (full services) PHP-partial capitation (limited services), and PCCM-Primary Care Case (incomplete services). Managed care would provide 45% more Doctors, 4% average annual savings, less emergency room use, fewer hospital admissions, and more preventative care for children. Managed care can improve cost effectiveness by providing access to appropriate early care and reducing waste, duplications and expensive unneeded care & accountability by clarifying state, individual, provider responsibilities and evaluating outcomes of care. Managed care concerns: incentive to undertreat, care of people with special needs (such as chronically disabled), increased administrative costs, and treatment of traditional providers. Discussed funds necessary for indigent care (law requires us to send in our current spending amount on indigent care - we are currently not spending 10% of our possible obligation). Capitated Managed Care: Four year phase-in of non-disabled (FY1995-1998); slower phase-in of people with disabilities (FY1995-1999); involve Advocates, families, consumers in development; people over 65 not included until Medicare integrated. Restructuring Medicaid: beyond basic managed care - redesign indigent care system (new State/Local partnership) - extend and simplify eligibility - apply modest copayment - long term care/Medicare integration into managed care. New State/Local Medicaid Partnership: joint funding, state sets minimum standards, State coordinates gradual development of regional system with local partners, State or local funding partners (through IGI) administer system. Discussed possibly using indigent care figures from the Central Texas Medical Center and combine with ours which could bring in additional funding to help pay off some of their debt. Estimated costs: # of people entitled to Medicaid + # of people converted to Medicaid (not an entitlement, coverage level up to cap) X capitation rate by population groups (i.e. age, disability) = Program Cost. What is an IGI? (Intergovernmental Initiative) a nonprofit entity created at option of local funding partners which designs/administers delivery system in locality - a maximum of one IGI per county - at least as large as a county, multi-county encouraged. IGI Board would be made up of an Executive Committee (51%) composed of local funding entities (Hospital District, Medical Schools, State Teaching & Public Hospitals, Hospital Authorities, Certain Local Governments, CIHCP, CMHA, and others) - Other Members (49%) composed of nonfunding entities (Clients, Local Children's Hospital, Health Care Providers, Non-profit Hospital, For-Profit Hospital, Licensed Managed Care, Organization, and others). Proposed new system would provide managed care (capitated, when possible), Texas eligible up to 75% of poverty, modest copayment for services, people with disabilities included, guaranteed 12 month eligibility, include mental health services, include long term care, and integrate Medicare funding. Judge Etheredge stated that we are not yet sure who all will be a player in this program - we can go in with the current amount of funding. More information is needed before the Court can make a decision on this matter.

Court recessed until July 11, 1995 at 6:00 P.M. for a special meeting to be held with the Hays County Juvenile Board.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF August, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 11th DAY OF JULY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>LINDA C. FRITSCH</b>    | <b>DEPUTY COUNTY CLERK</b>  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14160 ACTION REGARDING MANAGEMENT AND OPERATING SERVICES FOR THE JUVENILE SERVICES CENTER AND APPOINTMENT OF A COMMITTEE TO REVIEW PROPOSALS**

Judge County Court at Law #1 Howard Warner called the Hays County Juvenile Board Meeting to Order. The following members of that board were present: County Judge Eddy Etheredge, Judge CCL#1 Howard Warner, District Judge Charles Ramsay, District Judge Bill Bender, and District Attorney Marcos Hernandez. Also present were Chief Juvenile Probation Officer Ed Cooper, Juvenile Probation Officer Shelley Williams, County Auditor Bill Herzog, Purchasing Agent Cindy Casparis, and County Judge Administrative Asst. Winton Porterfield. Ed Cooper presented a document setting out the purpose, licensure, core services and activities, education program, religious program, and at-risk offender of the Juvenile Detention Center - also provided was detention objectives and the authority to detain. Judge Warner advised that it is a unanimous agreement by the Juvenile Board to contract out management and operating services at the Juvenile Services Center. Judge Etheredge advised that the Commissioners' Court needs to go on record in support of contracting out services. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to go on record in agreement with the Hays County Juvenile Board to contract out management and operating services for the Juvenile Services Center with an annually renewable contract. All voting "Aye". Judge Etheredge spoke of need to articulate what to put in the request for proposals - it needs to be flexible in order to negotiate with the vendor after the contract is entered into. Purchasing Agent Cindy Casparis spoke of need to start putting an RFP together - advertise for approximately three weeks, and have a committee review them - the most time consuming part will be the review process. A motion was made by Commissioner Barton, seconded by Judge Etheredge to appoint Commissioner Molenaar and Commissioner Payne to serve on the Preparation and Review Committee as representatives of the Commissioners' Court. All voting "Aye". A motion was made by Judge Warner, seconded by Judge Ramsay to serve on the Preparation and Review Committee as representatives of the Juvenile Board. All present voting "Aye". Also to serve on the Preparation & Review Committee will be Chief Juvenile Probation Officer Ed Cooper and Purchasing Agent Cindy Casparis. The Juvenile Advisory Board will also assist in the process. Commissioner Barton spoke of shutting down part of the Jail/LEC and utilizing it for juvenile services effective October 1, 1995 - spoke of inmate reductions at the jail. Judge Warner stated that this idea was previously pursued and a cell block was toured along with a State representative and they opposed the idea. Commissioner Barton stated that he felt like the State has changed their outlook regarding this issue - it could be used as a short term facility - voiced his concerns about the diminished revenues at the jail - it is easier to fill juvenile space. Judge Bender spoke in opposition to using the jail facility - stated that the community has been promised a new facility. Judge Warner spoke of differences between handling of pre-adjudicated and adjudicated kids - he cannot see the State relaxing their regulations to allow this. Judge Etheredge asked how the Juvenile Board would feel about converting part of the jail into a 60 bed bootcamp facility for post-adjudicated kids (long term detention)? Judge Warner advised that the Local Board would have to certify the facility. Judge Bender felt like this proposal is acceptable, however, a facility is needed for pre-adjudicated juveniles. Ed Cooper advised that the Juvenile Probation Officer selects the programs needed based on an individual juveniles needs - they may not always be able to use the local facility. District Attorney Marcos Hernandez stated that he is opposed to local juveniles being placed in a jail facility - spoke of need for programs to be offered locally. Commissioner Molenaar stated that he does not understand the difference between utilizing space in the jail or building a separate building next to the jail. Ed Cooper spoke of need for individual cells for short term detention - there are separate standards for long term and short term detention. Judge Etheredge advised that there are potential problems with the RECOR contract - he feels like negotiations can correct the problems - invited Judge Warner and Ed Cooper to be a part of the executive session to be held on Monday regarding the contract. Commissioner Barton advised that the Court is determined to provide a juvenile services center - we are allowed to explore other options at the LEC - this does not mean we are side stepping a new facility. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to adjourn. All voting "Aye". A motion was made by Judge Bender, seconded by Judge Ramsay to adjourn. All present voting "Aye".

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MINUTES APPROVED IN OPEN COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1995.

EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 17TH DAY OF JULY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14161 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 226,264.02 as presented by the County Auditor. All voting "Aye".

|                      |              |                     |              |                     |              |
|----------------------|--------------|---------------------|--------------|---------------------|--------------|
| State Shared Rev     | \$ 180.02    | Fines               | \$ 28.00     | Auditors Ofc        | \$ 508.93    |
| Treasurers Ofc       | \$ 208.47    | Extension Ofc       | \$ 229.50    | Grants Admin        | \$ 186.31    |
| Juvenile Prob        | \$ 2,363.14  | Election Admin      | \$ 227.12    | Indigent Care       | \$ 6,308.23  |
| Transfer Station     | \$ 8,866.40  | Bldg. Mtc.          | \$ 5,882.41  | Environ Health      | \$ 240.46    |
| Personal Health Svcs | \$ 421.87    | Civic Center        | \$ 119.13    | Countywide Oper     | \$ 21,432.13 |
| Tax A/C              | \$ 412.56    | Disrict Clerk       | \$ 399.80    | County Clerk        | \$ 271.15    |
| Sheriffs Ofc         | \$ 5,673.57  | Jail Operations     | \$ 31,777.95 | County Judge        | \$ 89.63     |
| Human Resources      | \$ 813.41    | Co Crt @ Law 1      | \$ 50.58     | District Attorney   | \$ 1,187.81  |
| J.P. 1-1             | \$ 59.55     | J.P. 1-2            | \$ 441.73    | J.P. 2              | \$ 260.00    |
| J.P. 3               | \$ 95.69     | J.P. 4              | \$ 24.00     | J.P. 5              | \$ 58.99     |
| D.P.S.               | \$ 288.75    | Constable 2         | \$ 28.18     | Constable 3         | \$ 486.51    |
| Constable 4          | \$ 151.36    | Constable 5         | \$ 1,100.39  | District Court Oper | \$ 4,238.59  |
| Veterans Admin       | \$ 265.64    | Computer Services   | \$ 2,239.03  | Co Crt @ Law 2      | \$ 29.79     |
| Fire Marshal/EMC     | \$ 47.78     | TABC                | \$ 104.14    | Dist Crtr Reprtr    | \$ 94.42     |
| TJPC CCAP Grant      | \$ 2,730.00  | Corridor Incub Grnt | \$ 65.62     | Dunbar Grant        | \$ 6,294.24  |
| DA DARE Grant        | \$ 88.93     | TJPC Emerg Div Grnt | \$ 9,164.20  | Used Oil Sign Grant | \$ 2,145.30  |
| *Gen Fund Credit *   | * \$521.49 * | R & B Operations    | \$ 9,797.09  | Precinct 1          | \$ 456.00    |
| Precinct 2           | \$ 241.81    | Precinct 3          | \$ 316.17    | Precinct 4          | \$ 55.00     |
| Co Clk Rec Mng       | \$ 118.69    | Health Svcs Grants  | \$ 2,411.11  | Law Library Fund    | \$ 75.25     |
| Road Construction    | \$ 9,414.58  | Foster Care Fund    | \$ 8,986.95  | Adult Prob Oper     | \$ 18,954.15 |
| Adult Prob Fac       | \$ 1,844.26  | D.A. Reimb Trust    | \$ 378.14    | Anticip Notes       | \$ 57,357.90 |

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14162 APPROVE BUDGET AMENDMENT NO. 95-036

The following budget amendments were proposed:

Building Maintenance - Transfer for authorized monthly travel allowance and needed expenses.

Indigent Care - Transfer to cover printing expense of business cards.

County Judge - To cover expense of books.

Computer Services - Transfer for authorized cabling for Justice Center.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Budget Amendment No. 95-036 as proposed by the County Auditor. All voting "Aye".

AMENDMENT  
NO. 95-036  
FY 95 BUDGET  
07/17/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

BUILDING MAINTENANCE (410)

|                              |       |       |         |       |
|------------------------------|-------|-------|---------|-------|
| 01-410-5191 Travel Allowance | 0     | 300   |         | 300   |
| 01-410-5311 Travel           | 250   |       | (50)    | 200   |
| 01-410-5242 Grounds Maint    | 1,550 | 500   |         | 2,050 |
| 01-410-5457 A/C Maint.       | 8,000 | 1,200 |         | 9,200 |
| 01-410-5456 Pest Control     | 2,675 |       | (1,700) | 975   |
| 01-410-5121 Retirement       | 8,677 |       | (250)   | 8,427 |

TRANSFER FOR AUTHORIZED MONTHLY TRAVEL ALLOWANCE (100/MO) FOR MAINT. SUPERVISOR AND NEEDED EXPENSES.

INDIGENT CARE (408)

|                            |     |     |       |     |
|----------------------------|-----|-----|-------|-----|
| 01-408-5461 Printing       | 75  | 150 |       | 225 |
| 01-408-5429 Software Maint | 600 |     | (150) | 450 |

TRANSFER FOR NEEDED PRINTING.

COUNTY JUDGE (420)

|                         |       |     |       |       |
|-------------------------|-------|-----|-------|-------|
| 01-420-5213 Books       | 350   | 200 |       | 550   |
| 01-420-5211 Office Sply | 2,000 |     | (100) | 1,900 |
| 01-420-5331 Cont Ed     | 2,000 |     | (100) | 1,900 |

COMPUTER SERVICES (456)

|                            |        |        |          |        |
|----------------------------|--------|--------|----------|--------|
| 01-456-5628 Cable Expense  | 0      | 23,000 |          | 23,000 |
| 01-456-5428 Hardware Maint | 45,000 |        | (19,000) | 26,000 |
| 01-456-5429 Software Maint | 20,000 |        | (4,000)  | 16,000 |

TRANSFER FOR AUTHORIZED CABLING FOR JUSTICE CENTER

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**14163 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR ANNUAL CONTRACT FOR MOWING COUNTY RIGHT-OF-WAY EAST OF IH35**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve specifications and authorize the County Auditor to advertise for annual contract for mowing county right-of-way east of IH35. All voting "Aye". (See copy of Bid #95B015 in file)

**14164 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE CAPITAL AREA PLANNING COUNCIL - 911 SIGN PROGRAM FOR \$139,593 AND TO EXECUTE A CONTRACT**

This 911 grant from the Capital Area Planning Council for \$139,593 will be used for sign materials, labor and equipment to install road signs for county-maintained and privately maintained road intersections throughout the County. Patsy Greiner estimated a need for over 4,000 road signs and 1,900 poles. The County will use existing equipment, supplies and signs as matching funds - administrative funds are not allowed in this grant. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge to accept Grant Award from the capital Area Planning Council - 911 Sign Program for \$139,593 and to execute a contract. All voting "Aye".

**14165 AUTHORIZE PURCHASE OF ROLLER SHELVING FOR COUNTY CLERK'S OFFICE OUT OF RECORDS MANAGEMENT FUNDS**

County Clerk Ronnie Dannelley obtained four quotes for purchase of roller shelving for his office - the low bid was \$2,415.00 from Capital Graphics Inc. - funds are available in the County Clerk's Record Management Fund. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve purchase of roller shelving for the County Clerk in the amount of \$2,415.00 out of County Clerk's Record Management Funds. All voting "Aye".

**14166 APPOINT ROBERT QUINN TO THE NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT**

Summary: NEHCRFPD President Ralph Pfluger has informed Commissioner Barton that Russell Simon is no longer able to serve on the commission and has requested that Robert Quinn be appointed to that vacancy. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to appoint Robert Quinn to the Northeast Hays County Rural Fire Prevention to replace Russell Simon. All voting "Aye".

**14167 AUTHORIZE PURCHASE OF A TELEPHONE FOR J.P. 2 OUT OF ROAD DEPARTMENT BUDGET**

Road Department advised that since their San Marcos office moved to Kyle there is a need to purchase a telephone for the J.P. - cost = \$ 129.00. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize purchase of a telephone for J.P. 2 out of Road Department budget. All voting "Aye".

**14168 APPROVE RE-ORGANIZATION OF THE ROAD DEPARTMENT AS PRESENTED BY HUMAN RESOURCES**

Summary: As a part of the recent review by Commissioners' Court, the positions of superintendent, and foreman have been reviewed. Human Resources advises the current positions, five foreman and one inspector position, support the Grade 14. This is a change in one shop maintenance position from Grade 13 to Grade 14 and a change in three foreman Grade 12 positions to Grade 14. This standardizes these senior management positions within the road department. More internal grading may be required once a new Director is hired. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the re-organization of the Road Department as presented by the Human Resources Director. All voting "Aye".

| ROAD DEPT. FOREMAN POSITIONS                                        |                                     |
|---------------------------------------------------------------------|-------------------------------------|
| <u>SUPERINTENDENT TO INSPECTOR GRADE 14</u> - WILL MILES            | TITLE CHANGE ONLY - SAME GRADE      |
| <u>SUPERINTENDENT TO FOREMAN, GRADE 14</u> - JOE ORTIZ              | TITLE CHANGE ONLY - SAME GRADE      |
| <u>FOREMAN, GRADE 12 TO FOREMAN GRADE 14</u> - GARZA, CORDOVA, &    | CHANGE IN GRADE - SAME TITLE GARCIA |
| <u>MAINT. SHOP FOREMAN, GRADE 13 TO FOREMAN GRADE 14</u> - INGALSBE | CHANGE IN GRADE - SAME TITLE        |

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**14169 CALL FOR A PUBLIC HEARING ON JULY 31, 1995 TO ESTABLISH TRAFFIC REGULATIONS ON  
CR 179 (GREEN ACRES ROAD)**

Commissioner Payne advised that the opening of the new fire station on Green Acres Road and parking along the county road during Market Days will create a safety hazard for the Fire Department - recommends no parking on both sides of the road from RM2325 to Scudder Elementary. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to call for a public hearing to be held July 31, 1995 at 9:00 a.m. to establish traffic regulations on CR179 (AKA Green Acres Road). All voting "Aye".

**14170 PRICE ADDITION - SECOND READING APPROVAL**

Plat has been amended from first submittal to reflect the existing septic system. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Price Addition" on second reading. All voting "Aye".

**14171 BEAR CREEK OAKS REPLAT OF LOT 18 SECTION 2 & PT. LOT 30 SECTION 3 - SECOND READING**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Bear Creek Oaks Replat of Lot 18 Section 2 & Pt. Lot 30 Section 3 (Lots 18-A & 18-B) on second reading. All voting "Aye".

**14172 THARP SUBDIVISION - FIRST READING APPROVAL**

Linda Marie Tharp proposes to divide 56.12 acres out of the William Haggard League into six lots. Patsy Greiner, Mapping/Planning Coord., advised that the plat reflects some illegal subdivisions which have already occurred - it also reflect dedication of the existing county roads (Ella Lane and Martin Road). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Tharp Subdivision" (6 lots) on first reading. All voting "Aye".

**14173 CRESTVIEW RANCH REPLAT OF LOT 3 (LOTS 3-A & 3-B) - FIRST READING AND CALL FOR A PUBLIC HEARING**

Earl & Linda Woodward propose to divide Lot 3 of Crestview Ranch into two lots (7.4103 acres each). A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Crestview Ranch Replat of Lot 3" on first reading and call for a public hearing to be held July 31, 1995 at 9:00 a.m. All voting "Aye".

**14174 SHADY GROVE SUBDIVISION - FIRST READING APPROVAL**

Owners Randy Meek, Vickie Beard, Leo Flores & Teresa Peterson propose to subdivide 19.981 acres out of the Philip J. Allen Survey into 24 lots - located off FM967. New road construction: Grove Lane & Shady Court - located in the Buda ETJ - water supply will be provided by an organized water system - all lots are over 1/2 acre in size. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Shady Grove" subdivision on first reading. All voting "Aye".

**14175 KYLE HEIGHTS SECTION 2 - FIRST READING APPROVAL**

Owner Son Dau Trust proposes to subdivide 82.22 acres out of the John Stewart Survey into 15 lots (Lots 7-21) - located on CR157 & CR205 (3 flag lots) - water to be supplied by Countywide Water Supply - located partially in the Kyle ETJ. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Kyle Heights Section 2" subdivision on first reading. All voting "Aye".

**VARIANCE DISCUSSION - 22 ACRE PARK ON LONE MAN CREEK ROAD (BARCLAY PROPERTY)**

Jim Henderson appeared representing property owner Douglas Barclay - a 22 acre park was set aside for Mr. Barclay - this property will now be sold - located on a severe bluff on the creek which prevents a lot of flooding - road maintenance is provided by property owners - the flood plain will be shown on the survey drawing. No action taken this date.



JULY 17, 1995

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**VARIANCE DISCUSSION - 100 ACRES OUT OF 375 ACRE PARCEL OFF RR12 (FRANK GLASS)**

Frank Glass, owner of a 375 acre parcel with access to Ranch Road 12 by a private road (with a maintenance agreement) , requested a platting variance in order to sell off a 100 acre tract. Allen Walther, Environmental Health Director, advised that a detailed survey is needed prior to granting the variance. No action taken.

**14176 YORK CREEK RANCH - THIRD READING APPROVAL**

York Creek Ranch is a ten lot subdivision with flag lots off a culdesac. Allen Walther, Environmental Health Director, advised that the engineering study did not take into account the low water crossings. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "York Creek Ranch" subdivision on third reading. Commissioner Barton, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Rodriguez voting "No".

**14177 SOUTHERN WOODS - THIRD READING APPROVAL**

Commissioner Barton spoke of concerns regarding this subdivision - developer has complied with all county subdivision regulations, however, they did not obtain certification from the City of Hays (ETJ) - the lots are larger than five acres and according to law makes it not subject to municipal review. The City of Hays argues that it is subject to their review. District Attorney Marcos Hernandez offered his opinion: In response to your question regarding the necessity of obtaining plat approval from the cities having ETJ over the subdivision known as Southern Woods, it is my belief that section 212.004 of the Local Government Code would exclude this particular subdivision. Section 212.004 states "a division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated". If we interpret this as written, it means that a developer would not have to have his plat recorded by that city. This section was passed in 1993 obviously with the intent to lessen or weaken the regulatory authority of cities. While some may feel a city should have such authority, the statue clearly removed this group of subdividers. There is a problem listed in Section 242.001 that applies to the County Clerk. This section requires approval from both the County and City before the County Clerk can file the plat. However, as long as a subdivision complies with and meets all requirements set forth by the County in our subdivision ordinance, the County must accept the plat. Marcos Hernandez further stated that the City must intervene and show that the developers must comply - the municipality will not be providing services to this subdivision (i.e. water, sewer, etc.). Commissioner Barton stated that Hays City Officials feel that the public utility easements on the plat indicate public use, thereby giving jurisdiction to the City - he would like to give City Officials a chance to present their case prior to approval of the subdivision. Developer James Graham stated that he has visited with the City Engineer to discuss this development - the City set out criteria for high density development, however, they cannot provide services - this development meets county regulation, therefore, the county should approve - a performance bond for road construction was filed - advised that there had been blanket easements on this property for over 30 years. Commissioner Molenaar questioned why the City had not come forward prior to third reading. Commissioner Barton stated that this subdivision does meet our requirements - the City's position is that no plat has been filed with them for review - generally our policy is that we do not accept subdivisions until cities have approved - there is an adequate private road maintenance agreement in place - stated that he will not recommend approval without City Officials appearing before the Court and stating their case. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Southern Woods" subdivision on third reading. Judge Etheredge spoke of District Attorney's opinion that the subdivision meets county regulation, therefore, the county should approve - the City needs to address their concerns - we have always supported the cities and would like issues solved by legal opinions - this does not set a precedent - cities should exercise their jurisdiction. Commissioner Rodriguez and Commissioner Barton voting "No". Commissioner Payne, Commissioner Molenaar and Judge Etheredge voting "Aye".

**14178 THE RANCH AT OAK TERRACE - THIRD READING APPROVAL**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "The Ranch at Oak Terrace" subdivision on third reading. All voting "Aye".

**PLATTING VARIANCE DISCUSSION - TWO TRACTS ON LONE MAN CREEK ROAD (LASNER)**

Commissioner Payne spoke of road improvements needed - he would like to negotiate for \$5,000.00 to be set aside for future improvements - money will be held in the property owners account. No action taken.

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**14179 GOFORTH ACRES PHASE 1 BLOCK A LOTS 51-53 & BLOCK B LOTS 54-56 - SECOND & THIRD READING APPROVAL**

Commissioner Barton spoke of this being a six lot subdivision fronting CR157 - no new roads are involved - second reading was postponed at the last meeting, therefore, he is recommending approval on second and third readings this date. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Goforth Acres Phase 1 Block A Lots 51-53 & Block B Lot 54-56" on second and third readings. All voting "Aye".

**14180 AUTHORIZE TRANSFER OF 1990 LTD FROM THE SHERIFF'S OFFICE TO DATA PROCESSING**

Judge Etheredge advised that all the Data Processing employees are currently being paid mileage - by using this car (which has 125,000 miles and would bring about \$2,000 at auction) we could eliminate mileage - this would also allow them to keep all their tools and equipment in one vehicle which would make their job a lot easier and more efficient. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize transfer of 1990 LTD from the Sheriff's office to Data Processing. All voting "Aye".

**PRESENTATION BY JUDY KNOX OF LANGFORD & ASSOCIATES ON THE NEED FOR A COUNTYWIDE PARKS ASSESSMENT FOR FUTURE GRANT APPLICATIONS TO TEXAS PARKS & WILDLIFE DEPT.**

Grants Administrator Richard Salmon advised that before applying for grants for county parks, the Texas Parks & Wildlife Dept. will require the county to complete a countywide assessment. In addition to that assessment a parks advisory board and maintenance plan has to be developed. Richard Salmon researched the references of a number of consultants who have successfully completed grant applications and recommended we have Judge Knox present information to the court to help the County begin the planning process. Judge Knox appeared before the Court - spoke of Texas Parks & Wildlife Dept. changing the process - you must have a master park plan in order to obtain points (scored from 1-20 points) - the plan is time consuming - an Ad-Hoc Parks Committee is needed (steering committee) - plans must address available land, needs, and goals - standards must be developed. It will take approximately six months to develop this plan - applications are received twice a year (Jan 31 & July 31). Commissioner Barton spoke of groups working on developing youth programs - parks are an upcoming priority. Judy Knox recommended a committee of eight members appointed from community organizations familiar with the needs - land can be used as match in the grant application. Commissioner Barton spoke of some counties that provide athletic fields (soccer, baseball, basketball courts, etc.) as parkland.

**14181 EXECUTIVE SESSION - RE: JUVENILE SERVICES CENTER APPOINT A COMMITTEE TO NEGOTIATE CONTRACT WITH RECORD**

The Court convened into closed executive session to discuss contemplated litigation regarding the Juvenile Service Center contract - upon completion of this closed session, the Court reconvened into open meeting and the following action was taken. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to appoint a committee of Commissioner Payne, Judge Etheredge, Winton Porterfield, Marcos Hernandez, and Bill Herzog to negotiate contract with RECOR for construction of the Juvenile Services Center. All voting "Aye".

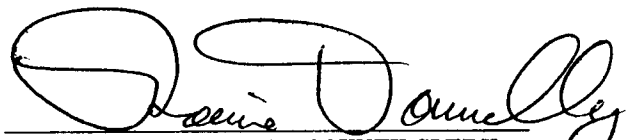
**EXECUTIVE SESSION - RE: PERSONNEL MATTERS**

The Court convened into closed executive session to discuss personnel matters regarding hiring of the Hays County Road Director - upon completion of this closed session, the Court reconvened into open meeting. Human Resource Director will contact Road Director Applicant regarding job acceptance and salary and report back to the Court on Wednesday.

Court was recessed until 1:30 P.M. Wednesday July 19, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF August, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



JULY 19, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 19th DAY OF JULY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN CONTINUATION OF THE REGULAR MEETING HELD JULY 17, 1995. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>LINDA C. FRITSCH</b>    | <b>DEPUTY COUNTY CLERK</b>  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**EXECUTIVE SESSION - PERSONNEL MATTERS**

The Court convened into closed executive session to discuss hiring a Road Director - upon completion of the closed meeting, the court reconvened into open meeting.

**14182 AUTHORIZE HIRING OF RONALD BISCHOFF AS HAYS COUNTY ROAD DIRECTOR**

Judge Etheredge spoke of applications reviewed and interviews held - Court agreed to make job offer to Ronald Bischoff - George Aitken, Human Resources Director, contacted Mr. Bischoff and he has accepted the position. Mr. Bischoff has experience in road building as well as handling and disposing of hazardous materials. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize hiring of Ronald Bischoff as Hays County Road Director on or about August 1, 1995 at salary Grade 21 Step 6. All voting "Aye".

**EXECUTIVE SESSION**

The Court convened into closed executive session to discuss contract for Juvenile Services Center - upon completion of the closed meeting, the court reconvened into open meeting.

**14183 APPROVE DISSOLUTION OF JOINT CONTRACT WITH RECOR INC. FOR CONSTRUCTION OF A 24-BED JUVENILE SERVICES CENTER AND MOVE FORWARD WITH RENOVATION OF CELL BLOCK D-2 OF THE HAYS COUNTY LAW ENFORCEMENT CENTER FOR IMMEDIATE HOUSING OF JUVENILE PROGRAMMING AND POST-COURT DETENTION**

Judge Etheredge stated that the Court is allowed to change direction on construction of a Juvenile Services Center - basically we have discussed halting the process of building a new facility and utilizing a port of the LEC for juvenile services (a semi-temporary time line) - the county jail is experiencing a large revenue shortfall because of new legislation and the opening of new state jails. Bruce Williams of RECOR has been approached and agrees that it is inappropriate to pursue a new facility and is willing to dissolve the current contract. Ruben Garza (Director of Southside Community Center) spoke of his opposition to a juvenile facility - agreed that some youth need to be detained but putting them into a jail facility is not right - appealed to the Court to move forward to make sure that programs are provided and that the facility is conducive to children. Commissioner Barton spoke of concerns about programs - if we go forward with different construction plans, we are not stepping backwards - programs will be provided. Revenue losses at the jail could create shortages of county funds available for social services - court has discussed creative solutions - there are ways to have a "campus" type setting at the proposed facility - we have an absolute commitment to make the LEC facility appropriate for juveniles and to provide rehabilitation. Judge Etheredge stated that too often we do not pay attention to the needs of kids until they are in the juvenile court system - we need to provide services before the kids get in trouble - it needs to be dealt with as a community effort (city, schools, churches, etc.) - spoke of book entitled "Re-Inventing Government" - we need to support existing program that are experienced. Margie Hernandez (Advocate for Youth) stated that she is very concerned about use of the LEC - it is not designed for youth whereas the new facility would be designed for them - don't forget that these youths already have a low self esteem and don't overlook the fact that you will be introducing them to the adult facility - spoke of county funds being used for other county offices (i.e. Adult Probation, Justice Center, etc.) that could possibly be housed in the LEC.

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Judge Etheredge stated that he considers Margie an authority on youth, however, he disagrees that the Court is not considering the needs of the kids - spoke of other facilities being used to house our youth where they are being co-mingled with gang members, etc. from other communities - we could go with a new facility and not be able to use it because of revenue shortfalls. Judge Etheredge stated that he has opposed building a juvenile detention facility - we are here to carry out the wishes of the majority (schools, youth organizations, voters, etc.) - the Court is committed to juveniles and having long term and short term detention and is ready to work with social service organizations to see that we have a better community - the community must participate. Judge Etheredge stated that the Court is making a fiscal and socially responsible decision to move forward as proposed today.


A motion was made by Commissioner Barton, seconded by Commissioner Payne to have a joint agreement with RECOR and initiate a joint dissolution of contract to build a 24-bed Juvenile Services Center and move forward with renovation of Cell Block D-2 of the Hays County Law Enforcement Center for the immediate housing of juvenile programming and post-court detention facility. All voting "Aye".

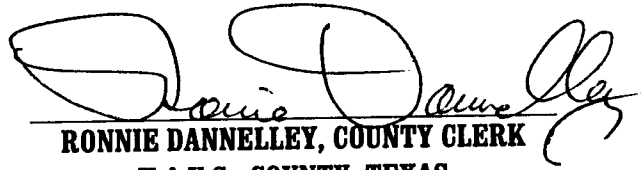
**EXECUTIVE SESSION**

The Court convened into closed executive session to discuss personnel matters - upon completion of the closed meeting, the court reconvened into open meeting.

Court was adjourned until Monday, July 24, 1995 at 9:00 a.m.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF August, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 24th DAY OF July A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCH    | DEPUTY COUNTY CLERK  |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Judge Etheredge announced that an Emergency Adendum had been posted to the meeting to allow the Court to adopt a resolution continuing the Burn Ban/Threat of Wildfires for Hays County - this resolution will be considered after 11:00 A.M. (2 hr notice given).

**14184 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 189,115.23 as presented by the County Auditor. All voting "Aye".

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|                      |               |                   |              |                      |              |
|----------------------|---------------|-------------------|--------------|----------------------|--------------|
| License&Permits      | \$ 4,394.60   | Fines             | \$ 360.82    | Auditors Ofc         | \$ 1,126.83  |
| Treasurers Ofc       | \$ 16.93      | Extension Ofc     | \$ 315.68    | Grants Admin         | \$ 128.18    |
| Juvenile Prob        | \$ 406.02     | Election Admin    | \$ 423.94    | Indigent Care        | \$ 5,299.34  |
| Transfer Station     | \$ 54.12      | Bldg Maintenance  | \$ 20,938.23 | Environ Health       | \$ 1,099.44  |
| Personal Health      | \$ 234.68     | Civic Center      | \$ 1,353.91  | Countywide Oper      | \$ 45,255.90 |
| Tax A/C              | \$ 148.67     | District Clerk    | \$ 463.36    | County Clerk         | \$ 773.97    |
| Sheriffs Ofc         | \$ 3,603.03   | County Judge      | \$ 850.55    | Human Resources      | \$ 71.22     |
| Co Crt @ Law 1       | \$ 41.37      | District Atty.    | \$ 463.13    | J.P. 1-1             | \$ 1188.62   |
| J.P. 1-2             | \$ 18.23      | J.P. 2            | \$ 263.15    | J.P. 4               | \$ 102.90    |
| J.P. 5               | \$ 104.73     | D.P.S.            | \$ 424.74    | Constable 1          | \$ 249.99    |
| Constable 5          | \$ 146.24     | Dist Cr Oper      | \$ 3,447.30  | Co & JP Cr Oper      | \$ 7,463.82  |
| Veterans Admin       | \$ 35.54      | Computer Svcs     | \$ 994.46    | Co Crt @ Law 2       | \$ 7.60      |
| Fire Marshal/EMC     | \$ 13.94      | TABC              | \$ 114.46    | Dist Cr Reporter     | \$ 19.88     |
| TJPC CCAP Grant      | \$ 133.15     | Legal Aid         | \$ 765.00    | Corridor Incub Grant | \$ 2,500.00  |
| Dunbar Grant         | \$ 274.74     | DA DARE Grant     | \$ 73.66     | Emerg Div Grant      | \$ 5,196.00  |
| Gen Fund Credit      | * \$ 108.42 * | R&B Operations    | \$ 13,749.16 | Precinct 1           | \$ 528.24    |
| Precinct 2           | \$ 211.60     | Precinct 3        | \$ 160.00    | Precinct 4           | \$ 124.76    |
| R&B Gen Credit       | * \$ 11.96 *  | Co Clk Rec Mngmnt | \$ 2.13      | Health Svcs Grants   | \$ 3,292.70  |
| Hot Check Fee Fund   | \$ 148.00     | Law Library       | \$ 73.95     | Road Construction    | \$ 49,561.58 |
| Crths Ren & Rd '94   | \$ 37.50      | Anticip Notes '94 | \$ 75.00     | Adult Prob Oper      | \$ 6,579.93  |
| Anticip Notes/Cnstrc | \$ 1,708.33   | New Canaan Grant  | \$ 1,321.69  |                      |              |

**14185 APPROVE BUDGET AMENDMENT NO. 95-037**

The following budget amendments were proposed by the County Auditor:

Grants Administration - Line item transfer for needed expenses of books, printing, data lines, and telephone.

Extension Service - Line item transfer to purchase awnings and signs at new building.

J.P. 2 - Line item transfer for four hours overtime each week per clerk (2).

District Court & Countywide Operations - Line item transfer from District Court and Countywide Operations to cover needed expenses - budget depleted due to SOS trial.

Sheriff's Office - Transfer \$150,000 from Countywide Misc. Capital Improvements for (10) vehicles for the Sheriff {pay off machine warrants}

Dept. of Public Safety - Transfer between line items for postage meter and additional air and telephone time.

Road Dept. - Line item transfers to cover needed expenses.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Budget Amendment No. 95-037 as presented by the County Auditor. All voting "Aye".

|                                                     |                                      |                                     |                |                                                      |
|-----------------------------------------------------|--------------------------------------|-------------------------------------|----------------|------------------------------------------------------|
|                                                     |                                      |                                     |                | AMENDMENT<br>NO. 95-037<br>FY 95 BUDGET<br>7/ 24 /95 |
| FUND NO. <u>01</u>                                  |                                      |                                     |                |                                                      |
| FUND TITLE <u>GENERAL</u>                           |                                      |                                     |                |                                                      |
|                                                     | APPROPRIATION<br>BEFORE<br>AMENDMENT | AMENDMENT<br>INCREASES<br>DECREASES |                | APPROPRIATION<br>AS<br>AMENDED                       |
| <b>LINE ITEM - EXPENDITURES</b>                     |                                      |                                     |                |                                                      |
| <b>GRANTS ADMIN (404)</b>                           |                                      |                                     |                |                                                      |
| 01-404-5213 Books                                   | 1,750                                | 180                                 |                | 1,930                                                |
| 01-404-5461 Printing                                | 190                                  | 80                                  |                | 270                                                  |
| 01-404-5488 Data Lines                              | 230                                  | 400                                 |                | 630                                                  |
| 01-404-5489 Telephone                               | 2,500                                | 275                                 |                | 2,775                                                |
| 01-404-5160 Insurance                               | 4,627                                |                                     | (125)          | 4,502                                                |
| 01-404-5331 Cont Ed                                 | 800                                  |                                     | (400)          | 400                                                  |
| 01-404-5211 Off Sply                                | 1,850                                |                                     | (410)          | 1,440                                                |
|                                                     |                                      | <u>935</u>                          | <u>(935)</u>   |                                                      |
| TRANSFER FOR NEEDED EXPENSES                        |                                      |                                     |                |                                                      |
| <b>EXTENSION OFFICE (403)</b>                       |                                      |                                     |                |                                                      |
| 01-403-5719 Misc Eqpt                               | 0                                    | 1,575                               |                | 1,575                                                |
| 01-403-5411 Off Eqpt Maint                          | 1,000                                |                                     | (750)          | 250                                                  |
| 01-403-5421 Data Proc Maint                         | 1,000                                |                                     | (825)          | 175                                                  |
|                                                     |                                      | <u>1,575</u>                        | <u>(1,575)</u> |                                                      |
| TRANSFER TO ALLOW AMNINGS AND SIGNS AT NEW BUILDING |                                      |                                     |                |                                                      |
| <b>JUSTICE OF PEACE 2 OFFICE (426)</b>              |                                      |                                     |                |                                                      |
| 01-426-5021 Staff Sal                               | 34,484                               | 870                                 |                | 35,354                                               |
| 01-426-5110 FICA                                    | 4,998                                | 78                                  |                | 5,076                                                |
| 01-426-5121 Retirement                              | 4,921                                | 78                                  |                | 4,999                                                |
| 01-426-5211 Off Sply                                | 2,930                                |                                     | (900)          | 2,030                                                |
| 01-426-5473 Eqpt Lease                              | 900                                  |                                     | (76)           | 824                                                  |
| 01-426-5711 Off Eqpt                                | 200                                  |                                     | (50)           | 150                                                  |
|                                                     |                                      | <u>1,078</u>                        | <u>(1,026)</u> |                                                      |

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AMENDMENT  
NO. 95-037  
FY 95 BUDGET  
7/ 24 /95  
Page 2

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS AMENDED    |

**DISTRICT COURT (436)**

|                            |        |        |         |        |
|----------------------------|--------|--------|---------|--------|
| 01-436-5211 Off Sply       | 1,000  | 275    |         | 1,275  |
| 01-436-5213 Books          | 1,600  | 50     |         | 1,650  |
| 01-436-5301 Jury Exp       | 22,000 | 10,000 |         | 32,000 |
| 01-436-5305 Trial Exp      | 29,500 |        | (2,000) | 27,500 |
| 01-436-5321 Dues & Bonds   | 235    | 20     |         | 255    |
| 01-436-5411 Off Eqpt Maint | 1,000  |        | (200)   | 800    |
| 01-436-5473 Eqpt Lease     | 1,680  |        | (500)   | 1,180  |

ALLOW TRANSFERS FOR NEEDED EXPENSES & INCREASE JURY COSTS DUE TO SOS TRIAL

**COUNTY-WIDE OPERATIONS (414)**

|                                       |         |               |               |         |
|---------------------------------------|---------|---------------|---------------|---------|
| 01-414-5340 Insurance                 | 522,070 |               | (7,645)       | 514,425 |
|                                       |         | <u>10,345</u> | <u>10,345</u> |         |
| TO BALANCE DISTRICT COURT (ABOVE)     |         |               |               |         |
| 01-414-5741 Misc Cap Improv           | 495,238 | (150,000)     |               | 345,238 |
| TRANSFER TO ALLOW AUTOS (10) PURCHASE |         |               |               |         |

**SHERIFF OFFICE (418)**

|                      |         |         |  |         |
|----------------------|---------|---------|--|---------|
| 01-418-5713 Vehicles | 154,278 | 150,000 |  | 304,278 |
|----------------------|---------|---------|--|---------|

**DEPT OF PUBLIC SAFETY (430)**

|                               |       |              |                |       |
|-------------------------------|-------|--------------|----------------|-------|
| 01-430-5212 Postage           | 1,750 | 460          |                | 2,210 |
| 01-430-5489 Telephone         | 6,000 | 1,450        |                | 7,450 |
| 01-430-5423 Contr Programming | 300   |              | (300)          | 0     |
| 01-430-5321 Dues & Bonds      | 300   |              | (200)          | 100   |
| 01-430-5211 Off Sply          | 800   |              | (160)          | 640   |
| 01-430-5235 Law Enf Sply      | 500   |              | (200)          | 300   |
| 01-430-5331 Cont Ed           | 350   |              | (200)          | 150   |
| 01-430-5221 Data Proc Sply    | 340   |              | (200)          | 140   |
| 01-430-5391 Misc              | 390   |              | (150)          | 240   |
| 01-430-5488 Data Lines        | 8,800 |              | (500)          | 8,300 |
|                               |       | <u>1,910</u> | <u>(1,910)</u> |       |

TRANSFER FOR NEEDED EXPENSES

AMENDMENT  
NO. 95-037  
FY 95 BUDGET  
7 / 24 /95  
Page 3

FUND NO. 03

FUND TITLE ROAD & BRIDGE

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS AMENDED    |

**OPERATIONS (438)**

|                                                      |           |               |                 |           |
|------------------------------------------------------|-----------|---------------|-----------------|-----------|
| 03-438-5031 Overtime                                 | 10,000    | 2,000         |                 | 12,000    |
| 03-438-5351 Road Materials                           | 669,400   | 58,800        |                 | 728,200   |
| 03-438-5211 Off Sply                                 | 2,400     | 425           |                 | 2,825     |
| 03-438-5448 Contract Road TXDOT/CR 171               | 0         | 15,395        |                 | 15,395    |
| 03-438-5449 Contract/Stage Coach Rd SMCISD final pmt | 0         | 1,423         |                 | 1,423     |
| 03-438-5262 Signs & Barricades                       | 35,800    | 5,000         |                 | 40,800    |
| 03-438-5413 Eqpt Maint                               | 42,000    | 4,000         |                 | 46,000    |
| 03-438-5021 Staff Sal                                | 1,086,085 |               | (50,000)        | 1,036,085 |
| 03-438-5061 Longevity                                | 13,036    |               | (885)           | 12,151    |
| 03-438-5110 FICA                                     | 87,811    |               | (6,500)         | 81,311    |
| 03-438-5121 Retirement                               | 86,722    |               | (4,500)         | 82,222    |
| 03-438-5160 Insurances                               | 111,429   | 925           |                 | 112,354   |
| 03-438-5191 Travel Allowance                         | 6,000     |               | (500)           | 5,500     |
| 03-438-5461 Printing                                 | 1,500     |               | (1,000)         | 500       |
| 03-438-5475 Road Eqpt Rent                           | 19,000    |               | (1,500)         | 17,500    |
| 03-438-5212 Postage                                  | 600       |               | (283)           | 317       |
| 03-438-5713 Vehicles                                 | 26,300    |               | (17,800)        | 8,500     |
| 03-438-5714 Road Eqpt                                | 11,300    |               | (5,000)         | 6,300     |
|                                                      |           | <u>87,968</u> | <u>(87,968)</u> |           |

TRANSFER FOR NEEDED EXPENSES

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**14186 APPROVE THE COMMISSIONERS' COURT MINUTES FOR JUNE 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the Commissioners' Court Minutes for June 1995 as presented by the County Clerk. All voting "Aye".

**14187 AUTHORIZE PURCHASE OF TWO CHAIRS FOR COUNTY CLERK'S COURTS DIVISION OUT OF RECORDS MANAGEMENT FUNDS**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize purchase of two chairs for the County Clerk's Courts Division out of Record Management Funds. All Voting "Aye".

**14188 AUTHORIZE PURCHASE OF A COMMISSIONERS' COURT RECORDING SYSTEM OUT OF THE COUNTY CLERK'S RECORDS MANAGEMENT FUND**

County Clerk Ronnie Dannelley advised that a good recording system is desperately needed to properly record the Commissioners' Court meetings - the proposed system is dual cassette with 6 hours continuous recording and will have 8 microphones with stands. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize purchase of a Commissioners' Court Recording System out of the County Clerk's Records Management funds. All voting "Aye".

**14189 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE OFFICE OF THE GOVERNOR -CRIMINAL JUSTICE DIVISION AND TO EXECUTE A CONTRACT FOR \$17,150 (VICTIM'S ASST. COORDINATOR)**

Richard Salmon, Grants Administrator, advised that this grant from the Office of the Governor-Criminal Justice Division will be used to pay costs related to the establishment of a full-time Victim's Assistance Coordinator in the Hays County District Attorney's Office - Carmen Castro currently performs those functions on a part-time basis - county match will be used to fund equipment, travel and supplies, with the grant paying salaries and benefits - part of Carmen's existing salary will be used as matching funds for this grant. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge to accept Grant award from the Office of the Governor - Criminal Justice Division and to execute a contract for \$17,150.00 for a Victim's Assistance Coordinator. All voting "Aye".

**14190 AUTHORIZE OVERTIME PAY FOR CLERKS IN J.P. PCT. 2 OFFICE**

Commissioner Barton advised that J.P. Pct. 2 Albert Busse would like his Clerks to each work four hours overtime a week for the next ten weeks with pay - they are currently working overtime without pay - funds required = \$ 1,106.00. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize overtime pay for two Clerks in J.P. Pct. 2 Office. All voting "Aye".

**14191 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON CR164 (SAWYER RANCH ROAD)**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to call for a public hearing to be held August 7, 1995 at 9:00 A.M. to consider establishing traffic regulations (45MPH Speed limit) on CR164 (Sawyer Ranch Road). All voting "Aye".

**14192 APPROVE SPECIFICATIONS FOR AN RFP FOR A TELEPHONE COMMUNICATION SYSTEM FOR THE JUSTICE CENTER**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve specifications for an RFP for a telephone communication system for the Justice Center. All voting "Aye".

**14193 ACCEPT AUDIT REPORT OF JAIL COMMISSARY**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to accept the Audit Report of the Jail Commissary as presented. All voting "Aye". (See report in file)

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**14194 GOLDENWOOD WEST SUBDIVISION - VACATE P.U.E. BETWEEN LOTS 126 & 127  
FIRST READING AND CALL FOR PUBLIC HEARING**

Property Owner Roma Swick proposes to amend the plat of Goldenwood West subdivision by vacating the public utility easement along the common lot lines between Lots 126 & 127 - plans to build a house in between these two lots - a release of easement has already been executed by P.E.C. and a letter of approval by GTE. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Goldenwood West Subdivision Amendment - vacate PUE between Lots 126 & 127" on first reading and call for a public hearing to be held August 7, 1995. All voting "Aye".

**14195 THARP SUBDIVISION - SECOND READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve the "Tharp Subdivision" on second reading. All voting "Aye".

**14196 CRESTVIEW RANCH REPLAT OF LOT 3 (Lots 3-A & 3-B) - SECOND READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Crestview Ranch Replat of Lot 3" on second reading. All voting "Aye".

**14197 SHADY GROVE SUBDIVISION - SECOND READING APPROVAL**

Alan Abbe presented "Shady Grove" subdivision on second reading - advised the Court that the existing driveway serving Lot 7 will no longer be used - access will be through the dedicated right-of-way (Shady Court). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Shady Grove" subdivision on second reading. All voting "Aye".

**14198 PLATTING VARIANCE GRANTED TO CARL LASNER FOR TWO TRACTS ON LONE MAN CREEK**

Commissioner Payne advised that Carl Lasner has deposited \$5,000.00 in escrow with Fitzgerald, Majors, & Stevens to be used for road maintenance as previously requested. Allen Walther, Environmental Health Director, spoke of original parcels that continues to be cut up and decreasing lot sizes under 75 acres - the developer started out with seven tracts (NTE 75 acres each) and there is now twelve tracts - this development is looking more like a subdivision as we go along - further divisions should require platting. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a platting variance to Carl Lasner for two tracts (26.058 ac. & 25.894 ac.) on Lone Man Creek off FM 3237. Commissioner Barton, Commissioner Payne, Commissioner Molenaar and Judge Etheredge voting "Aye". Commissioner Rodriguez voting "No".

**14199 PRICE ADDITION LOT 1 - THIRD READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Price Addition Lot 1" on third reading. All voting "Aye".

**14200 BEAR CREEK OAKS REPLAT LOTS 18-A (SEC 2) & 18-B (PT LOT 30 SEC 3) - THIRD READING**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Bear Creek Oaks Replat Lots 18-A (Section 2) and 18-B (Part Lot 30 Section 3) on third reading. All voting "Aye".

**14201 THE HILL - THIRD READING APPROVAL**

Commissioner Barton advised that the configuration of lots has changed since previous readings - there are now 6 lots versus 10 lots - an agreement could not be worked out regarding road improvements and access on Creekside Drive, therefore, lots are now accessing off FM150. Allen Walther, Environmental Health Director, advised that the water supply company has not signed off on plat yet, however, they will be doing so. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "The Hill" subdivision on third reading subject to obtaining signature on water supply note. All voting "Aye".



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**14202 BLANCO RIVER RANCH - THIRD READING APPROVAL**

Mapping/Planning Coordinator Patsy Greiner advised that a Homeowners Association for road maintenance has been established - a letter of agreement is being filed to insure construction/paving of approximately one mile of Blanco River Ranch Road in compliance with current existing standards of Hays County. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Blanco River Ranch" subdivision on third reading and furthermore authorize Acting Road Director Delbert Chance to sign release of escrow funds as road work is completed. All voting "Aye".

**PUBLIC HEARING REGARDING AMENDING THE COUNTY'S ON-SITE WASTEWATER RULES TO ALLOW THE SPRAY APPLICATION OF WASTEWATER EFFLUENT**

Judge Etheredge called the public hearing open to discuss possible amendment to the County On-Site Wastewater Rules to allow spray application of wastewater effluent. A letter was submitted by Erin Foster requesting that the court take the time to study this new above ground aerobic approach and not make a hasty decision - felt like the proposed subdivision and septic regulations should be considered and changed together since they are intertwined or you could end up with conflicting or unclear regulations. A letter was submitted by Susan Lefler voicing her concerns - felt like we need to know how these new aerobic systems work and have the rules and regulations for them before we approve. Commissioner Payne spoke of request made recently in his precinct regarding spray application of wastewater effluent - he requested public input regarding this matter and would support the regulation amendment with safeguards. Don Becker, Secy/Treas. of Divine Love (a Hindu organization), spoke in support of modifying county ordinance to allow spray applications - felt like it would be a more complete breakdown of effluent and safer for the environment than standard systems - the technology has been around for a long time and is used by many cities - there are concerns about permitting requirements - restrictions are needed (larger lots sizes and more stringent setbacks) - felt like it would be good water conservation. Mr. Becker spoke of their development (a 25,000 sq. ft. retreat) and landscaping - they would be able to move toward a system that would allow them to make use of this effluent for landscaping purposes, thereby using less water from the aquifer. Tim Taylor, HydroAction Factory Representative and Registered Sanitarian, spoke - currently Hays County is allowing special design systems for sites not suitable for standard systems except for spray irrigation - stated that he has documents supporting spray application systems. Joan Long, Hays County resident, spoke - they own a subsurface aerobic system and felt like this was a good system - stated that she is concerned about water quality and quantity - their system would not have been as expensive if they could have used the spray system - feels like spray application would be smarter - spoke of having to be more conscientious about what you put into your system (extra precautions) - spoke of maintenance agreements and affidavits filed with deeds. Jeff Vasqard spoke of neighbors drainage field must be a consideration - felt like it is time to look at alternative systems - there are advantages to spray systems - they will cause property owners to be more aware of their system (out of sight - out of mind). Zeal Stefanoff spoke of his history dealing with water issues - our local hill country is not suitable for standard septic systems which are discharging into the aquifer - we need to move forward with spray application and we need to rely on TNRCC's evaluation of these systems - they are important for water conservation - felt like we need to outlaw the old systems. Commissioner Barton asked about runoff or system failures and their effect on neighbors. Mr. Stefanoff spoke of alarm system alerting failures - service contracts and deed restrictions are necessary. Pam Gosnay presented her statement regarding this issue - spoke of Clay County Missouri and their experience with aerobic systems - "they currently avoid whenever possible the permitting of aerobic systems ....they don't work as well.....they leak and overflow.....they are typically not maintained properly by the property owner" - property owners must be educated to use these systems as they cannot put just anything in their system (must break down quickly) - system generally fail due to lack of maintenance(even where factory maintenance programs are in place) - property sells and maintenance agreements are not continued - if court approves this type of system she urges monthly monitoring - spoke of need for the subdivision committee to consider septic systems when reviewing reducing lot sizes to 1/2 acre - spoke of draft proposal (subdivision ordinance) not reflecting the health needs and desires of northern Hays county residents - she had stated very clearly to the committee the minimum lot size should be 2 acres..period... and did not hear a consensus for 1/2 acre lots. Commissioner Barton spoke of the subdivision task force committee's agreement is to develop a draft ordinance (a beginning document) - further considerations will be made by the committee and wastewater rules will be reviewed - smaller lots could be those hooked up to a public water system. Pam Gosnay spoke of 1/2 acre lots with public water supply not necessarily being safe - some of this public water supply is being taken from water wells - Dripping Springs is suffering from a serious sewage problem compounded both by excessive high density, and a soil that resists percolation in the central area - there has been an unusually high incidence of pink eye and other bacterial infections related to water quality in the Dripping Springs area - voiced her concerns about the task force committee meetings without recorded votes and appropriate representation of the public - requested that the 1st and 3rd readings of the subdivision ordinance be held in the evening to allow the working taxpayer input, otherwise, we will hear the loud cries of the tiny number of developers who are free to attend on Monday mornings. DeDe Stevenson (Texans for Hays County) spoke of need to look at new and innovative ideas - we must look at our own problems and don't rely on TNRCC - spoke of people ill from contamination of their water and streams - suggested a committee to review this issue.

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Judge Etheredge spoke of years he spent as a Hays County Sanitarian (3 years) and 8 years in the water well business - he knows about water and wastewater and illnesses caused by such problems - we need to explore new technology - we are already polluting our neighbors ground water with standard septic systems - we have many types of soil conditions in Hays County - contamination is greater in areas where ground water is more accessible - spoke of escarpment which creates greater recharge areas - as we become more populated, we create more pollution from the surface - we need to begin to experiment with other systems and create our own data base of information - spoke of water wells he has drilled where they have come in contact with contaminated soil and had to relocate the well - maintenance of aerobic spray systems would need to be tied to property ownership - there is a need to clean up existing systems. Caroline Schindler, resides in Dallas/owns property in Wimberley, spoke of trying to get a system since February 1995 - no system is perfect and we should not condemn any one system. Robert Kirkham spoke of his semi-aerobic system - if you go out of town the system sits unused and creates an odor when you start it up again - spoke of maintenance costs - you must be educated to maintain this type of system - they are not bad for large acreage tracts. Tex Cole, resident of Paradise Hills, spoke of having come from South Texas where aerobic systems were used - there are numerous problems with these systems - they must be constantly maintained, alarm systems can fail, sludge buildup creates an odor, and you cannot put normal household items into the system - maintenance of the system is critical as well as regular inspections by the County - felt like we do need to move forward. Terry Norris stated that he is a proponent of change and that our water is important. Tom Carey, 10 yr. resident of Hays County, spoke of his observations regarding spray irrigation systems - his father has had one for three years on a lot less than one acre and has had no problems with it - regular maintenance is required - stated that he would be a willing participant for use of this type of system. Emily Phillips, Burnett Ranch resident/Applicant for variance to allow this system, spoke in support of the spray application system - spoke of subsurface systems being very expensive - felt like this system would have a higher quality effluent and problems would be obvious to the homeowner which is not the case with standard systems - urged the Court to move forward with advanced technology. Mike Moore, a Clean Water Activist, spoke of his years involved with clean water issues (since 1972) and 10 years interest in aerobic systems - this technology helps us to not take water from the aquifer - felt like standard septic systems should not be allowed in areas with solid rock - spoke of use of spray irrigation in Woodcreek - felt like it is discriminatory to allow all types of septic systems except for spray irrigation - the spray system relies on evaporation and addresses future growth and water availability - 50 million gallons of wastewater a day is going down contaminating our water supply - spray systems have no chance of going into the aquifer (97% free effluent) - all systems must be watched and monitored. Tim Taylor stated that the State of Missouri has no mandated maintenance agreement - Texas law requires maintenance for the life of the system - new homeowners must maintain their system - the South Texas systems are not comparable to the new systems - the new systems have no mechanical parts in the treatment area - explained how the new systems work - system uses chlorine or sand filters - the EPA has studied these systems and there is no documentation of health problems for well maintained systems. Pam Gosnay recommended that the Court call Clay County Missouri and discuss problems they have had - felt like larger lots are acceptable, however, you must consider density and require soil samples. Environmental Health Director Allen Walther spoke of State Contamination Reports not indicating increased contamination by standard septic systems - they generally work well - we began using subsurface aerobic systems years ago and the new systems provide high quality effluent - he has checked with adjoining counties that allow spray irrigation systems, however, they have no system in place for monitoring - he looked at six systems and three were not doing well - a manufacturer who services these units had decided not to continue maintenance and this created a problem for the homeowners - failing systems are a community health risk - how do we structure our rules to require proper maintenance - suggested a committee to begin revision of our on-site wastewater rules simultaneously with the revision of the subdivision regulations. Judge Etheredge called the public meeting closed. No action this date.

**14203 ROAD BOND PROGRAM - ACTION REGARDING MAIL BOXES IN COUNTY R-O-W  
DISCUSSION REGARDING FISCHER STORE ROAD PROJECT**

Rick Miller, Doucet & Assoc., spoke of problem regarding the Fischer Store Road project - there is an unmarked graveyard - we will need to pull back alignment. Winton Porterfield, County Judge's Admin. Asst., spoke of ways to determine if there are unmarked graves (pauper graves) - the area has features that indicate burial sites - an Archeologist would be costly - spoke of options. No action was taken by the Court - it was a consensus that we pull back the road alignment.

Acting Road Director Delbert Chance spoke of mail boxes in county r-o-w and how the Court wants to address relocation of mailboxes after road construction - he feels like the property owner should be responsible for putting up their own stand - the county has a liability with mailboxes and trees in county right-of-way - we need to establish standards for what mailbox stands are made of. Commissioner Barton stated that we could prohibit non-flangible stands - he is concerned about not putting mailboxes back up after removal. Judge Etheredge suggested establishing a fee for replacement of mailboxes. Commissioner Payne suggested making replacement of mailboxes a part of the settlement agreement for right-of-way. Commissioner Molenaar suggested making replacement a part of the road construction contract. Commissioner Barton spoke of replacing elaborate rock, etc. mailboxes with a standard stand. Delbert Chance stated that we cannot afford to replace elaborate mailboxes and we need to avoid as much liability as possible on county r-o-w. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to direct Rick Miller and Delbert Chance to work up design standards for mailboxes located in county right-of-way. All voting "Aye".

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14204 ADOPT RESOLUTION CONTINUING BURNBAN/THREAT OF WILDFIRES

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to adopt Resolution continuing disaster declaration based on threat of large wildfires in Hays County. All voting "Aye".

RESOLUTION

STATE OF TEXAS \*
COUNTY OF HAYS \*

WHEREAS, Hays county has not had any appreciable rainfall for an extended period; and

WHEREAS, weather forecasters offer little promise of a change in these hot, dry conditions in the near future; and

WHEREAS, these hot, dry conditions pose the threat of large, fast-moving wild fires; and

WHEREAS, such fires have the potential of endangering lives and damaging property on a wide scale; and

WHEREAS, the Texas Disaster Act of 1975, Vernon's Texas Codes Annotated Government Code Chapter 418, and the Order of the Hays County Commissioners' Court dated May 23, 1994, authorize declaration of a state of disaster "if the threat of disaster is imminent"; and

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such a disaster authorized the imposition of controls on activities which tend to increase the likelihood of such fires; and

WHEREAS, such controls, once implemented have the potential of protecting lives and property by mitigating the threat of dangerous fires; and

WHEREAS, Eddy A. Etheredge, County Judge, on the 19th day of July, 1995, declared a state of disaster based on the threat of large wildfires in Hays County; and

WHEREAS, that state of disaster will be void at the end of seven days following its issuance without authorization by the Hays County Commissioners' Court;

NOW, THEREFORE, BE IT RESOLVED that this state of disaster is hereby continued until it is rescinded by the County Judge or by action of the Commissioners' Court; and

BE IT FURTHER RESOLVED that the issue of the continuance of this state of disaster shall be placed on the agenda of each regularly scheduled meeting of the Commissioners' Court until it is rescinded.

PASSED AND APPROVED this the 24th day of July, 1995.



Eddy A. Etheredge
COUNTY JUDGE

Peter Rodriguez
COMMISSIONER, PCT. #1

[Signature]
COMMISSIONER, PCT. #2

[Signature]
COMMISSIONER, PCT. #3

[Signature]
COMMISSIONER, PCT. #4

ATTEST:

Dundee Grinstead, Deputy
COUNTY CLERK

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**14205 ADOPT REVISED PERSONNEL POLICY FOR HAYS COUNTY**

George Aitken, Human Resources Director, presented the revised version of the Hays County Personnel Policy - the first manual was adopted May 1994 - this is the first comprehensive revision - it makes it easier to understand and takes into consideration the amendments approved by the Court. In addition to previous amendments, there is one addition: Section 3.03 Vacation Benefits (last paragraph) - In unusual circumstances an employee may be granted advance vacation time. Approval of the Department Head is required. The period will not normally exceed ten working days. Upon termination, any advance leave used, but not subsequently earned must be paid back to Hays County. County Auditor Bill Herzog questioned the ten days in advance - are we paying employees before the time is earned? and is that legal? District Attorney Marcos Hernandez stated that he see no problem with the legality, however, it could be difficult to collect if employees leaves before the time is earned. Commissioner Payne stated that he felt like ten days is excessive. Commissioner Barton stated that we have a mechanism to address early leave - our employees do not have a way to build up time in a short period of time which would allow them to take a two week vacation in the summertime - feels like we need to provide flexibility - the Department Head will be responsible for making the decision to allow advance leave. Commissioner Molenaar requested more time to consider since he was not provided with a copy of the revised policy - felt like employees should receive one week vacation after six months employment. Mr. Aitken spoke of trying this policy out for one year and see how it works - he will change the policy to read five (5) days instead of ten - stated that he felt like this is currently going on anyway - it empowers the Department Head to do their job and they know their employees. A motion was made by Judge Etheredge, seconded by Commissioner Barton to adopt the Revised Hays County Personnel Policy with Section 3.03 VACATION LEAVE - last paragraph to read: In unusual circumstances an employee may be granted advance vacation time. Approval of the Department Head is required. The period will not normally exceed five working days. Upon termination, any advance leave used, but not subsequently earned must be paid back to Hays County. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No". (See Policy in File)

**EXECUTIVE SESSION - PERSONNEL MATTERS**

The Court convened into Executive Closed Session to discuss personnel matters. Upon completion of closed session, the Court reconvened into open meeting. No action was taken.

**JUVENILE SERVICES CENTER - DISCUSSION (NOT AN AGENDA ITEM - INFORMATION ONLY)**

Judge Etheredge spoke of Press Release dated July 19, 1995 regarding the Juvenile Services Center - this press release was passed out prior to the meeting and contained stamped signatures of members of the Court - this might have given the appearance that action was taken prior to the meeting, therefore, Judge Etheredge wants the record to reflect that this release was prepared in his office prior to the meeting and was part of the negotiation settlement with RECOR and should have been noted as a PROPOSED PRESS RELEASE - NO VOTE was taken prior to the meeting of 7/19/95 - it was only a resource for discussion.

**WORKSHOP SESSION - MEDICAID (SENATE BILL 10)**

Director of Nursing/HCHD Julie Hornberger spoke of meeting with Central Texas Medical Center (CTMC) personnel - they are concerned about SB10 - it is an important issue to CTMC and local physicians - they have felt left out of information being given - they have been advised that we are in the process of obtaining information and we have every intention of passing that information on to them. Judge Etheredge spoke of meeting approximately three months ago with Dr. Birdwell, Julie Hornberger, himself and Joel Haas (CTMC) and they had agreed to study SB10 - according to an agreement with Hays County & CTMC, the hospital must currently provide indigent care not to exceed 3% of their operating budget (contract has no expiration date). The original senate bill did not address local hospitals, only hospital districts, actual figures are needed for indigent care from CTMC exclusive of bad debt (have been unable to determine exact figures) - community hospital can participate through the County, however, we need to know true indigent expenses (screened indigents). Julie Hornberger stated that they have advised CTMC how they can screen indigent patients - we do have county figures (patients the county has sent to the hospital = \$242,000 f/93-94). We will not be able to use figures from CTMC because they have no way of identifying true indigent patients from their records. If we don't go with Intergovernmental Initiatives (IGIs), Medicaid could place us in with another county's IGI - there are 6 or 7 counties that Medicaid would lump together - we would probably be put in with Travis County - or we could create our own and include other counties - our advantage is that we already have a "managed health care program". Julie Hornberger explained that "managed health care" is a program where clients go through a central provider (could be the County Physician) which makes sure that all health care is provided and he/she is able to make referrals - requires that providers be under contract - rates are determined by the area - trying to streamline paperwork and expand coverage limits to restructure the system. Julie stated that she feels like CTMC and local doctors would like the County to create an IGI - it will be a lot of work and we would need an operating board -

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Administrative costs would be required - it would make sense to get other counties involved - the deadline has been extended to August 8, 1995. Judge Etheredge voiced his concerns about the influx of indigents into Hays County - we will try to schedule a meeting with CTMC for discussion.

Judge Etheredge advised that budget workshops will begin shortly ( 2 morning meetings per week - 4 hours each) - there is a \$2 million shortfall plus \$1 million in new expenditures. A discussion was had regarding increased traffic tickets created by IH35 weigh stations and their effect on the Justice of the Peace courts - vehicles can be confiscated if they have no VIN and will become the property of the County upon final court order - these vehicles can then be dismantled and used for parts or sold at auction.


**EXECUTIVE SESSION - PERSONNEL MATTERS**

The Court convened into Executive Closed Session to discuss personnel matters. Upon completion of closed session, the Court reconvened into open meeting. No action was taken.

Court was adjourned until 9:00 A.M. Monday July 31, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 14<sup>th</sup> DAY OF August, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 31ST DAY OF JULY A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14206 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 1,562,234.45 as presented by the County Auditor. All voting "Aye".

\*\*\*\*\*

|                      |               |                     |               |                      |               |
|----------------------|---------------|---------------------|---------------|----------------------|---------------|
| Fines                | \$ 216.00     | Auditors Ofc        | \$ 93.00      | Treasurers Ofc       | \$ 122.40     |
| Extension Ofc.       | \$ 58.78      | Grants Admin        | \$ 24.96      | Election Admin       | \$ 20.00      |
| Indigent Care        | \$ 6,755.81   | Transfer Station    | \$ 96.55      | Building Mtc.        | \$ 1,922.78   |
| Environ Health       | \$ 802.72     | Personal Health     | \$ 134.03     | Civic Center         | \$ 36.52      |
| Countywide Oper      | \$ 15,213.88  | Tax A/C             | \$ 542.70     | District Clerk       | \$ 379.71     |
| County Clerk         | \$ 435.03     | Sheriffs Ofc        | \$ 1,318.42   | Jail Operations      | \$ 10,371.69  |
| County Judge         | \$ 5.50       | Human Resources     | \$ 351.83     | Co Cr @ Law 1        | \$ 155.56     |
| Dist Attorney        | \$ 8.90       | J.P. 1-1            | \$ 10.00      | J.P. 1-2             | \$ 181.35     |
| J.P. 2               | \$ 12.50      | J.P. 3              | \$ 89.06      | J.P. 4               | \$ 177.20     |
| J.P. 5               | \$ 238.20     | D.P.S.              | \$ 208.44     | Constable 1          | \$ 22.95      |
| Constable 3          | \$ 57.03      | Constable 5         | \$ 26.90      | Dist Cr Oper         | \$ 4,436.29   |
| Co & JP Cr Oper      | \$ 1,560.07   | Veterans Admin      | \$ 200.00     | Computer Svcs        | \$ 965.32     |
| Dist Cr Reporters    | \$ 37.75      | Historical Comm     | \$ 447.00     | Legal Aid Ofc        | \$ 882.50     |
| Dunbar Grant         | \$ 4,550.00   | *Gen Fund Credit    | * \$ 10.08 *  | R&B Operations       | \$ 85,851.39  |
| Precinct 1           | \$ 333.71     | Precinct 2          | \$ 184.08     | Precinct 3           | \$ 88.03      |
| *R&B Gen Credit*     | * \$ 36.58 *  | Antic Note/Proj     | \$ 23,142.64  | Co Clk Rec Mng       | \$ 2,806.15   |
| I Health Svcs Grants | \$ 3,592.55   | Law Library Fund    | \$ 75.00      | Jail Constr I&S      | \$ 354,130.00 |
| Road Construction    | \$ 68,348.79  | Jail Addn Cnstr I&S | \$ 128,800.00 | Crthse Renov/Roads   | \$ 149,925.00 |
| Anticip Notes I&S    | \$ 276,326.25 | Public Works I&S    | \$ 168,772.50 | Ltd. Tax Refund Bnds | \$ 231,683.75 |
| Adult Prob Oper      | \$ 12,283.21  | Adult Prob Fac      | \$ 2,534.38   | Animal Control       | \$ 334.35     |

14207 APPROVE BUDGET AMENDMENT NO. 95-038

The following budget amendments were proposed:

Environmental Health - transfer for additional vehicles fuel & repair and additional telephone due to new system.

Human Resources - transfer \$680 to printing for additional-personnel manuals from Public Notices and Telephone.

Justice of Peace Pct. 1-1 - transfer \$310 for two drawer file cabinet from dues&bonds and continuing education.

Justice of Peace Pct. 1-2 - transfer for additional forms printing from maintenance.

Constable Pct. 1 - transfer to allow additional fuel & postage expenses due to Civil Process and printing.

Protective Homemaker Grant - transfer for additional training cost from office supplies.

Road & Bridge General Operations - transfer \$500 for filing cabinets and \$130 for approved telephone to office equipment from supplies.

Commissioner Pct. 1 - transfer \$260 to office equipment for cellular telephones costs from trash hauling.

Health Services Grants Fund - TDH/PIPP - transfer to reallocate program income funds

Adult Probation Operating Fund - transfer \$8,060 and budget additional \$8,981 in state funds to supplies and operating for substance abuse facility grant.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-038 as presented by the County Auditor. All voting "Aye".

|                                       |                         |                                                      |              |                     |
|---------------------------------------|-------------------------|------------------------------------------------------|--------------|---------------------|
|                                       |                         | AMENDMENT<br>NO. 95-038<br>FY 95 BUDGET<br>7/ 31 /95 |              |                     |
|                                       |                         | FUND NO. 01                                          |              |                     |
|                                       |                         | FUND TITLE GENERAL                                   |              |                     |
|                                       | APPROPRIATION<br>BEFORE | AMENDMENT                                            |              | APPROPRIATION<br>AS |
| LINE ITEM - EXPENDITURES              | AMENDMENT               | INCREASES                                            | DECREASES    | AMENDED             |
| <b>ENVIRONMENTAL HEALTH (411)</b>     |                         |                                                      |              |                     |
| 01-411-5271 Fuel                      | 5,000                   | 2,600                                                |              | 7,600               |
| 01-411-5413 Vehicle Maint             | 2,500                   | 1,000                                                |              | 3,500               |
| 01-411-5489 Telephone                 | 6,600                   | 1,400                                                |              | 8,000               |
| 01-411-5221 Data Proc Sply            | 3,060                   |                                                      | (2,000)      | 1,060               |
| 01-411-5331 Cont Ed                   | 3,500                   |                                                      | (2,000)      | 1,500               |
| 01-411-5461 Printing                  | 3,500                   |                                                      | (500)        | 3,000               |
| 01-411-5449 Temp Personnel            | 1,000                   |                                                      | (500)        | 500                 |
|                                       |                         | <u>5,000</u>                                         | <u>5,000</u> |                     |
| TRANSFER FOR NEEDED EXPENSES          |                         |                                                      |              |                     |
| <b>HUMAN RESOURCES (421)</b>          |                         |                                                      |              |                     |
| 01-421-5461 Printing                  | 1,000                   | 680                                                  |              | 1,680               |
| 01-421-5462 Emp/Public Notices        | 6,200                   |                                                      | (340)        | 5,860               |
| 01-421-5489 Telephone                 | 1,373                   |                                                      | (340)        | 1,033               |
| TO ALLOW ADDITIONAL PERSONNEL MANUALS |                         |                                                      |              |                     |
| <b>JUSTICE OF PEACE 1-1 (424)</b>     |                         |                                                      |              |                     |
| 01-424-5711 Off Eqpt                  | 0                       | 310                                                  |              | 310                 |
| 01-424-5321 Dues & Bonds              | 231                     |                                                      | (110)        | 121                 |
| 01-424-5331 Cont Ed                   | 200                     |                                                      | (200)        | 0                   |
| TRANSFER FOR FILE CABINET             |                         |                                                      |              |                     |
| <b>JUSTICE OF PEACE 1-2 (425)</b>     |                         |                                                      |              |                     |
| 01-425-5461 Printing                  | 775                     | 100                                                  |              | 875                 |
| 01-425-5411 Off Eqpt Maint            | 190                     |                                                      | (100)        | 90                  |
| TRANSFER FOR NEEDED EXPENSES          |                         |                                                      |              |                     |

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AMENDMENT  
NO. 95-038  
FY 95 BUDGET  
7/ 31 /95

FUND NO. 01

Page 2

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

CONSTABLE 1 (431)

|                            |       |            |             |       |
|----------------------------|-------|------------|-------------|-------|
| 01-431-5212 Postage        | 200   | 150        |             | 350   |
| 01-431-5271 Fuel           | 2,200 | 500        |             | 2,700 |
| 01-431-5461 Printing       | 100   | 75         |             | 175   |
| 01-431-5321 Dues & Bonds   | 300   |            | (150)       | 150   |
| 01-431-5331 Cont Ed        | 300   |            | (250)       | 50    |
| 01-431-5411 Off Eqpt Maint | 250   |            | (250)       | 0     |
| 01-431-5391 Misc           | 375   |            | (75)        | 300   |
|                            |       | <u>725</u> | <u>(75)</u> |       |

TRANSFER FOR NEEDED EXPENSES

PROTECTIVE HOMEMAKER GRANT (468)

|                      |     |    |      |     |
|----------------------|-----|----|------|-----|
| 01-468-5331 Cont Ed  | 300 | 55 |      | 355 |
| 01-468-5211 Off Sply | 200 |    | (55) | 145 |

TRANSFER FOR NEEDED EXPENSES

FUND NO. 03

FUND TITLE ROAD & BRIDGE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

OPERATIONS (438)

|                      |       |     |       |       |
|----------------------|-------|-----|-------|-------|
| 03-438-5711 Off Eqpt | 0     | 630 |       | 630   |
| 03-438-5211 Off Sply | 2,825 |     | (630) | 2,195 |

TRANSFER TO FUND FILING CABINETS AND PREVIOUSLY APPROVED TELEPHONE

PRECINCT 1 (439)

|                        |       |     |       |       |
|------------------------|-------|-----|-------|-------|
| 03-439-5711 Off Eqpt   | 0     | 260 |       | 260   |
| 03-439-5452 Trash Haul | 1,725 |     | (260) | 1,465 |

TRANSFER FOR CELLULAR PHONE/AIR TIME

AMENDMENT  
NO. 95-038  
FY 95 BUDGET  
7/ 31 /95

FUND NO. 34

Page 3

FUND TITLE ADULT PROBATION OPERATING

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

OPERATING (486)

|                              |        |        |         |        |
|------------------------------|--------|--------|---------|--------|
| 34-486-5219 Sply & Operating | 53,000 | 17,041 |         | 70,041 |
| 34-486-5499 Fac-Util-Eqpt    | 79,532 |        | (8,060) | 71,472 |

REVENUES (334)

|                                      |         |               |                 |         |
|--------------------------------------|---------|---------------|-----------------|---------|
| 34-334-3344 State Aid/<br>Per Capita | 744,796 | 8,981         |                 | 753,777 |
|                                      |         | <u>17,041</u> | <u>(17,041)</u> |         |

TRANSFER & INCREASE FUNDING FOR SAFFP (SUBSTANCE ABUSE FACILITY) PER AGENCY

AMENDMENT  
NO. 95-038  
FY 95 BUDGET  
7/ 31 /95

FUND NO. 10

FUND TITLE HEALTH SERVICES GRANTS FUND

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

IDH/PIIP GRANT (725)

|                           |     |     |       |     |
|---------------------------|-----|-----|-------|-----|
| 10-725-5311 Travel        | 550 | 250 |       | 800 |
| 10-725-5391 Other         | 200 |     | (100) | 100 |
| 10-725-5448 Contract Svcs | 750 |     | (150) | 600 |

REALLOCATE PROGRAM INCOME FUNDS

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**14208 ACCEPT INTERNAL AUDIT OF SAN MARCOS/HAYS COUNTY EMS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the internal audit of the San Marcos/Hays County EMS. All voting "Aye".

**14209 AWARD CONTRACT FOR ROAD BUILDING MATERIALS**

Bids were submitted by Koch Materials, Colorado Materials, Centex Materials, Transit Mix, and Ingram Ready Mix. Purchasing Agent Cindy Casparis submitted her recommendations for award:

- Item 248-Flexible Base - all types  
Buda/Kyle & Dripping Springs Areas - Centex Materials  
Wimberley & San Marcos - Colorado Materials
- Item 300 - Asphalt, Oils & Emulsions - all types  
Precincts 1-4 - Koch Materials
- Item 302 - Aggregate for surface Treatment - all types  
Buda/Kyle & Dripping Springs areas - Centex Materials  
Wimberley & San Marcos - Colorado Materials
- Item 304 - Precoated Aggregate, Item 340 - Hot Mix Asphaltic Concrete Pavement, Item 350 - Patching Material  
Precincts 1-4 - Colorado Materials
- Item 421 - Concrete for Structures  
San Marcos, Buda/Kyle & Dripping Springs - Ingram Ready Mix  
Wimberley - Transit Mix  
\*no charge for air entrainment from concrete suppliers\*

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award contract for Road Building Materials as recommended by the County Purchasing Agent. All voting "Aye".

**14210 ADOPT RESOLUTION AUTHORIZING THE REIMBURSEMENT OF EXPENDITURES INCURRED ON PROJECTS BUDGETED TO BE PAID THROUGH ANTICIPATION NOTES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt resolution authorizing the reimbursement of expenditures incurred on projects budgeted to be paid through anticipation notes. All voting "Aye".

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS  
FROM THE ANTICIPATION NOTE CONSTRUCTION FUND**

WHEREAS, Hays County on June 19, 1995 issued and sold Anticipation notes to make repairs in various county buildings to bring them into compliance with the Americans With Disabilities Act and to make certain road repairs to Broadway Street; and

WHEREAS, after the approval of the Notes and prior to closing on the notes on July 18, 1995, the County was required to take \$20,000 from the Road & Bridge Fund for the purpose of making the repairs to Broadway Street; and

WHEREAS, after the approval of the Notes and prior to closing on the notes the County was required to take \$2,074.50 from the General Fund for the purpose of making the repairs to County buildings to bring them into compliance with the Americans With Disabilities Act; and

WHEREAS, it was the intent of the County to reimburse the Road & Bridge Fund and the General Fund for such amounts with proceeds of the Anticipation Notes; now, therefore:

**BE IT RESOLVED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, THAT:**

1. The Commissioners Court of Hays County, Texas hereby authorizes the reimbursement of \$20,000 to the Road & Bridge Fund for the repairs made to Broadway Street and \$2,074.50 for repairs made to County buildings to bring them into compliance with the Americans With Disabilities Act.
2. That this Resolution is the county's allocation of the amounts to be reimbursed from the Anticipation Notes.

PASSED AND APPROVED this 31st day of July, 1995.



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**14211 AUTHORIZE USE OF THE COURTHOUSE LAWN ON AUGUST 5, 1995 TO SERVE LUNCH TO THE MOVIE COMPANY FILMING DOWNTOWN**

Billie Forester, District Court Coordinator, advised that a movie crew will be filming on Saturday, August 5, 1995, in the District Courtroom and they would like permission to use the courthouse lawn to serve lunch to a crew of about 50 people. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize use of the courthouse and lawn on August 5, 1995 to serve lunch to the Movie Company filming downtown. All voting "Aye".

**14212 KYLE HEIGHTS SECTION TWO - SECOND READING APPROVAL**

Commissioner Barton spoke of lots exceeding five acres each - lies partially within the Kyle ETJ. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Kyle Heights Section 2" subdivision on second reading. All voting "Aye".

**14213 GOLDENWOOD WEST AMENDMENT - VACATE P.U.E. BETWEEN LOTS 126 & 127 - SECOND READING APPROVAL**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Goldenwood West Amendment - Vacate P.U.E. between Lots 126 & 127" on second reading. All voting "Aye".

**14214 ROBERTO M. GAITAN ADDITION - FIRST READING APPROVAL**

Roland Gaitan and Esmeralda Osoria own 1.00 acre (Lot 1) & Roberto M. Gaitan owns 3.96 acres (Lot 2) - Lot 1 has access to O'Bryant Road by a 30' easement (Vol. 1148 Pg. 246). Discussion was had on whether O'Bryant Road was a county maintained road - more research is needed. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Roberto M. Gaitan Addition" on first reading. All voting "Aye".

**14215 FAIR OAKS FARM ESTATES - FIRST READING**

Cotton Johnson presented "Fair Oaks Farm Estates" on first reading - plat note: 10 foot roadway and P.U.E. along all rights-of-way shall be dedicated with this plat - Owners Harry D. & Nancy J. Fair own 98.8505 acres in the T. R. Jackson Survey and propose to subdivide 34.1088 acres into five lots - located on CR193. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Fair Oaks Farm Estates" subdivision on first reading. All voting "Aye".

**14216 CENTURY ACRES RESUB OF LOT 1 - FIRST READING AND CALL FOR A PUBLIC HEARING**

Owners Philip E. & Adele A. Wilbur propose to divide Lot 1 of Century Acres subdivision in two lots (Lots 1A = 10 acres & 1B = 10 acres) - located on Crystal Meadow Drive (a private road). A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Century Acres Resub of Lot 1" on first reading and call for a public hearing to be held August 14, 1995 at 9:00 A.M. All voting "Aye".

**14217 HILLS OF TEXAS ESTATES AMENDMENT - CHANGE STREET NAME - FIRST READING AND CALL FOR A PUBLIC HEARING**

Patsy Greiner, Mapping/Planning Coord., advised that the original plat designates a "Crystal Hill Drive" - there is already a "Crystal Hills Drive" in Goldenwood West, therefore, we are requesting that plat be amended to reflect the street name changed to "Crystal Way". A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Estates Amended - change street name" on first reading and call for a public hearing on August 14, 1995 at 9:00 A.M. All voting "Aye".

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**VARIANCE DISCUSSION - THREE TRACTS OFF MCGREGOR LANE (THOMASSEN PROPERTY)**

E. T. Thomassen and Donna B. Thomassen submitted a request for variance to platting requirements for three parcels of property which they propose to give to their three children: (1) 5.00 acres to son Richard Thomassen, (2) 5.01 acre to son Randall Thomassen, and (3) 5.00 acres to daughter Kathleen Thomassen - Kathy and her husband would also like to purchase an additional 20.43 acres that is contiguous with the 5 acres for a total of 25.43 acres - deed restrictions will be filed to prevent further subdividing and they will also place restrictions on the remainder of their property which will preclude any subdividing of tracts into less than 20 acres - these three tracts will have access to CR187 via an access easement to be recorded in the Hays County Records. Patsy Greiner, Mapping/Planning Coord., spoke of right-of-way needed on McGregor Lane - suggested requesting dedication of r-o-w as a condition of variance. Discussion was had regarding possibly moving lot line to make sure lots exceed five acres with right-of-way removed. Commissioner Barton spoke of need to adopt a policy regarding platting of lots over five acres. Judge Etheredge spoke of County historically approving subdivisions after cities have approved, however, this is not state law.

**14218 EL CAMINO REAL ESTATES SECTION TWO - FIRST READING DENIED**

William B. & Yvonne Gardner propose to divide a 32.21 acres tract of land into two lots (Lot 1 = 10.58 acres & Lot 2 = 21.63 acres) - located in both Hays and Caldwell Counties. Patsy Greiner, Mapping/Planning Coord., advised that a signature block is needed for Caldwell County approval - Mrs. Gardner is amending the plat to create two (2) flag lots with access to Hwy. 21. Developer needs to get with Commissioner Barton and staff for discussion. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to deny approval on "El Camino Real Estates Section 2" on first reading. All voting "Aye".

**14219 CRESTVIEW RANCH RESUBDIVISION OF LOT 3 - PUBLIC HEARING AND THIRD READING APPROVAL**

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Crestview Ranch Resubdivision of Lot 3" on third reading. All voting "Aye".

**14220 PLATTING VARIANCE GRANTED TO DOUGLAS BARCLAY ON A 22.324 ACRE TRACT IN THE JESSE WILLIAMS SURVEY (E. LONE MAN CREEK ROAD OFF FM3237)**

Staff recommends granting a platting variance. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Douglas Barclay on a 22.324 acre tract out of the Jesse Williams Survey located on E. Lone Man Creek Road off FM3237. All voting "Aye".

**14221 PLATTING VARIANCE GRANTED TO FRANK GLASS ON A 100 ACRE TRACT OUT OF A 375 ACRE TRACT OFF RANCH ROAD 12**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Frank Glass on a 100 acre tract out of the Stiles J. Fowler League (out of an original 375 acre tract) located off Ranch Road 12. All voting "Aye".

**14222 GRANT VARIANCE ON ROAD CONSTRUCTION IN RANCHO MADRONE SECTION 2**

Eddie Gumbert appeared before the court requesting a variance on road construction in the Ranch Madrone Section 2 subdivision - spoke of previous discussion during the consideration of Section 1 - we are going to seal-coat portion of road and pave another part because of steepness of road - lots will not go less than 50 acres, therefore, they will be sold by metes and bounds description (will not plat section 2) - drainage has been designed to 10 year storm drainage and ditches have been engineered by Byrn & Assoc. - 15 ft. wide roads - seven tracts. A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant a variance on road construction standards in Rancho Madrone Section 2 (an unrecorded subdivision). All voting "Aye".

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**14223 AUTHORIZE ALLEN WALTHER TO NEGOTIATE A CONTRACT FOR SERVICES WITH VIRTUAL LANDSCAPE TECHNOLOGIES, INC.**

Devon Humphrey, resident of Hays County and owner of Virtual Landscape Technologies Inc., appeared before the Court and offered his services as county-wide GIS Coordinator - would assist with the overall evaluation of the entities needs and "wish lists" of GIS functionality and perform an educational function for those unfamiliar with the idea of GIS - would evaluate all vendor proposals for suitability, cost and data availability. Judge Etheredge spoke of demonstrations by two vendors and need to proceed with evaluating their services - we need to move forward and take action. Commissioner Payne stated that he is not sold on GIS. Judge Etheredge stated that contract will require working with all entities to develop criteria, select hardware & software, and provide staff with information to provide services - will evaluate proposals by vendors - some entities are already using some form or another of GIS - he will help to tie all that together in a format that can be shared by all entities. Discussion was had regarding procurement procedures. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to authorize Allen Walther to negotiate a contract with Devon Humphrey (dba Virtual Landscape Technologies Inc.) and bring back to the court for approval. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

**14224 AUTHORIZE REQUEST FOR STATE AID FOR REMODELING THE LEC FOR JUVENILE SERVICES CENTER**

Juvenile Probation Officer Ed Cooper spoke of state funds made available to be use for post-adjudicated juveniles - can be used for construction or remodeling - asked for direction from the court on whether to pursue these funds or not - will require matching funds. Commissioner Payne spoke of possible use of portable buildings - could possibly buy these buildings with these funds. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to authorize Ed Cooper to work with Grants Administrator Richard Salmon in requesting State Aid for remodeling the Hays County Law Enforcement Center for use as a Juvenile Services Center. All voting "Aye".

**14225 APPROVE APPOINTMENT OF A COMMITTEE TO STUDY THE SPRAY APPLICATION OF WASTEWATER EFFLUENT**

Commissioner Payne spoke of adopting state regulations for spray application of wastewater effluent - would need to be posted for action - public hearing last week indicates that a committee should be appointed to review regulations. Judge Etheredge spoke of concerns with state regulations regarding a 10 foot set back from property lines (might need more) and management/maintenance contracts - supports state regulations - could instruct Allen Walther & Commissioner Payne to come back to the court with additional options to consider as local management to strengthen state regulations - we need to revise our current regulations along with the subdivision regulations - would like to see some immediate recommendations to strengthen state regulations - a committee is needed to make recommendations - there are professionals that would volunteer their time. Commissioner Payne requested that the Court adopt State Regulations at the next meeting. Commissioner Barton spoke in support of technology - need some safeguards - might need separate rules for on-site operators. A motion was made by Commissioner Payne, seconded by Judge Etheredge to appoint a committee to study the spray application of wastewater effluent. All voting "Aye". Court members need to get names for appointment to Commissioner Payne as soon as possible.

**14226 APPROVE APPOINTMENTS OF ELECTION JUDGES AND ALTERNATES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve appointments of Election Judges and Alternate Judges as presented by the Elections Administrator. All voting "Aye".

1995-96 JUDGES & ALTERNATE JUDGES

| PCT. # | JUDGES             | ALTERNATES                |
|--------|--------------------|---------------------------|
| 110    | ELIAS F. SALINAS   | SYLVIA CASKEY             |
| 111    | NELL BURLESON      | BARBARA AHLBERG           |
| 112    | GLORIA A. CASTILLO | MINNIE FLORES             |
| 113    | ROSE BROOKS        | BAUDELIA ARREDONDO        |
| 114    | ROSEMARY SUNIGA    | WILLIAM F. (BILL) GRIBBON |
| 116    | JOHNNIE ARMSTEAD   | RUTH HOWARD               |
| 120    | MELVIA RANDLE      | ZOILA POLANCO             |
| 121    | MARY ANN TILL      |                           |

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|     |                     |                    |
|-----|---------------------|--------------------|
| 222 | DALE LINEBARGER     |                    |
| 223 | ETHELENE DUNHAM     |                    |
| 224 | LOIS FRANKLIN       | CYNTHIA DIXON      |
| 225 | MINERVA FALCON      | MARY LOUISE CURRY  |
| 226 | JOLEEN BROWN        | DONALD W. GRAHM    |
| 227 | LOIS LACAZE         | VICKIE SIMPSON     |
| 228 | JUANITA RODRIGUEZ   |                    |
| 229 | DEBORA SORRELLS     | ROBERT RONSON      |
| 230 | JOSEPHINE BURDETTE  |                    |
| 315 | CAROL KUTSCHER      | STAN LIVINGSTON    |
| 330 | SUSAN R. BRADEN     | JESSICA HALL       |
| 331 | MARY L. PATE        | DAVID GARCIA       |
| 334 | AART MILLECAM       | CASANDRA TVRIK     |
| 335 | MARY JOE RODDIE     | ODOM DYESS         |
| 336 | IDA EDWARDS         | SOLIA RODRIGUEZ    |
| 337 | LEON HEWLETT        | BERNICE NAUMANN    |
| 440 | JESSIE HALM         | RAY LANG           |
| 441 | PRENTICE A. LINDSEY | PEGGY MONTGOMERY   |
| 442 | JUDY TEMPLETON      | STAN A. JONES      |
| 443 | JO OVERTON          | JOHN M. BRYANT     |
| 445 | JOHN MC GEE         |                    |
| 446 | JOHN GADDIE         | ALFRED B. SULLIVAN |
| 447 | WINSTON C. HOLCOMB  |                    |
| 448 | CONNIE ROGERS       | DORIS AIRHART      |
| 449 | SYBIL FLOYD         | HAZEL BASSETT      |
| 451 | TED HINDSON         | DAN FARLOW         |

**CENTRAL COUNTING STATION**

DEBORAH POLK - COUNTING STATION MANAGER  
 RENATE ROJO - TABULATION SUPERVISOR  
 JANIS WOMACK - PRESIDING JUDGE

**ABSENTEE BOARD**

GEORGE BOEMERMAN - JUDGE  
 DELIA LUCIO - ALTERNATE JUDGE  
 JOE PTAK - WORKER  
 LOUIS MOLONEY - WORKER

**14227 ESTABLISH TRAFFIC REGULATIONS ON CR279 (AKA GREEN ACRES ROAD) - NO PARKING ZONE**

Judge Etheredge called the public hearing open. Commissioner Payne spoke of new fire station on CR279 - market day creates an obstruction to the fire department - Mr. Czichos suggested placement of "no parking" signs on both sides of road from RM2325 to Scudder Elementary School. Public hearing was closed. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to establish traffic regulations on CR 279 (Green Acres Road) by posting "No Parking" signs on both sides of RM2325 to Scudder Elementary School. All voting "Aye". the road from

**14228 AUTHORIZE SURVEYING FOR REALIGNMENT OF YARRINGTON ROAD**

Judge Etheredge spoke of previous discussion regarding realignment of Yarrington Road - five proposals were received - Acting Road Director Delbert Chance recommends awarding surveying to low bidder in the amount of \$ 1,500.00. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize the surveying for realignment of Yarrington Road to low bidder in the amount of \$1,500.00. All voting "Aye".

**WORKSHOP SESSION REGARDING BLUE CROSS/BLUE SHIELD INSURANCE**

Workshop postponed until 1:30 P.M. on Wednesday in the Commissioners' Courtroom.

**KYLE RENTAL PROPERTY DISCUSSION (NOT AN AGENDA ITEM)**

Dale Garris, Kyle rental property owner, spoke to the Court regarding county taking over maintenance of the building and going with a five year lease. Need to discuss this item during the budget process.

**EXECUTIVE SESSION - ROAD BOND PROJECT**

Court convened into Executive Closed Session to discuss right-of-way acquisition RE: Road Bond Project. Court reconvened into open meeting - no action was taken.

JULY 31, 1995


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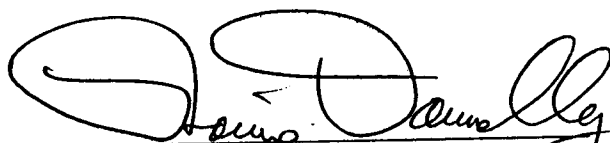
**WORKSHOP DISCUSSION REGARDING FIRE COVERAGE IN HILL COUNTRY RANCHES  
(AKA WHITE RABBIT SUBDIVISION)**

Hill Country Ranches in Precinct 3 wants to be served by the Wimberley Rural Fire Prevention District like they have been since the creation. Recently it was discovered that Hill Country Ranches is in the Northwest Rural Fire Prevention District and that Henly was their provider of service in case of fire and Wimberley is no longer responding. The residents from Hill Country Ranches would like the Wimberley area to enter into an interlocal agreement for service or change district lines. Patsy Greiner, Mapping/Planning Coord., spoke of 9-1-1 database (a GIS system) - every telephone has a street address and a place on the map with an emergency service number attached to it - explained how addresses are assigned to emergency services - when someone from the Blanco exchange calls 9-1-1 their call is transferred to the Hays County Sheriff's Dept. or the Blanco Sheriff's Dept., depending upon your street address. Commissioner Payne spoke of need to receive testimony on response time under current system and is there an agreement between the Wimberley & NW RFP Districts. Carroll Czichos spoke of original boundaries that were used to create the Wimberley RFPD - did not find out that the Hill Country Ranches subdivision was not in the Wimberley district until last year - NWRFPD is collecting taxes and Wimberley RFPD was providing services. Raymond Czichos stated that precinct lines do not correspond to fire district boundaries - the Wimberley RFPD used the Wimberley school boundary lines and they voluntarily responded to outlying areas - there is no disagreement that Hill Country Ranches belongs in the NWRFPD. Commissioner Payne stated that what is needed is a mutual interlocal agreement. Patsy Greiner suggested that this area remove themselves from NWRFPD and become a part of WRFPD in order to obtain legal services - spoke of changing the database. Several residents of Hill Country Ranches spoke of their experiences in emergency situations - Judge Etheredge spoke of the Commissioners' Court having no more to do with Fire Districts with the exception of Fire Commissioner appointments - Fire Districts are independent taxing authorities - the law provides a way you can be de-annexed and annexed by election - both districts would have to be dissolved, redraw lines and re-create the districts - you could enter into an interlocal agreement with each other which would provide service to a particular area and how to reimburse for these services - the Commissioners' Court has no authority in this matter. Commissioner Payne spoke of Fire Commissioners appointed by the Court - we could make recommendations to the Board. Raymond Czichos spoke of law pertaining to Fire Districts - petitions could be submitted and the Commissioners' Court could call an election to redraw the boundaries. Judge Etheredge spoke of VCS 794.051 Expansion of District Territory - this would be property not currently in a district - 794.052 would have be followed for this situation. Raymond Czichos spoke of his interpretation of the law. Both Fire District are in agreement to moving this area into the Wimberley RFPD - an election would have to be held. Discussion was had regarding who responds to emergencies in Hill Country Ranches (AKA White Rabbit Subdivision). Patsy Greiner spoke of addresses assigned to every telephone number (service address and the ESN) - based on your ESN (Emergency Service Number) is which service will be dispatched to your address - the Hill Country Ranches area takes in more than just this subdivision. Commissioner Barton spoke of Hays county residents in his precinct that are in Austin & Lockhart exchanges. Judge Etheredge spoke of all telephone companies having an important role in 9-1-1 addressing - we have had a problem with GTE not being able to direct calls to proper authority - we will make every effort to see that Blanco County has a list from us to help them take care of the problem. Discussion was had regarding who is responsible for what areas - residents were assured that their area is protected. Commissioner Payne stated that the purpose of this discussion was to see how many people are interested in this issue and what procedures should be followed to solve the problems. Public hearing was closed.

Court was recessed until 1:30 P.M. August 2, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF August, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 2ND DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN WORKSHOP MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                   |                      |
|-------------------|----------------------|
| EDDY A. ETHEREDGE | COUNTY JUDGE         |
| PETER RODRIGUEZ   | COMMISSIONER, PCT. 1 |
| CRAIG D. PAYNE    | COMMISSIONER, PCT. 3 |
| RONNIE DANNELLEY  | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**WORKSHOP - BLUE CROSS/BLUE SHIELD INSURANCE UPDATE**

Jim Rotan and Debra Spelling appeared before the Court - they have met with the County Insurance Committee and have reviewed the proposals. Debra Spelling went over the comparison of cost for 1994-95 and renewal - Maximum cost for 1994-95 = \$ 1,469,470 and renewal = \$ 1,607,831 - administrative costs increased - premiums reflect a 10% increase to the County & employees.

Monthly cost comparison:

|                | Employee  | Employee + Spouse | Employee + Children | Employee + Family |
|----------------|-----------|-------------------|---------------------|-------------------|
| <b>MEDICAL</b> |           |                   |                     |                   |
| 1995-96        | \$ 189.28 | \$ 168.68         | \$ 132.56           | \$ 273.64         |
| 1994-95        | \$ 172.06 | \$ 153.34         | \$ 120.50           | \$ 248.76         |
|                | -----     | -----             | -----               | -----             |
| difference =   | \$ 17.22  | \$ 15.34          | \$ 12.06            | \$ 24.88          |
| <b>DENTAL</b>  |           |                   |                     |                   |
| 1995-96        | \$ 14.22  | \$ 13.62          | \$ 10.48            | \$ 22.56          |
| 1994-95        | \$ 12.92  | \$ 12.38          | \$ 9.52             | \$ 20.50          |
|                | -----     | -----             | -----               | -----             |
| difference =   | \$ 1.30   | \$ 1.24           | \$ .96              | \$ 2.06           |

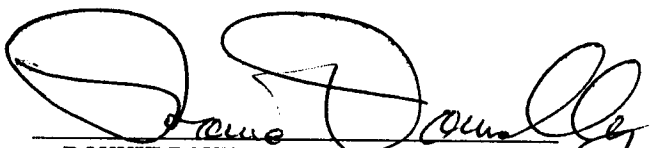
Jim Rotan advised that currently lab work is subject to the deductible - proposed plan will make lab work not subject to the deductible. Debra Spelling spoke of current percentages: In Network pays 90% and Out of Network covers 80% - could switch to 70% or 60% coverage for Out of Network claims and raise the deductible. Jim Rotan spoke of increasing the Co-Pay to \$15.00 (currently \$10.00). Jim Rotan went over the Group Summary Report: For approximately 5 1/2 months of service 835 claimants filed 5,863 claims with billed charges = \$ 821,213.35 with payments = \$ 454,060.61 (55% of billed amount) - contract adjustment amount = \$ 117,788.36 due to In-Network contracts - eligible charges per month per member = \$ 118.34 with payments per month = \$76.15 - Line of Coverage: Dental = \$ 39,411.60 Drug = \$ 81,078.18 Hospital = \$ 143,765.96 Dr. & Lab = \$ 180,487.78. Discussion was had on Prescription Drug program - could change brand name drugs to \$15.00 (currently \$10) - some people are selecting brand name drugs over generic drugs, thereby, increasing the cost dramatically - mail order service sends only generic drugs (unless there is no generic available). A brief discussion was had regarding dental coverage - no proposed change. Jim Rotan spoke of options to decrease the proposed premium. Court requested that Jim Rotan and Debra Spelling re-negotiate with BCBS the following items:

|                               |                             |
|-------------------------------|-----------------------------|
| Deductible =                  | \$ 300.00 (currently \$200) |
| Brand Name Drugs =            | \$ 15.00 (currently \$10)   |
| Coverage for Out of Network = | 70% (currently 80%)         |

Judge Etheredge spoke of Texas Assoc. of Counties (TAC) insurance program being offered (a Blue Cross Blue Shield Plan) which is basically the same plan we currently have - would allow members to go to any BCBS network and would provide seamless managed care - we could possible get better rates than those proposed. Court agreed to investigate the TAC insurance program.

MINUTES APPROVED IN OPEN COURT ON THE 14th DAY OF August, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
RONNIE DANNELLEY, COUNTY CLERK  
HAYS COUNTY, TEXAS



AUGUST 7, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 7TH DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Etheredge called the meeting to Order at 1:30 p.m. Commissioner Payne was not present at opening of meeting. Judge Etheredge spoke of former County Commissioner Pct. 4 Leonard "Lynn" McCarty who died over the weekend - his funeral was held this morning in Blanco, therefore, the Commissioners' Court meeting was postponed until this afternoon. District Attorney Marcos Hernandez advised that any action taken this date could be voided because the meeting was not opened at 9:00 A.M. and then recessed until 1:30 P.M. - the Court could go ahead and hold the meeting now and ratify their actions this date at their next regular meeting on Monday August 14, 1995. Judge Etheredge advised that the Court will proceed with the meeting called for this date and ratify their actions on August 14, 1995. Members of the Court expressed their sentiments regarding Mr. McCarty and his community service.

**14229 APPROVE PAYMENT OF COUNTY INVOICES [T1-124]**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 243,913.04 as presented by the County Auditor. All present voting "Aye".

|                    |              |                    |              |                    |               |
|--------------------|--------------|--------------------|--------------|--------------------|---------------|
| Vouchers Payable   | \$ 1,091.40  | Fines              | \$ 157.00    | Auditors Ofc.      | \$ 242.92     |
| Treasurers Ofc     | \$ 75.91     | Extension Ofc      | \$ 347.46    | Grants Admin       | \$ 729.54     |
| Juvenile Probation | \$ 3,622.36  | Election Admin     | \$ 39.67     | Transfer Station   | \$ 483.28     |
| Bldg. Mtc. Dept.   | \$ 960.06    | Environ Health     | \$ 181.53    | Personal Health    | \$ 469.03     |
| Civic Center       | \$ 426.17    | Countywide Oper    | \$ 9,478.41  | Tax A/C            | \$ 430.56     |
| District Clerk     | \$ 100.85    | County Clerk       | \$ 182.53    | Sheriffs Ofc       | \$ 6,902.77   |
| Jail Operations    | \$ 10,766.34 | County Judge       | \$ 203.53    | Human Resources    | \$ 248.93     |
| Co Crt @ Law 1     | \$ 45.55     | District Attorney  | \$ 261.63    | J.P. 1-1           | \$ 43.60      |
| J.P. 1-2           | \$ 106.10    | J.P. 2             | \$ 7.15      | J.P. 4             | \$ 67.50      |
| D.P.S.             | \$ 253.03    | Constable 1        | \$ 154.17    | Constable 2        | \$ 75.68      |
| Constable 4        | \$ 246.83    | Constable 5        | \$ 119.66    | Dist Crt Oper      | \$ 5,146.88   |
| Co & JP Crt Oper   | \$ 4,069.85  | Veterans Admin     | \$ 227.90    | Computer Svcs      | \$ 1,604.38   |
| Co Crt @ Law 2     | \$ 21.88     | Prot Hmkr Grant    | \$ 169.50    | Fire Marshal/EMC   | \$ 50.12      |
| TABC               | \$ 20.45     | Dist Crt Reporter  | \$ 48.60     | TJPC CCAP Grant    | \$ 265.00     |
| Legal Aid Ofc      | \$ 23.91     | D.S. Brochure Grnt | \$ 800.00    | DA DARE Grant      | \$ 123.16     |
| TJPC/Emerg Divers  | \$ 6,585.60  | R&B Operations     | \$ 15,374.08 | Precinct 1         | \$ 264.00     |
| Precinct 2         | \$ 527.95    | Precinct 3         | \$ 16.99     | Anticip Notes'95   | \$ 128,456.95 |
| Rec Mng/Co Clk     | \$ 29.40     | Health Svcs Grants | \$ 225.25    | Hot Check Fee fund | \$ 341.00     |
| Law Library        | \$ 82.95     | Jail Construction  | \$ 3,000.00  | Road Constrction   | \$ 22,220.50  |
| DA's Drug Forf     | \$ 239.40    | Adult Prob Oper    | \$ 8,813.98  | Adult Prob Fac     | \$ 27.00      |
| D.A. Reimb Trust   | \$ 6,615.21  |                    |              |                    |               |

**14230 APPROVE BUDGET AMENDMENT NO. 95-039**

The following budget amendments were proposed:

County Clerk - Transfer from Permanent Records to Continuing Education for additional staff training and Georgia Conference expense.

DPS - Transfer \$160 from supplies to Misc. to cover cost of impounded vehicle tow charge.

TDA/Corridor Incubator Grant - Transfer to better utilize grant funds per agency.

CAPCO/911 Addressing Signs Grant - Budget new grant as authorized in expenditures & balancing revenues.

CJD Narcotics Task Force Grant - To adjust grant activity to County's fiscal year.

Treasurers office - Transfer for needed bank printing charges from office equipment maintenance.

Records Management Fund - Transfer from supplies to continuing education to allow for add'l training.

DA Drug Forfeiture Fund - Transfer \$225 from misc. to travel as needed item.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve Budget Amendment No. 95-039 as proposed. All present voting "Aye".

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AMENDMENT  
NO. 95-039  
FY 95 BUDGET  
08/07/95

| FUND NO. 01                                   |               |                 |                 |               |
|-----------------------------------------------|---------------|-----------------|-----------------|---------------|
| FUND TITLE GENERAL                            |               |                 |                 |               |
| LINE ITEM - EXPENDITURES                      | APPROPRIATION | AMENDMENT       |                 | APPROPRIATION |
|                                               | BEFORE        | INCREASES       | DECREASES       | AS AMENDED    |
| <b>County Clerk Office (417):</b>             |               |                 |                 |               |
| 01-417-5331 Cont. Education                   | 3,000         | 3,100           |                 | 6,100         |
| 01-417-5215 Per. Record Supply                | 16,620        |                 | (3,100)         | 13,520        |
| Transfer for training cost & conference       |               |                 |                 |               |
| <b>Department of Public Safety (430):</b>     |               |                 |                 |               |
| 01-430-5391 Miscellaneous                     | 240           | 160             |                 | 400           |
| 01-430-5235 Law Enforcement Sply.             | 300           |                 | (160)           | 140           |
| Transfer for impounded vehicle tow            |               |                 |                 |               |
| <b>TDA/Corridor Incubator Grant (720):</b>    |               |                 |                 |               |
| 01-720-5219 Miscellaneous Sply.               | 495           |                 | (58)            | 437           |
| 01-720-5311 Travel                            | 1,180         |                 | (731)           | 449           |
| 01-720-5712 Data Proc. Equip.                 | 1,305         |                 | (1,156)         | 149           |
| 01-720-5448 Contract Services                 |               | 1,945           |                 | 1,945         |
|                                               |               | <u>1,945</u>    | <u>(1,945)</u>  |               |
| ADJUST TO UTILIZE GRANT FUNDS per AGENCY      |               |                 |                 |               |
| <b>CAPCO/911 Addressing Sign Grant (733):</b> |               |                 |                 |               |
| 01-733-5262 Sign Supplies                     | -0-           | 128,093         |                 | 128,093       |
| 01-733-5719 Sign Machine                      | -0-           | 11,500          |                 | 11,500        |
| <b>Revenue:</b>                               |               |                 |                 |               |
|                                               |               | <u>Decrease</u> | <u>Increase</u> |               |
| 01-384-3933 CAPCO/911 Sign Grant              |               |                 | 139,593         | 139,593       |
| Budget authorized Grant                       |               | <u>139,593</u>  | <u>139,593</u>  |               |

AMENDMENT  
NO. 95-039  
FY 95 BUDGET  
08/07/95

| FUND NO. 01                                            |               |               |                 |               |
|--------------------------------------------------------|---------------|---------------|-----------------|---------------|
| FUND TITLE GENERAL                                     |               |               |                 |               |
| LINE ITEM - EXPENDITURES                               | APPROPRIATION | AMENDMENT     |                 | APPROPRIATION |
|                                                        | BEFORE        | INCREASES     | DECREASES       | AS AMENDED    |
| <b>Building Maintenance (410):</b>                     |               |               |                 |               |
| 01-410-5241 BLDG MAINT SPLY                            | 20,000        | 1,500         |                 | 21,500        |
| 01-410-5271 Fuel                                       | 1,600         | 300           |                 | 1,900         |
| 01-410-5281 Janitorial Sply                            | 16,000        | 500           |                 | 16,500        |
| 01-410-5451 Contract Bldg Maint                        | 19,665        | 1,200         |                 | 20,865        |
| 01-410-5452 Trash Haul/dumpsters                       | 3,000         | 1,200         |                 | 4,200         |
| 01-410-5456 Pest Control                               | 275           | 500           |                 | 775           |
| 01-410-5457 A/C Maint.                                 | 9,200         | 1,500         |                 | 10,700        |
| 01-410-5489 Telephone                                  | 1,028         | 422           |                 | 1,450         |
| 01-410-5719 Misc Eqpt Telephone                        | 2,125         | 145           |                 | 2,270         |
| 01-410-5021 Staff                                      | 98,648        |               | (2,000)         | 96,648        |
| 01-410-5110 FICA                                       | 8,850         |               | (400)           | 8,350         |
| 01-410-5121 Retirement                                 | 8,427         |               | (400)           | 8,027         |
| 01-410-5160 Insurance                                  | 15,628        | 10            |                 | 15,638        |
| 01-410-5482 Broadway Utilities                         | 8,500         | 600           |                 | 9,100         |
| 01-410-5483 Buda Utilities                             | 2,000         | 175           |                 | 2,175         |
| 01-410-5484 Courthouse Utilities                       | 31,500        | 8,500         |                 | 40,000        |
| 01-410-5485 Kyle Utilities                             | 2,000         | 1,350         |                 | 3,350         |
| 01-410-5486 Max Smith Utilities                        | 5,000         | 350           |                 | 5,350         |
| 01-410-5490 Adult Prob Bldg Util                       | 6,000         | 1,900         |                 | 7,900         |
| 01-410-5492 Dripping Springs Util                      | 2,000         | 220           |                 | 2,220         |
| 01-410-5231 Medical Supplies                           | 2,680         |               | (900)           | 1,780         |
| 01-410-5487 Records Utilities                          | 10,066        |               | (600)           | 9,400         |
| 01-410-5491 Justice Center Util                        | 5,000         |               | (1,790)         | 3,210         |
| 01-410-5474 Unifirm Rental                             | 2,392         |               | (300)           | 2,092         |
|                                                        |               | <u>20,372</u> | <u>(6,390)</u>  |               |
| <b>County-Wide Operations (414):</b>                   |               |               |                 |               |
| 01-414-5340 Insurance                                  | 514,425       |               | (13,982)        | 500,443       |
|                                                        |               | <u>20,372</u> | <u>(20,392)</u> |               |
| Increase maintenance other than Utilities by 3,277 net |               |               |                 |               |
| Increase for Utilities total 10,705 net                |               |               |                 |               |
|                                                        |               |               | <u>13,982</u>   |               |

AMENDMENT  
NO. 95-039  
FY 95 BUDGET  
08/07/95

| FUND NO. 01                                                                                                                                      |               |               |           |               |
|--------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------|---------------|
| FUND TITLE GENERAL                                                                                                                               |               |               |           |               |
| LINE ITEM - EXPENDITURES                                                                                                                         | APPROPRIATION | AMENDMENT     |           | APPROPRIATION |
|                                                                                                                                                  | BEFORE        | INCREASES     | DECREASES | AS AMENDED    |
| <b>CJD Narcotics Task Force Grant (474):</b>                                                                                                     |               |               |           |               |
| 01-474-5021 Staff Salaries                                                                                                                       | 19,067        | 9,430         |           | 28,497        |
| 01-474-5110 FICA                                                                                                                                 | 1,459         | 722           |           | 2,181         |
| 01-474-5121 Retirement                                                                                                                           | 1,441         | 730           |           | 2,171         |
| 01-474-5160 Insurance                                                                                                                            | 1,523         | 750           |           | 2,273         |
| 01-474-5346 Workers Comp.                                                                                                                        | 631           | 182           |           | 813           |
|                                                                                                                                                  | <u>24,121</u> | <u>11,814</u> |           | <u>35,935</u> |
| <b>Revenues:</b>                                                                                                                                 |               |               |           |               |
| 01-381-2474 CJD/Narcotics Task Force Grant                                                                                                       | 23,764        | 14,171        |           | 35,935        |
| For Period 06/01/95 to 09/30/95 budget grant revenue amount applicable to FY95. Remainder Budgeted to FY96. Grant period is 06/01/95 to 05/31/95 |               |               |           |               |

AMENDMENT  
NO. 95-039  
FY 95 BUDGET  
08/07/95

| FUND NO. 33                                     |               |           |           |               |
|-------------------------------------------------|---------------|-----------|-----------|---------------|
| FUND TITLE DA Drug Forfeiture Fund              |               |           |           |               |
| LINE ITEM - EXPENDITURES                        | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|                                                 | BEFORE        | INCREASES | DECREASES | AS AMENDED    |
| <b>DA Drug Forfeiture (485):</b>                |               |           |           |               |
| 33-485-5311 Travel                              | -0-           | 225       |           | 225           |
| 33-485-5391 Miscellaneous                       | 1,300         |           | (225)     | 1,075         |
| <b>Revenues:</b>                                |               |           |           |               |
| AMENDMENT NO. 95-039 FY 95 BUDGET 08/07/95      |               |           |           |               |
| FUND NO. 08                                     |               |           |           |               |
| FUND TITLE Records Management/County Clerk Fund |               |           |           |               |
| LINE ITEM - EXPENDITURES                        | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|                                                 | BEFORE        | INCREASES | DECREASES | AS AMENDED    |
| <b>Records Management (445):</b>                |               |           |           |               |
| 08-445-5331 Continuing Education                | -0-           | 1,000     |           | 1,000         |
| 08-445-5211 Office Supplies                     | 4,785         |           | (1,000)   | 3,785         |
| to allow for additional training                |               |           |           |               |



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**14231 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A SELF-PROPELLED HIGHWAY SWEEPER**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve specifications and authorize the County Auditor to advertise for bids for a self-propelled highway sweeper. All present voting "Aye".

**14232 AWARD CONTRACT ON MOWING OF RIGHT-OF-WAY**

Bids were submitted by: ELJ Contractors, LL&N, K.S.&R Mowing Services, Brownsboro Enterprises, S.C.C. Inc., and Construction Mgmt & Services - Purchasing Agent Cindy Casparis recommended that the mowing of r-o-w be awarded to ELJ Contractors at \$3,650.00 per cycle - this company is the apparent low bidder and has all required insurance. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to award contract on mowing of county right-of-way to ELJ Contractors as recommended by the County Purchasing Agent. All present voting "Aye".

**14233 APPOINT MARCOS BURTON TO NORTHWEST HAYS COUNTY FIRE PREVENTION DISTRICT BOARD TO REPLACE DAVID FIELDS (RESIGNED)**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to appoint Marcos Burton to the North Hays County Rural Fire Prevention District Board to replace David Fields (resigned). All present voting "Aye".

**14234 APPROVE UTILITY PERMITS NO. 95-105 & 95-413 ISSUED BY THE ROAD DEPARTMENT**

The following Utility Permits were issued by the Road Department and are being submitted for approval:

|           |                          |                                        |
|-----------|--------------------------|----------------------------------------|
| No. 95413 | CR354/Signal Hill Rd.    | to Southwestern Bell Telephone         |
| No. 95105 | CR265/Frances Harris Ln. | to Century Telephone Co. of San Marcos |

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve Utility Permits No. 95-105 & 95-413 as issued by the Hays County Road Department. All present voting "Aye".

**14235 ADOPT RESOLUTION SUPPORTING CITY OF NIEDERWALD'S PROPOSED PARK**

Niederwald Mayor Fern Howze spoke of proposed park and grant being obtained to develop it - she thanked the Court for their support in this project. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to adopt resolution supporting the City of Niederwald's proposed park. All present voting "Aye".

RESOLUTION AND ORDER

THE STATE OF TEXAS \*

\* KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HAYS \*

THAT on this, the 7th day of August, 1995, the Commissioners Court of Hays County, Texas met in a duly called regular and convened session at the Hays County Courthouse, located in San Marcos, Hays County, Texas with the following members present and voting:

- Eddy Etheredge, County Judge, Presiding
- Pete Rodriguez, Commissioner Precinct 1
- Jeff Barton, Commissioner Precinct 2
- Russ Molenaar, Commissioner Precinct 4

WHEREAS, among other matters, the following agenda item was considered and adopted by formal Resolution and Order, to-wit:

WHEREAS, the City of Niederwald has purchased 8 acres of land on Schubert Road (CR211) for use as a park;

WHEREAS, parks provide necessary places for recreation and a sense of community pride.

WHEREAS, parks can be a place to take the whole family for outings that are rich in good wholesome fun yet something everyone can afford to do;

WHEREAS, it is a very good way for a community to turn land into something the whole community can enjoy now and have for future generations;

WHEREAS, the historical value for the whole county can be had by setting aside land for a park that can be enjoyed by all and yet preserved as a special place for all people now and the future.

THEREFORE BE IT RESOLVED, that the Hays County Commissioners Court supports the City of Neiderwald to build a park.

MOVED AND ADOPTED by the Hays County Commissioners' Court on this the 7th day of August, 1995.

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14236 APPROVE TREASURER'S REPORT FOR JUNE 1995

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve Treasurer's Report for June 1995 as presented. All present voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS June 30, 1995

Table with columns for Adult Probation Operating, Adult Probation Facilities, Courthouse Security, Records Management, Records Preservation, Animal Control, Sheriff's Drug Forfeiture, District Attorney Drug Forfeiture, District Attorney Reimburs., and various CHECKING and INVESTMENTS rows.

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS June 30, 1995

Table with columns for General, Road and Bridge General, Hot Check Fee Fund, Law Library, Medical and Dental Fund, Jail Construction, Limited Tax Refunding, Anticipation Notes Series 1994, Courthouse Ren. & Road Bond 1994, and various CHECKING and INVESTMENTS rows.

Signature of Michele Tuttle, Hays County Treasurer

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**14237 ROBERTO M. GAITAN ADDITION - SECOND READING APPROVAL [T1-170]**

Environmental Health Director Allen Walther recommended approval of two lot subdivision on second reading. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the "Roberto M. Gaitan Addition" on second reading. All present voting "Aye".

**14238 FAIR OAKS FARM ESTATES - SECOND READING APPROVAL [T1-183]**

Cotton Johnson presented "Fair Oaks Farm Estates" on second reading - spoke of r-o-w on CR19 (50 ft. roadway) - this property owner previously gave sufficient r-o-w - the property owner on the other side of the road has not given any r-o-w. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Fair Oaks Farm Estates" subdivision on second reading. All present voting "Aye".

**14239 CENTURY ACRES REPLAT OF LOT 1 - SECOND READING APPROVAL [T1-213]**

Environmental Health Director Allen Walther recommended approval of two lot subdivision on second reading. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Century Acres Replat of Lot 1" on second reading. All present voting "Aye".

**14240 HILLS OF TEXAS ESTATES AMENDMENT (CHANGE STREET NAME) - SECOND READING APPROVAL [T1-222]**

The original plat designates a "Crystal Hill Drive", however, there is a street by that name in Goldenwood West Section 1 Amended - the Hills of Texas Estates Developer is requesting that his plat be amended to reflect the street name change to "Crystal Way". A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Hills of Texas Estates Amended" (change street name) on second reading. All present voting "Aye".

**14241 EL CAMINO REAL ESTATES SECTION 2 - FIRST READING APPROVAL [T1-234]**

Caldwell County signatures needed and City of Umland note - lots in the subdivision are flag lots - designation of private road is needed. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "El Camino Real Estates Section 2" on first reading. All present voting "Aye".

**PLATTING VARIANCE - RICHARD FARRIS RE: 1.327 ACRES ON FISCHER STORE ROAD [T1-294]**

A request for platting variance was submitted by Richard Dwayne Farris for a 1.327 acre tract out of a 10.12 acre tract located at 600 Fischer Store Road - property is to be used for residential use (a mobile home). Allen Walther, Environmental Health Director, advised that the lot size does not meet variance requirements, however, it does meet all other requirements and is a family division of property - will recommend approval. No action taken this date.

**PLATTING VARIANCE - CLYDE MCCARTY RE: 15 ACRES ON FM165 [T1-347]**

Attorney John Burke Jr. appeared representing property owner - requesting a variance to platting 15 acres out of the Wm. Hagemann Survey located on RM165 - meets all variance criteria. Allen Walther, Environmental Health Director, advised that he had not been on site - needs a better location map. No action taken this date.

**14242 POLO CLUB AT ROOSTER SPRINGS PHASE I & II - FIRST READING APPROVAL [T1-380]**

Matt Wheeler presented subdivision on first reading - the name will be changed to "Lakeside Polo Club". Allen Walther, Environmental Health Director, advised that some lots do not meet minimum lot size - will work with developer to make sure there are proper water and wastewater systems. Commissioner Molenaar spoke of this subdivision being in the Dripping Springs ETJ. It was stated that the property owner did not petition to be annexed into Dripping Springs during incorporation process and Dripping Springs has a half mile ETJ due to their population. Patsy Greiner, Mapping/Planning Coord., advised that she had clarified that information with City officials - this subdivision is not in their ETJ. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Polo Club at Rooster Springs Phase I & II" on first reading. All present voting "Aye".

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**14243 HILLVIEW ADDITION REPLAT OF LOTS 9 & 11 - FIRST READING AND CALL FOR PUBLIC HEARING [T1-496]**

Allen Walther, Environ. Health Director, advised that Kevin Krupa applied for septic permits for three family structures to be built on this lot when it was discovered that it was part of Lot 9 & part of Lot 11 - most of the original lot lines are no longer applicable in this area - proposed resubdivision will create Lot 9-A - a public hearing is required. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Hillview Addition Replat of Lots 9 & 11" on first reading and call for a public hearing to be held August 21, 1995 at 9:00 A.M. All present voting "Aye".

\*Commissioner Payne came to the meeting at this time\*

**14244 GREEN PASTURES SECTION 3 REPLAT OF LOT 16 - THIRD READING APPROVAL [T1-521]**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Green Pastures Section 3 Replat of Lot 16" on third reading. All voting "Aye".

**14245 KYLE HEIGHTS SECTION 2 - THIRD READING APPROVAL [T1-548]**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Kyle Heights Section 2" subdivision on third reading. All voting "Aye".

**14246 GOLDENWOOD WEST AMENDMENT - VACATED P.U.E. ON LOTS 126 & 127 - PUBLIC HEARING AND THIRD READING APPROVAL [T1-569]**

Judge Etheredge called the public hearing open regarding vacating the public utility easement between Lots 126 & 127 in Goldenwood West subdivision - no public input was received and the public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve Goldenwood West subdivision amendment vacating the P.U.E. between Lots 126 & 127 on third reading. All voting "Aye".

**14247 PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS ON SAWYER RANCH ROAD [T1-585]**

Judge Etheredge called the public hearing open to consider setting speed limit on Sawyer Ranch Road. Mrs. Burba spoke of cattleguard on this road - several wrecks have occurred at this location - spoke of cattle loose on the roadway creating a traffic hazard. Mr. Burba spoke of vehicles traveling at a high rate of speed and hitting the cattleguard - requested action by the Court to help solve the problems at this location. Judge Etheredge called the public hearing closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to establish a speed limit of 40MPH on Sawyer Ranch Road from Hwy. 290 to Darden Hill Road and placement of 30MPH signs for cattleguard crossing. All voting "Aye".

**14248 ACTION REGARDING BIDS SUBMITTED ON DELINQUENT TAX PROPERTIES [T1-1063]**

County Tax Assessor-Collector Luanne Caraway presented bid offers for several pieces of delinquent tax property.

1.88 acres Thomas Chambers Survey - Property Owner Edwin Kyle wishes to buy back his property and would like for the County to finance the amount due (\$27,778.27) - he would like to put \$4,000.00 down and pay \$400.00 per month for two years and then make final payment - no other bids have been received for this property. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to table action on Edwin Kyle property (1.88 acres). Commissioner Rodriguez and Judge Etheredge voting "No". Commissioner Barton abstained. Commissioner Payne and Commissioner Molenaar voting "Aye". MOTION FAILED - NO FURTHER ACTION TAKEN.

6.78 acres H. E. Norton Survey - Two bids were submitted: \$6,000.00 & \$ 4,000 - taxes due are \$8,853.14. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to accept high bid of \$6,000.00 for 6.78 acres in the H.E. Norton Survey. Commissioner Barton, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Rodriguez voting "No".

Lot 4 Rolling Oaks Ranch (8.69 ac) - A \$5,000 bid was received - taxes owed = \$ 8,927.64. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to reject bid for Lot 4 Rolling Oaks Ranch. All voting "Aye".

Lots 2 & 3 Block A Allegre Monantial Section 1 - A \$2,500.00 bid was received - taxes owed = \$ 9,053.39. A motion was made by Commissioner Barton, seconded by Judge Etheredge to reject bid on Lots 2 & 3 Block A Allegre Monantial Section 1. All voting "Aye".

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Lot 4 Block B Allegre Monantial Section 1 - Bid submitted was \$1,000.00 - taxes due = \$ 4,170.89. A motion was made by commissioner Barton, seconded by Commissioner Molenaar to reject bid on Lot 4 Block B Allegre Monantial Section 1. All voting "Aye".

Lot 333 Block 27 Westover Addition - Bid submitted was \$1,000.00 - taxes due = \$ 10,998.72. A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to reject bid on Lot 333 Block 27 Westover Addition. All voting "Aye".

**14249 ACTION REGARDING MAILBOXES IN COUNTY RIGHT-OF-WAY AS THEY RELATE TO THE ROAD BOND IMPROVEMENT PROJECTS [T1-1063]**

Rick Miller (Doucet & Assoc) presented drawings and costs for mailbox replacement for the road bond improvement projects. Mailbox support costs:

|                                                                  |          |
|------------------------------------------------------------------|----------|
| Single Support - Thin Wall Steel Tubing with Type I Foundation = | \$ 68.00 |
| Single Support - Delineator Post with Type 4 Foundation =        | \$ 25.00 |
| Multiple Support (2 to 4 mailboxes) =                            | \$148.00 |

Property owners could upgrade the installed mailboxes at their own expense. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to go with the single support/delineator post with Type 4 foundation with installation cost of \$25.00 for road bond improvement projects. Commissioner Rodriguez, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Barton voting "No".

**PARADISE VALLEY (NOT AN AGENDA ITEM) - DISCUSSION [T1-1234]**

Commissioner Payne spoke of culverts installed to get water off the bridge in Paradise Valley. John Doucet (Doucet & Assoc) spoke of dam designed with two boxes and a sidewalk (5 year flood frequency) - cost will be over \$60,000.00. Commissioner Payne stated that he may request that property owners absorb the costs.

**14250 APPROVE AN INTERLOCAL AGREEMENT WITH THE CITY OF BUDA TO PROVIDE TECHNICAL ASSISTANCE IN THEIR ADMINISTRATION OF A TDHCA GRANT FOR SEWER IMPROVEMENTS ON GOFORTH ROAD [T1-1327]**

This is a grant to the City of Buda from the Texas Dept. of Housing and Community Affairs for \$250,000. The Hays County Grants Dept. put the project together and since the county was making improvements to Goforth Road we obtained permission to use \$50,000.00 worth of county road material as matching funds for this project. The Hays County Grants Dept. has been asked to provide limited technical assistance in their administration of the grant. In reality the project manager selected by the City of Buda will do 95% of the work and we will simply double-check her work and give advice to the City Council and Mayor - the county will not receive any administrative funds in this project. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve an interlocal agreement with the City of Buda to provide technical assistance in their administration of a TDHCA Grant for sewer improvements on Goforth Road. All voting "Aye".

**14251 ADOPT AMENDED HAYS COUNTY ON-SITE WASTEWATER RULES TO ALLOW THE SPRAY APPLICATION OF WASTEWATER EFFLUENT AND SET CONDITIONS FOR APPROVAL [T1-1378]**

Allen Walther, Environmental Health Director, presented his recommendation for Hays County Minimum Design Requirements for Surface Application of Class I Effluent. Commissioner Payne stated that this recommendation exceeds the State regulations and he is opposed to the minimum lots size of two acres and to some of the other items - supports State regulations. Judge Etheredge stated that he thought the Courts intent was to accept State regulations and possibly change setbacks and have enforceable maintenance contracts. Commissioner Molenaar stated that he is not ready to make a decision today - he would like to see the task force recommendations first. Commissioner Payne stated that he does not want to further delay allowing spray application. Mike Moore spoke of spray application systems - felt like Court is trying to solve problems that don't exist - this is the most researched technology - water is our number one problem - there are no recorded health or safety problems associated with this type of system - they are inspected three times a year whereas septic tanks are never inspected - ask the court to not deny this technology - adopt State rules and monitor the systems - spoke of action taken last week to have a committee to review this issue - feels like this did not happen and now eleven items are being submitted for adoption - urged

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the Court to adopt State Regulations and address other issues as they occur. Court went through all eleven recommended requirements and made changes (1) no minimum lot size, (2) slope - State says generally flat and Allen suggested 10%, (3) licenses to the valid for two years from date of issuance, (4) systems will be equipped with mechanism for easy testing, (5) setbacks of 10 ft. for low aerosol spray heads and for non aerosol heads" 20 ft. from property lines, 150 ft. from water wells, 25 ft. from vegetable gardens and orchards, and 100 ft. for streams/lakes/ponds/and recharge features. All adopted rules would be subject to change. Judge Etheredge stated that setbacks have probably eliminated 1/2 acres lots - we could go with one acre lots. A motion was made by Commissioner Barton, seconded by Commissioner Payne to adopt amended Hays County On-Site Wastewater Rules to allow spray application of wastewater effluent and set conditions for approval. Commissioner Barton, Commissioner Payne, and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Molenaar voting "No".

**HAYS COUNTY MINIMUM DESIGN REQUIREMENTS  
FOR  
SURFACE APPLICATION OF CLASS I EFFLUENT**

(1) Licenses to operate issued by Hays County Health Department shall be valid for two years from date of issuance.

(2) All systems shall be designed to facilitate periodic sampling of effluent.

(3) Effluent application areas shall adhere to the following setbacks:

|                                              | Minimum setback                  |
|----------------------------------------------|----------------------------------|
| Property Lines                               | 20 feet (non-aerosol sprayheads) |
| Water wells                                  | 150 feet                         |
| Vegetable Gardens and orchards               | 25 feet                          |
| Streams, Lakes, Ponds, and Recharge features | 100 feet                         |

(4) The effluent discharge line shall be equipped with a 100 mesh or smaller filter.

(5) Both the pump tank and the air pump shall be equipped with audio/visual alarms.

(6) A \$300 cash bond shall be deposited upon application to guarantee funding of maintenance contract renewals.

\*Designs must also meet all minimum requirements established in the Texas Department of Health Policy Statement on On-site Surface Application of Treated Wastewater dated November 20, 1990.

**14252 APPROVE BUDGET FOR FIRST PHASE OF ADA COMPLIANCE WORK [T1-3370]**

Maintenance Supervisor Ron Knott presented the list of projects to be done in Phase One of ADA implementation for Hays county buildings:

| BUILDING                 | PROJECT                                | CONSTRUCTION COST | ENGINEERING FEES |
|--------------------------|----------------------------------------|-------------------|------------------|
| General                  | ADA Policy Preparation                 |                   | \$ 1,600         |
|                          | ADA Training 2 sessions & 100 handouts |                   | \$ 800           |
| Election Office          | ADA + other changes                    | \$ 17,000         | \$ 1,530         |
| Courthouse Annex         | plans, City permits, inspection        |                   |                  |
|                          | Signage, Parking, Doors                | \$ 15,200         | \$ 1,368         |
| Hays County Clerk        | Elevator, Signage, Parking             | \$127,200         | \$ 8,904         |
| Environmental Health     | Doors, Fire detection                  |                   |                  |
|                          | All                                    | \$ 1,900          | \$ 200           |
| Health & Imm.            | Signage, Parking, Fire Pr.             | \$ 4,700          | \$ 400           |
| Buda Office              | Signage, parking, Fire Pro.            | \$ 3,700          | \$ 400           |
| Dripping Springs offices | Signage, parking, fire pro.            | \$ 3,700          | \$ 400           |
| <b>TOTALS</b>            |                                        | <b>\$ 175,300</b> | <b>\$ 15,802</b> |
| <b>GRAND TOTAL .....</b> |                                        | <b>\$ 191,102</b> |                  |

A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve budget for Phase One of ADA Compliance Work. All voting "Aye".

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**14253 APPROVE CONTRACT WITH VIRTUAL LANDSCAPE TECHNOLOGIES INC. FOR SERVICES AS COUNTY-WIDE GIS COORDINATOR [T1-3559]**

Environmental Health Director Allen Walther stated that funds are available in his budget for the remainder of this year. Devon Humphrey (Virtual Landscape Technologies Inc.) spoke of software and hardware for GIS - the largest cost for GIS is data entry. Judge Etheredge spoke of GIS - felt like it can be utilized by many departments. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve contract between Virtual Landscape Technologies Inc. and Hays County as recommended by staff and authorize the County Judge to sign the contract - this service is exempt from competitive bidding requirement in that it is a professional service. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

**A CONTRACT  
between  
VIRTUAL LANDSCAPE TECHNOLOGIES, INC.  
and  
STATE OF TEXAS, COUNTY OF HAYS**

The County of Hays, hereafter referred to as "Client" and Virtual Landscape Technologies, Inc. hereafter referred to as VLTl mutually agree as follows:

1. VLTl will provide professional services described in the Summary of Responsibilities and Activities (Exhibit 1) for the period of two years from signing of this contract, in and for the total sum of \$44,985.00.

**Payment schedule will be as follows:**

\$3,333 per month during months 1-3 (due at the end of each calendar month)  
\$1,666 per month during months 4-24 (due at the end of each calendar month)

2. A single person will be identified and made known to VLTl as the Contact Person for this agreement.

3. This agreement is made with the County of Hays Environmental Health Department and with no other entities within the county.

4. VLTl reserves the right to discuss and/or publish the results of this project in the interest of assisting other state and local government entities with similar GIS projects.

5. GIS projects are never "finished". Geographic and attribute data are constantly changing and updating is always necessary. The goal of establishing a GIS Coordinator is so that the project is launched using acceptable standards and guidelines for GIS and to create the base data and procedures from which all future GIS activities will be generated. There is an inherent logical order to these steps, but sometimes priorities must be rescheduled in order to take advantage of schedules, special circumstances, offerings, and grants.

6. Failure to comply with one or more of the provisions stated in this agreement will render this contract terminable. The party that complains of the failure of the other party to comply with the terms of this agreement shall give written notice to the other party to alleged lack of compliance and the party alleged not to have complied with the terms of this contract shall have ten days to correct the default and comply with the terms of this contract. If such default is not corrected within a period of ten days after the receipt of written notice, the non-defaulting party shall have the option of terminating the contract and if the contract is terminated, the reasonable fee for any completed tasks, that previously have not been paid for, shall be paid within 30 days.

7. Certain activities are described and listed which will occur during the first 90 day period in Exhibit 1. This set of activities forms the foundation of a GIS and will be performed before termination of this contract. After the initial 90 days, when the majority of the project planning, set-up and training will occur, either party may terminate this agreement for any reason by giving 60 days notice to the other party. At the time of notification, the remaining tasks to be performed will be discussed and a shortened timeline for completion will be determined, which shall be agreeable to both parties.

8. Payment in full for services rendered by VLTl must be made regardless of the Client's acceptance of VLTl's recommendations regarding the GIS project.

9. VLTl assigns Devon K. Humphrey as the GIS Coordinator for this project.

10. A Summary of Responsibilities and Activities (Exhibit I) is attached and is part of this agreement.

11. The Client may optional purchase such professional services from the State of Texas General Services Commission Catalog Purchasing System at the standard rates listed in that catalog.

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**Exhibit 1  
Summary of Responsibilities and Activities**

This document outlines a list of activities that Virtual Landscape Technologies, inc. (VLTi) will perform for and with the representatives of the County of Hays (County) regarding the planning and implementation of a county-wide Geographic Information System (GIS).

**Definition of GIS Coordinator:**

To orchestrate the development of a county-wide GIS by providing comprehensive project planning, hands-on management and quality control and by developing procedures for the automation of relevant GIS data sets. This is to be done in cooperation with all other interested county entities. The goal is to save both time and money and to avoid duplication of effort and costly mistakes which are often made on projects of this size.

**Activity Schedule:**

**TO BE PERFORMED DURING THE FIRST 90 DAYS**

1. VLTi will attend meetings with all interested taxing jurisdictions within the initial two week period for the purpose of coordination and planning on GIS issues. These meetings will serve to educate and inform the taxing jurisdictions concerning the potential uses of the proposed GIS and how they may cooperate on this project. Potential entry-level systems and associated costs and benefits will be explained.
2. VLTi will provide a written project plan and timeline for this GIS project.
3. VLTi will evaluate and acquire all relevant existing GIS data which must be approved by the County.
4. VLTi will assist with the database design for new GIS data to be captured.
5. VLTi will develop and support certain data automation programs or automation routines which will assist in the database setup and capture and which will allow, along with the written procedures, the authorized County staff to perform their duties relating to the GIS.
6. VLTi will develop and support certain data automation programs or automation routines which will assist in the database setup and capture and which will allow, along with the written procedures, the authorized County staff to perform their duties relating to the GIS.
7. VLTi will work with and train County staff in order to make them comfortable with the GIS hardware, software and data automation procedures so that the staff can perform the necessary GIS data automation and updating.
8. VLTi will identify whether and if any additional formal GIS training is required by County staff in order to operate the GIS. If this training is offered or required by the GIS vendor, then the staff who would benefit from this training will be identified.
9. VLTi will work with County Road and Bridge crews and surveyors working under separate contract with the County in order to assist in the completion of the monumentation of the ground control points. These control points were placed for the purpose of georeferencing aerial photography which is to be used for the preparation of the county base map. The control points are currently marked with plastic panels and more permanent monumentation is planned.

**TO BE PERFORMED ON AN ONGOING BASIS UNTIL COMPLETION OF THIS CONTRACT**

10. VLTi will act as Liaison between the county and any GIS or data vendors.
11. VLTi will propose and establish both data automation and quality control procedures for all data layers included in this project.
12. VLTi will keep the County informed of relevant GIS technologies and data capture methods so that the most modern and cost-effective system may be maintained.
13. VLTi will coordinate with any and all interested taxing jurisdictions in the county regarding GIS hardware, software and data which will benefit all entities.



**14254 AMEND FEE SCHEDULE FOR THE ENVIRONMENTAL HEALTH DEPARTMENT - PROFESSIONAL DESIGN REVIEW FEE [T2-503]**

Director of Environmental Health Allen Walther requested amendment of the professional design review fee which is currently set at \$50.00 - with increased development and more stringent requirements we are seeing an increase in the numbers and complexity of designs - the existing fee does not adequately reimburse us for actual time and cost of services - recommends increasing the fee for initial design submissions to \$100 for single family residences and \$150 for others and \$50.00 for resubmissions. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to amend the Fee Schedule for the Environmental Health Department as recommended by the Director - increase Professional Design Review Fees from \$50.00 to: Initial Design submissions for single family residence to \$100 and \$150 for others & \$50.00 for resubmissions. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".



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**DISCUSSION REGARDING A PIECE OF COUNTY PROPERTY AT THE CORNER OF HUNTER ROAD & C CENTERPOINT ROAD [T2-562]**

Judge Etheredge spoke of a individual who would like to purchase county property located a the corner of Hunter Road & Centerpoint Road - we would have to go through a closed bid process for sale of this property - property consist of one acre to the center of Hunter Road (this could create a problem with lot size) the South Hays County Fire Department has shown an interest in this property. Court needs to decide what they are going to do with this property.

MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

*Eddy Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 14th DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14255 RATIFY ACTIONS TAKEN AT AUGUST 7, 1995 MEETING [T1-1]**

Legal Counsel advised that Court needs to ratify actions taken at the August 7, 1995 meeting due to delay in calling meeting to order (posted for 9:00 A.M. and called to order at 1:30 P.M. so that members of the Court could attend the funeral of Former County Commissioner Leonard C. McCarty). Administrative Assistant Winton Porterfield went over actions taken. Commissioner Molenaar requested that a letter from Harris County Engineering Dept. be entered into the minutes regarding "Aerobic Plants Utilizing Surface Applications Systems in Harris County, Texas" - was advised to place this item on the next commissioners' court agenda. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to ratify actions of the Commissioners' Court taken at the August 7, 1995 meeting. All voting "Aye".

**14256 APPROVE PAYMENT OF COUNTY INVOICES [T1-113]**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 443,956.32 as presented by the County Auditor. All voting "Aye".

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|                     |               |                     |              |                     |               |
|---------------------|---------------|---------------------|--------------|---------------------|---------------|
| State Shared Rev    | \$ 113.12     | Auditors Ofc        | \$ 275.91    | Treasurers Ofc      | \$ 276.91     |
| Extension Ofc       | \$ 74.92      | Grants Admin        | \$ 220.72    | Juvenile Prob       | \$ 2,689.55   |
| Transfer Station    | \$ 6,584.25   | Bldg. Mtc. Dept.    | \$ 2,466.98  | Environ Health      | \$ 455.90     |
| Personal Health     | \$ 90.00      | Civic Center        | \$ 128.82    | Countywide Oper     | \$ 6,625.31   |
| Tax A/C             | \$ 163.57     | District Clerk      | \$ 39.77     | County Clerk        | \$ 2,102.70   |
| Sheriffs Ofc        | \$ 4,561.00   | Jail Operations     | \$ 28,413.74 | County Judge        | \$ 394.49     |
| Human Resources     | \$ 523.22     | District Attorney   | \$ 276.51    | J.P. 1-2            | \$ 359.67     |
| J.P. 2              | \$ 192.76     | J.P. 3              | \$ 54.02     | J.P. 5              | \$ 83.08      |
| D.P.S.              | \$ 1,101.93   | Constable 1         | \$ 109.50    | Constable 4         | \$ 87.48      |
| Constable 5         | \$ 336.47     | District Court Oper | \$ 11,040.62 | Co & JP Crim Oper   | \$ 2,966.36   |
| Veterans Admin      | \$ 266.87     | Computer Svcs       | \$ 17,883.47 | Juvenile Svcs Grant | \$ 1,120.00   |
| IABC                | \$ 63.16      | Dist. Crim Reporter | \$ 30.24     | TJPC CCAP Grant     | \$ 210.95     |
| CJD/VOCA Grant      | \$ 124.00     | Dunbar Grant        | \$ 175.00    | DA DARE Grant       | \$ 243.00     |
| TJPC Emerg Div Grnt | \$ 13,022.20  | *Gen Fund Credit*   | * \$ 14.00 * | R&B Operations      | \$ 10,407.29  |
| Precinct 1          | \$ 258.00     | Precinct 2          | \$ 117.50    | Precinct 3          | \$ 60.83      |
| Precinct 4          | \$ 23.31      | Right of Way        | \$ 4,280.00  | Anticip Notes       | \$ 261,904.77 |
| Rec Mng/Co Clk      | \$ 570.62     | Health Svcs Grants  | \$ 412.39    | Law Library Fund    | \$ 632.75     |
| Road Construction   | \$ 34,0113.23 | Courthouse Renov    | \$ 18,883.30 | Adult Prob Oper     | \$ 6,237.94   |
| Adult Prob Fac      | \$ 220.14     |                     |              |                     |               |

14257 APPROVE BUDGET AMENDMENT NO. 95-040

The following budget amendments were proposed:

Auditors Office - Transfer to cover continuing education expense. Treasurers Office - Transfer to cover expense of office supplies, direct deposit fees software, and postage. Elections Dept. - Transfer to cover phone installation and purchase of fax machine. Transfer Station - Transfer to cover Dept. Head's salary and continuing education. District Attorney - Transfer to cover expense of vehicle repair. District Court Operations - Transfer to cover expense of court reporter travel & meals within the judicial district. J.P. Pct. 5 - Transfer to cover additional office expense. TDH/TB Grant - Transfer to cover needed supply expense. TDH/Family Practice Clinic - Transfer to cover travel expense. TDH/Immunization Grant - Transfer to cover supplies & travel expense. Hot Check Fee fund - Transfer to cover Bar Association dues.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-040 as proposed by the County Auditor. All voting "Aye".

AMENDMENT  
NO. 95-040  
FY 95 BUDGET  
08/14/95

| LINE ITEM - EXPENDITURES                                                                   | FUND NO. 01 |           | FUND TITLE GENERAL |            |
|--------------------------------------------------------------------------------------------|-------------|-----------|--------------------|------------|
|                                                                                            | AMENDMENT   | INCREASES | DECREASES          | AS AMENDED |
| <b>Auditor (401):</b>                                                                      |             |           |                    |            |
| 01-401-5331 Continuing Ed.                                                                 | 3,850       | 500       | (150)              | 4,300      |
| 01-401-5461 Printing                                                                       | 3,000       |           | (350)              | 2,650      |
| 01-401-5428 Data Pro Eqpt Maint.                                                           | 1,000       |           |                    | 650        |
|                                                                                            |             | 500       | 500                |            |
| <b>Treasurer (402):</b>                                                                    |             |           |                    |            |
| 01-402-5211 Office Supplies                                                                | 1,900       | 150       |                    | 2,050      |
| 01-402-5323 Direct Deposit Fees                                                            | -0-         | 500       |                    | 500        |
| 01-402-5429 Software Maint.                                                                | 5,875       | 350       |                    | 6,225      |
| 01-402-5428 Hardware Maint.                                                                | 1,000       |           | (1,000)            | -0-        |
| 01-402-5212 Postage                                                                        | 3,600       | 750       |                    | 4,350      |
| 01-402-5021 Staff                                                                          | 76,097      |           | (750)              | 75,347     |
|                                                                                            |             | 1,750     | 1,750              |            |
| Transfer to allow new line Direct Deposit and increase postage from personal cost savings. |             |           |                    |            |
| <b>Election Office (406):</b>                                                              |             |           |                    |            |
| 01-406-5489 Telephone                                                                      | 850         | 200       |                    | 1,050      |
| 01-406-5711 Office Equip.                                                                  | -0-         | 550       |                    | 550        |
| 01-406-5391 Miscellaneous                                                                  | 1,075       |           | 750                | 325        |
|                                                                                            |             | 750       | 750                |            |
| Transfer to allow phone installation and purchase fax machine                              |             |           |                    |            |
| <b>Transfer Station (409):</b>                                                             |             |           |                    |            |
| 01-409-5011 Dept. Head                                                                     | -0-         | 6,129     |                    | 6,129      |
| 01-409-5021 Staff                                                                          | 31,835      |           | (6,129)            | 25,706     |
| 01-409-5331 Cont. Education                                                                | 500         | 400       |                    | 900        |
| 01-409-5414 Equip. Maint.                                                                  | 3,000       |           | (400)              | 2,600      |
|                                                                                            |             | 6,529     | 6,529              |            |
| Transfer to budget authorized Dept. head and additional training.                          |             |           |                    |            |
| <b>District Attorney (423):</b>                                                            |             |           |                    |            |
| 01-423-5413 Vehicle Maint.                                                                 | 1,200       | 75        |                    | 1,275      |
| 01-423-5110 Fica                                                                           | 27,372      |           | (75)               | 27,297     |
| Transfer balance of vehicle repair from partial personnel cost savings                     |             |           |                    |            |
| <b>Justice of the Peace Pct. 5 (429):</b>                                                  |             |           |                    |            |
| 01-429-5211 Office supplies                                                                | 745         | 350       |                    | 1,095      |
| 01-429-5213 Books                                                                          | 200         |           | (100)              | 100        |
| 01-429-5321 Dues & Bonds                                                                   | 400         |           | (150)              | 250        |
| 01-429-5331 Continuing Education                                                           | 200         |           | (100)              | 100        |
|                                                                                            |             | 350       | 350                |            |
| Transfer for needed expense per Judge                                                      |             |           |                    |            |
| <b>District Court Operations (436):</b>                                                    |             |           |                    |            |
| 01-436-5311 Travel                                                                         | 100         | 350       |                    | 450        |
| 01-436-5305 Trial Expense                                                                  | 27,500      |           | (350)              | 27,150     |
| Court reporter travel expenses                                                             |             |           |                    |            |

AMENDMENT  
NO. 95-040  
FY 95 BUDGET  
08/14/95

| LINE ITEM - EXPENDITURES                 | FUND NO. 10 |           | FUND TITLE Health Services Grants |            |
|------------------------------------------|-------------|-----------|-----------------------------------|------------|
|                                          | AMENDMENT   | INCREASES | DECREASES                         | AS AMENDED |
| <b>TDH/TB Grant (465):</b>               |             |           |                                   |            |
| 10-465-5219 Supplies                     | 1,220       | 500       |                                   | 1,720      |
| 10-465-5448 Contract Services            | 3,631       |           | (500)                             | 3,131      |
| <b>TDH/Immunization Grant (708):</b>     |             |           |                                   |            |
| 10-708-5219 Supplies                     | 1,200       | 2,800     |                                   | 4,000      |
| 10-708-5311 Travel                       | 500         | 200       |                                   | 700        |
| 10-708-5021 Staff                        | 23,481      |           | (3,000)                           | 20,481     |
|                                          |             | 3,000     | 3,000                             |            |
| <b>TDH/Family Practice Clinic (715):</b> |             |           |                                   |            |
| 10-715-5311 Travel                       | 2,000       | 400       |                                   | 2,400      |
| 10-715-5719 Equipment                    | 6,686       |           | (400)                             | 6,286      |
| Reappropriate expenditures per agency    |             |           |                                   |            |

AMENDMENT  
NO. 95-040  
FY 95 BUDGET  
08/14/95

| LINE ITEM - EXPENDITURES          | FUND NO. 11 |           | FUND TITLE Hot Check Fee Fund |            |
|-----------------------------------|-------------|-----------|-------------------------------|------------|
|                                   | AMENDMENT   | INCREASES | DECREASES                     | AS AMENDED |
| <b>Hot Check Fees (446):</b>      |             |           |                               |            |
| 11-446-5321 Dues & Bonds          | 470         | 527       |                               | 997        |
| 11-446-5391 Miscellaneous         | 872         |           | (527)                         | 345        |
| Transfer for Bar Association dues |             |           |                               |            |

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**14258 APPROVE COMMISSIONERS' COURT MINUTES OF JULY 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioners' Court Minutes of July 1995 as presented by the County Clerk. All voting "Aye".

**14259 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO THE TEXAS AGRICULTURAL EXTENSION SERVICE (FAMILY NUTRITION PROGRAM) FOR A GRANT OF \$62,452**

This grant application to the Texas Agricultural Extension Service is to pay the salary of a family nutrition specialist to work with WIC clientele and Food Stamp recipients countywide - Hays County will provide in-kind match (no cash) - no administrative funds included in this grant. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County to submit a grant application to the Texas Agricultural Extension Service (Family Nutrition Program) for a grant of \$62,452.00. All voting "Aye".

**14260 AUTHORIZE PURCHASE OF SHELVING UNITS FOR COUNTY CLERK'S COURT DIVISION OUT OF RECORDS MANAGEMENT FUNDS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize purchase of shelving units for County Clerk's Court Division in the amount of \$1,759.00 out of the County Clerk's Records Management Funds. All voting "Aye".

**14261 APPROVE SPECIFICATIONS FOR PARADISE VALLEY LOW WATER CROSSING AS PART OF THE ROAD BOND IMPROVEMENT PROJECT**

Commissioner Payne advised that Doucet & Assoc. have completed the plans to bid this project out - will be funded through Road Bond Improvement Project. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications for Paradise Valley Low Water Crossing as part of the Road Bond Improvement Project. All voting "Aye".

**14262 APPROVE FUNDING FOR COMMUNITY PLAYGROUND AT SCUDDER ELEMENTARY OUT OF COMMISSIONER PRECINCT 3 SPECIAL PROJECT FUNDS**

Commissioner Payne requested approval for using Precinct 3 Special Project Funds (\$500-1,500) to help build a community playground at Scudder Elementary School - funds will go directly to the Wimberley I.S.D. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve funding for community playground at Scudder Elementary School out of Commissioner Pct. 3 Special Project Funds. All voting "Aye".

**14263 APPROVE PURCHASE OF LEGAL FILE CABINET FOR JUVENILE PROBATION OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of a legal file cabinet for Juvenile Probation out of Line Item 01-414-5711. All voting "Aye".

**14264 AUTHORIZE HIRING OF A NEW RIGHT-OF-WAY AGENT AND APPROVE DESCRIPTION OF RESPONSIBILITIES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize hiring of a new Right-of-Way Agent (Daryl Voges) and approve description of responsibilities. All voting "Aye".

**Description of Responsibilities**

1. Negotiate in good faith directly with land owners for the acquisition of right-of-way for the Hays County Roadway Improvement Project.
2. Act as liaison with the public concerning right-of-way acquisition.
3. Determine and maintains records of the appraised value of property to be acquired according to the records of the Hays County Central Appraisal District.
4. When needed, coordinate efforts of an appraiser in assessing values of effected properties.
5. On request of the Project Attorney, assist the Project Attorney in assembling condemnation packages.
6. Prepare authorizations for issuance of disbursements of payment for the purchase of right-of-way and ensure disbursements are applied first to unpaid county taxes.
7. Review all purchase contracts and closing documents with the Project Attorney.
8. Obtain signatures on deed and lien releases for each parcel and have filed for recordation.
9. Maintain records of right-of-way expenditures.
10. Prepare biweekly progress reports to be submitted to D&A
11. All efforts of the Right-of-Way Acquisition Agent shall be coordinated through D&A.

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**14265 CALL FOR A PUBLIC HEARING FOR AUGUST 28, 1995 AT 9:00 O'CLOCK A.M. TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS: STOP SIGNS & SPEED LIMITS ON SHADY ACRES DRIVE IN CIMARRON PARK PHASE III SUBDIVISION**

Commissioner Barton advised that residents in the Cimarron Park Subdivision have inquired about stop signs on Shady Acre Drive - the Road Dept. did not feel that Stop signs were warranted by sight distance consideration - neighborhood residents feel they are important to control traffic flow and speeding. Commissioner Barton advised residents that he would support their request if virtually everyone on the street could reach agreement on what needed to be done - they have now agreed in writing to a traffic control plan. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing for August 28, 1995 at 9:00 A.M. to consider establishing traffic regulations: Stop signs & speed limits on Shady Acres Drive in Cimarron Park Phase III subdivision. All voting "Aye".

**14266 APPROVE STREET NAME DESIGNATION: NAME A STREET "STEVE'S LANE" LOCATED BETWEEN WIMBERLEY PAWN/PIZZA HUT CENTER & PEC SUBSTATION**

Commissioner Payne recommended that a street located between the Wimberley Pawn/Pizza Hut Center and the PEC substation be named "Steve's Lane" - this name would reflect the owner's husbands name. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve street name designation of "Steve's Lane" to a street located between the Wimberley Pawn/Pizza Hut Center and the P.E.C. substation. All voting "Aye".

**14267 EL CAMINO REAL ESTATES SECTION 2 - SECOND READING APPROVAL [T1-166]**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "El Camino Real Estates Section 2" subdivision on second reading. All voting "Aye".

**14268 HILLVIEW ADDITION REPLAT OF LOTS 9 & 11 - SECOND READING APPROVAL [T1-184]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hillview Addition Replat of Lots 9 & 11 (Lot 9-A)" subdivision on second reading. All voting "Aye".

**PLATTING VARIANCE - REQUEST FROM TONY MATHIS RE: 4 ACRES OUT OF AN 82.4 ACRE TRACT ON HWY. 290 WEST [T1-199]**

A platting variance was requested by Tony Mathis for property being conveyed to him by his father-in-law W. A. Breed for the purpose of construction of a single family residence. There is a 40 ft. proposed dedicated road easement "Avery Lane" and will have a road maintenance agreement - additional tracts will be partitioned out of the 82+ acres for other family members (4 heirs). Commissioner Payne recommended a 60 foot road easement to accommodate future development and possible sale of property to persons other than family members in the future. Commissioner Molenaar stated that he would support the variance if a 60 foot road easement was dedicated. No action this date.

**PLATTING VARIANCE - REQUEST FROM NOLA FOWLER RE: 22.69 ACRES OUT OF A 169 ACRES ON SILVER CREEK ROAD (CR184) [T1-304]**

A platting variance and floodplain study variance were requested by Nola Fowler for the sale of a 22.69 acres tract of land out of the 169 acres she owns. Gary Dugger appeared before the court representing this request - the actual surveys have been prepared and there is 60 foot access from CR184 - this property is part of Lots 1 & 2 of Triple Creek Ranch subdivision (unrecorded subdivision). Patsy Greiner, Mapping/Planning Coord., advised that the plat needs to be amended prior to filing to include this 22.69 acre tract. No action taken this date.

**14269 THARP SUBDIVISION - THIRD READING APPROVAL [T1-506]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Tharp Subdivision" on third reading. All voting "Aye".

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**14270 ROBERTO M. GAITAN ADDITION - THIRD READING APPROVAL [T1-532]**

Commissioner Barton advised that this is an improvement over the existing situation - this is a family division - land was landlocked. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Roberto M. Gaitan Addition" on third reading. All voting "Aye".

**14271 FAIR OAKS FARM ESTATES - THIRD READING APPROVAL [T1-576]**

Allen Walther, Environmental Health Director, advised that road problems have been resolved - staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Fair Oaks Farm Estates" on third reading. All voting "Aye".

**14272 CENTURY ACRES REPLAT OF LOT 1 - PUBLIC HEARING & THIRD READING APPROVAL [T1-590]**

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Century Acres Replat of Lot 1" on third reading. All voting "Aye".

**14273 HILLS OF TEXAS ESTATES AMENDMENT - PUBLIC HEARING AND CHANGE OF STREET NAME [T1-602]**

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. Patsy Greiner, Mapping/Planning Coordinator, advised that street name of "Crystal Hill Drive" needs to be changed to "Crystal Way" because of duplication of street name in another subdivision. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve change of Street name in the Hills of Texas Estates subdivision from "Crystal Hill Drive" to "Crystal Way". All voting "Aye".

**14274 PLATTING VARIANCE GRANTED TO ED THOMASSEN RE: 3 TRACTS OFF MCGREGOR LANE [T1-622]**

This variance request was discussed on July 31, 1995 (Vol. P Pg. 490). Commissioner Molenaar spoke of increased lot sizes - 60 ft. access off CR187 - this is a family division - any further resubdivision will require platting. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to grant a platting variance to Ed Thomassen and allow his to deed three tracts of land to family members. All voting "Aye".

**14275 PLATTING VARIANCE GRANTED TO CLYDE McCARTY RE: 15 ACRES ON FM165 [T1-655]**

This variance request was discussed on August 7, 1995 (Vol. P Pg. 499). Environmental Health Director Allen Walther advised that staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Clyde McCarty for a 15 acre tract on FM165. All voting "Aye".

**14276 PLATTING VARIANCE GRANTED TO RICHARD FARRIS RE: 1.327 ACRES ON FISCHER STORE ROAD [T1-667]**

This variance request was discussed on August 7, 1995 (Vol. P. Pg. 499).- staff recommends approval. A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant a platting variance to Richard Farris for a 1.327 acre tract on Fischer Store Road. All voting "Aye".

**14277 APPROVE CONTRACT WITH BLUE CROSS BLUE SHIELD FOR RENEWAL OF GROUP MEDICAL AND DENTAL INSURANCE [T1-678]**

Jim Rotan presented the Blue Cross/Blue Shield renewal plan - deductible was increased from \$200 to \$300 (Out of network deductible will be \$500) - In-Network diagnostic lab, X-Ray and Mammography services will be paid at 100% (no deductible) - co-pay for brand name prescription drugs changes to \$15.00 (was \$10). Debra Spelling advised that rates reflect a 5% increase to employees for family members coverage. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to approve contract with Blue Cross/Blue Shield for renewal of group medical and dental insurance as presented. All voting "Aye".

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**BLUE CROSS BLUE SHIELD MEDICAL/DENTAL COVERAGE  
NEW RATES (OCT95-SEP96)**

| Coverage                                         | County Pays | Employees Portion |              |
|--------------------------------------------------|-------------|-------------------|--------------|
|                                                  |             | Monthly           | Semi-monthly |
| <b>MEDICAL</b>                                   |             |                   |              |
| Employee Only                                    | \$ 172.06   | -0-               | -0-          |
| Spouse Only                                      | -0-         | \$ 161.00         | \$ 80.50     |
| Child(ren) Only                                  | -0-         | \$ 126.54         | \$ 63.27     |
| Spouse & Child(ren)                              | -0-         | \$ 261.20         | \$ 130.60    |
| <b>DENTAL</b>                                    |             |                   |              |
| Employee Only                                    | \$ 12.92    | -0-               | -0-          |
| Spouse Only                                      | -0-         | \$ 13.00          | \$ 6.50      |
| Child(ren) Only                                  | -0-         | \$ 10.00          | \$ 5.00      |
| Spouse & Child(ren)                              | -0-         | \$ 21.54          | \$ 10.77     |
| <b>LIFE/ACCIDENTAL DEATH &amp; DISMEMBERMENT</b> |             |                   |              |
| Employee Only                                    | \$ 2.50     | -0-               | -0-          |

**SENATE BILL 10 (MEDICAID/INDIGENT CARE) (T1-765)**

Judge Etheredge spoke of IGI - deadline has been moved to August 31, 1995 . Julie Hornberger has requested that no action be taken this week - will hold a workshop at a later date.

**DISCUSSION REGARDING A PIECE OF PROPERTY HELD IN TRUST BY HAYS COUNTY  
FOR DELINQUENT TAXES (T1-790)**

Assistant City Attorney Mario R. Gutierrez sent a letter to Delinquent Tax Attorney Chester Young regarding property at 711 Martin Luther King Drive (Lot D Block 1 B. W. Breeding Addition) - the City of San Marcos has declared the building on this property to be an "Unsafe Building" - they would like to have the building and property abated as it is vacant, not secured against entry by persons who do not have a right of possession, and because it is open to the elements (building is a public nuisance and a danger to public safety and health) - the City would like to have the costs of the abatement attached to the property as a priority lien, superior to the taxing authorities tax liens because the City will have to utilize its funds to have the property abated - once the property is abated, it should be much easier to sell. Winton Porterfield, Admin. Asst., spoke of original request from the City of San Marcos for the county to participate in cleaning up this piece of property because of unsafe condition - Delinquent Tax Attorney Chester Young advises that it is not the county or school districts responsibility to do so - the City can recover the cost at the time of the sale. No action taken this date.

**14278 APPROVE AMENDED LEASE AGREEMENT WITH THE SAN MARCOS AREA FOOD BANK (T1-844)**

The court originally agreed to a 15-year lease but the Food Bank plans to make at least a \$300,000 investment in the property and have asked for a 30-year lease to cover the life of the building - Commissioner Rodriguez recommends approval. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to approve amended lease agreement (30 year lease) with the San Marcos Area Food Bank. All voting "Aye".

**REQUEST FOR PROPOSALS FOR THE OPERATION OF THE JUVENILE DETENTION CENTER**

The specifications for the RFP's as not ready today - figures are needed in order to prepare budget and we need to move forward with this project. Court will recess today and taken action on this item Tuesday August 15, 1995 at 2:00 P.M.

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**REPORT ON RESOLUTION OF SAFRA PROPERTIES APPLICATION WITH TNRCC TO OPERATE HUNTINGTON ESTATES WATER SYSTEM**

Background: The Court authorized Commissioner Barton to represent the County as an intervening party in the Safra/Huntington Estate case in which Pacific Southwest Bank was seeking to transfer its Certificate of Convenience and Necessity (CCN) for the water system to Safra. The County had a number of concerns about the proposed transfer and whether it was in the best interests of the community. Also expressing concerns were the City of Hays, the Barton Springs Edwards Aquifer Conservation District, a number of area residents and a neighborhood group known as Concerned Citizens for Responsible Development in North Hays County. Commissioner Barton represented the County at a preliminary hearing before TNRCC and in several meetings with other interested parties.

New developments and resolution: Pacific Southwest Bank, the holder of the CCN, has terminated its sales contract with Safra (and the related development entities) and has withdrawn its application for transfer of the CCN. A new group of developers are now looking at the property and are working with the City of Hays, the neighborhood group, and Commissioner Barton to try and address health and safety as well as road and other concerns up front. No County funds were expended except for a few telephone calls and the time of Commissioner Barton and his assistant.

**PRESENTATION REGARDING DUTIES OF PROTECTIVE HOMEMAKER [T1-971]**

The State of Texas and Hays County together are funding the position of Protective Homemaker - the State is no longer willing to fund their half - Gwen Lopez, who is currently holding that position, appeared before the Court to discuss the importance of this position to the County - she spoke of her work with neglected children and their families. CPS Social Work Mr. Neek spoke of his referrals to Gwen and the work she does with the families to address their specific problems - this helps to keep the children with the family and to not be removed and put in foster homes - she sees the families once a week and he receives information he needs from her - if her position is not funded, we will see more children in foster care and they will be there longer - there are other programs offered but they do not address specific needs and are not as effective. Gwen Lopez spoke of intervention and her success rate - her focus is on the parents. The Court requested additional data (statistics, etc.) before taking any action on this matter.

**DISCUSSION REGARDING PARK LAND FOR NORTHERN HAYS COUNTY AND POSSIBLE JOINT VENTURE TO ACQUIRE AND MAINTAIN PARK LAND [T1-1273]**

Commissioner Barton advised that a number of community groups, spearheaded by the Optimists Club, are working to create a park for county residents east of IH35 in the Green Pastures area - Organizers are soliciting land donations - one possible scenario, a developer or private individual might donate land to the county for a park, and the Optimists would be willing to maintain and operate a ballfield and park under a long-term lease for a dollar a year, or some such figure. Commissioner Molenaar stated that he would be willing to support this project if it is open to all groups and organizations and all types of sports.

**EXECUTIVE SESSION REGARDING POSSIBLE LITIGATION**

The Court convened into closed executive session to discuss possible litigation. Upon completion of closed session, they reconvened into open meeting. No action was taken.

**WORKSHOP SESSION REGARDING ROAD DEPARTMENT OPERATIONS [T1-1455]**

New Road Director Ron Bischoff appeared before the Court - spoke of project list previously addressed by the Court (submitted by the Road Dept. Foremen) - would like direction from the Court regarding these projects. Commissioner Barton stated that it was not his intention to accept the list as the Courts desires - it was submitted by the Road Department personnel - some of the roads listed are in the Road Bond Program and others are not necessarily in priority of the Court but it is a good starting place. Commissioners voiced their opinions regarding several of the roads on the list that they would like deleted or changed in priority. Judge Etheredge spoke of budget presented by Acting Director Delbert Chance (\$700,000 over the previous budget). Ron Bischoff spoke of \$300,000 for contract services (Yarrington Road Project, mowing, brush cutting, guard rails, etc.) - we do need to

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address safety issues - spoke of sign budget and need for additional people to put up the signs - sign placement could be done over a period of time. Commissioner Barton suggested putting "private road" on the red street signs to make sure that people understand that these roads are private and not county maintained. Commissioner Payne spoke of sign program needing to be improved - felt like too many people are involved - spoke of new trucks being used by supervisors when they should be used to transport crews. Judge Etheredge spoke of need to go back and address issues that were discussed in previous workshop with Road Department personnel. Commissioner Barton spoke of need to tie budget figures to projects. Ron Bischoff stated that he was not sure we needed more people with the amount of materials budgeted - asked if we should use our people for brush cutting, guard rails, etc.? - the priority matrix list does not match the list presented by Road Department personnel. Judge Etheredge advised that Road Dept. personnel had never seen the "priority matrix list" that was prepared for the Road Bond Program - the matrix priorities were based on many issues including school bus routes, traffic counts, etc. - spoke of need to begin holding routine workshop again so that the Court can receive information and the Road Director can get input from the Court - workshops with separate agenda is needed every other Monday. Commissioner Barton spoke of need for traffic counters to be utilized all the time to help prioritize roads - spoke of emulsion program needed for all roads in subdivisions.

Court was recessed until 2:00 P.M. Tuesday August 15, 1995 to approve specifications and authorize the County Auditor to advertise for RFP's for the management and operations of a juvenile detention center.

An Emergency Meeting was called for August 15, 1995 at 2:00 P.M. to discuss and possibly take action regarding the closing of Dudley Johnson Park (AKA 5 mile dam park) for public safety reasons.

MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

Margie T. Villalpando  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 15th DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL & EMERGENCY MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14279 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE REQUESTS FOR PROPOSALS FOR THE MANAGEMENT AND OPERATION OF A JUVENILE DETENTION CENTER

Commissioner Payne spoke of need to move this project along. Judge Etheredge spoke of problems in putting together a budget without getting figures from vendors - the quicker we move the better chance we have of filling the facility - there will be a tremendous amount of liability with this facility and the entire court needs to be involved in contract negotiations - 12 short-term cells are adequate and will be used for Hays County youth - spoke of boot camp and residential treatment for remainder of space.



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Changes made to the RFP were as follows:

1.9 THE PROPOSAL AWARD SHALL BE BASED ON BUT NO NECESSARILY LIMITED TO THE FOLLOWING FACTORS:

- 1.9.1 VENDOR'S PAST PERFORMANCE RECORD MANAGING & OPERATING JUVENILE CENTERS (was 1.9.3)
- 1.9.2 HAYS COUNTY'S EVALUATION OF VENDOR'S ABILITY. (was 1.9.4)
- 1.9.3 SPECIAL NEEDS AND REQUIREMENTS OF HAYS COUNTY. (was 1.9.2)
- 1.9.4 TOTAL PRICE/COMPENSATION TO COUNTY (was 1.9.1)

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D. PROPOSALS ARE DUE IN THE OFFICE OF THE COUNTY PURCHASING AGENT NO LATER THAN 2:00 P.M. ON SEPTEMBER 1, 1995 (was September 12, 1995).....

A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to specifications as amended and authorize the County Auditor to advertise Requests for Proposals for the management and operation of a juvenile detention center. All voting "Aye".

Regular session was closed and Emergency meeting was opened.

**14280 APPROVE CLOSURE OF DUDLEY JOHNSON PARK (AKA FIVE MILE DAM PARK) IN PRECINCT 2**

Judge Etheredge called the Emergency Meeting open to discuss possible closing of Dudley Johnson Park after the drowning of a young boy over the weekend. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to close Dudley Johnson Park (AKA Five Mile Dam Park) pending investigation of drowning death on Sunday and authorize the County Judge, after consultation with Precinct 2 Commissioner, to re-open the park when the Sheriff's Department or other proper authority give their approval. All voting "Aye".

Court was adjourned until Monday August 21, 1995 at 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 21ST DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
CRAIG D. PAYNE  
RUSS G. MOLENAAR  
RONNIE DANNELLEY

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 3  
COMMISSIONER, PCT. 4  
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**RECOGNITION OF NEW COUNTY EMPLOYEES**

The following new county employees were introduced: Emma Villarreal & Becky Smith (Personal Health Dept.), Sandra Wagner (J.P.3 Office), Traci Cuevas & Rebecca Ramos (Tax A/C Office).

County Judge Eddy Etheredge spoke of the death over the weekend of District Clerk W. H. Moore - his funeral will be held at 10:00 A.M., therefore, the Court will recess for attendance of that service.

**14281 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices as presented by the County Auditor in the amount of \$ 447,496.16. All voting "Aye".

|                     |               |                   |              |                   |              |
|---------------------|---------------|-------------------|--------------|-------------------|--------------|
| Fines               | \$ 20.00      | Sales&Auctions    | \$ 5,227.50  | Treasurer         | \$ 315.48    |
| Juv Prob Ofc        | \$ 54.75      | Elections Admin   | \$ 277.74    | Indigent Care     | \$ 10,263.73 |
| Bldg Mtc. Dept      | \$ 2,570.62   | Environ Health    | \$ 16.79     | Personal Health   | \$ 10.08     |
| Countywide Oper     | \$ 11,701.98  | Tax A/C           | \$ 304.00    | County Clerk      | \$ 437.30    |
| Sheriffs ofc        | \$ 6,521.11   | Jail Operating    | \$ 23,180.99 | County Judge      | \$ 332.75    |
| Human Resources     | \$ 1,764.89   | District Attorney | \$ 402.51    | J.P. 1-1          | \$ 63.12     |
| J.P. 2              | \$ 1,866.89   | D.P.S.            | \$ 83.76     | Constable 1       | \$ 138.11    |
| Constable 5         | \$ 157.15     | Dist Crt Oper     | \$ 536.75    | Co & JP Cr Oper   | \$ 31.70     |
| TABC                | \$ 3.95       | TJPC CCAP Grant   | \$ 175.00    | Historical Comm   | \$ 1,200.00  |
| Legal Aid Ofc       | \$ 865.00     | Hispanic Hrt Grnt | \$ 2,700.00  | Corr Incub Grant  | \$ 2,599.95  |
| DA DARE Grant       | \$ 73.66      | R&B Operations    | \$ 26,971.71 | Precinct 1        | \$ 264.00    |
| Precinct 3          | \$ 426.62     | Precinct 4        | \$ 405.45    | Anticip Notes     | \$ 39,875.26 |
| Health Svcs Grant   | \$ 3,892.49   | Burnett Rd I&S    | \$ 134.81    | Springlake Rd I&S | \$ 68,636.40 |
| Road Construction   | \$ 47,296.16  | Courthouse Renov  | \$ 72.87     | Foster Care       | \$ 16,558.01 |
| Pioner Rd I&S       | \$ 46.34      | Adult Prob Oper   | \$ 14,872.63 | DA Reimb Trust    | \$ 11,969.02 |
| Anticip Notes/Cnstr | \$ 150,856.13 | New Canaan Grnt   | \$ 1,321.00  |                   |              |

**14282 APPROVE BUDGET AMENDMENT NO. 95-041**

The following budget amendments were proposed:

Justice of Peace 1-1 - Transfer for needed expenses to complete FY95 - \$400 from Countywide Operations into JP1-1 Postage.

Justice of Peace 1-2 - Transfer between line items for printing and postage expense.

Computer Services - Transfer between line items for needed expenses - from Continuing Education to Supplies.

Victim of Crime Asst. Grant - Budget new expenditures, revenue, and county match.

R&B Precinct 4 - Transfer for telephone and chair purchase from special projects.

Road Bond Proceeds - Budget road bond proceeds as received - balance will be carried over into FY96.

Anticipation Note Proceeds - Budget anticipation note proceeds as received - balance of projects will be carried over to FY96 budget.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment for J.P. 1-2, Computer Services, Victims of Crime Assistance Grant, R&B Precinct 4, Road Bond Proceeds, and Anticipation Note Proceeds (Budget Amendment No. 95-041) as proposed. All voting "Aye".

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve budget amendment for J.P. 1-1/Countywide Operations as proposed by the County Auditor. Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Barton voting "No".

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| FUND NO. 01                                                                                       |           | AMENDMENT NO. 11-941 FY 95 BUDGET 08/21/95 |           |                      |            |
|---------------------------------------------------------------------------------------------------|-----------|--------------------------------------------|-----------|----------------------|------------|
| FUND TITLE GENERAL                                                                                |           |                                            |           |                      |            |
| LINK ITEM - EXPENDITURE                                                                           | AMENDMENT | INCREASES                                  | DECREASES | APPROPRIATION BEFORE | AS AMENDED |
| <b>JUSTICE OF PEACE 1-1 (4241):</b>                                                               |           |                                            |           |                      |            |
| 01-424-5212 POSTAGE                                                                               | 750       | 535                                        |           | 1,285                |            |
| 01-424-5481 PRINTING                                                                              | 700       | 100                                        |           | 800                  |            |
| 01-424-5489 TELEPHONE                                                                             | 1,000     | 250                                        |           | 1,250                |            |
| 01-424-5321 DUES & BONDS                                                                          | 121       |                                            | <86>      | 35                   |            |
| 01-424-5213 BOOKS                                                                                 | 500       |                                            | <219>     | 281                  |            |
| 01-424-5411 OFFICE EQUIP. MAINT.                                                                  | 200       |                                            | <140>     | 60                   |            |
| 01-424-5711 OFFICE EQUIPMENT                                                                      | 310       |                                            | <502>     | 370                  |            |
|                                                                                                   |           |                                            | <483>     |                      |            |
| <b>COUNTY WIDE OPERATIONS (4341):</b>                                                             |           |                                            |           |                      |            |
| 01-414-5711 OFFICE EQUIP UNSPEC.38.672                                                            |           |                                            | <5400>    | 38,372               |            |
|                                                                                                   |           |                                            | <5832>    |                      |            |
| TRANSFER AVAILABLE AMOUNTS FOR NEEDED EXPENSE                                                     |           |                                            |           |                      |            |
| <b>JUSTICE OF PEACE 1-2 (4211):</b>                                                               |           |                                            |           |                      |            |
| 01-425-5212 POSTAGE                                                                               | 1,520     | 350                                        |           | 1,870                |            |
| 01-425-5461 PRINTING                                                                              | 875       | 100                                        |           | 975                  |            |
| 01-425-5411 OFFICE EQUIP. MAINT.                                                                  | 90        |                                            | <90>      | -0-                  |            |
| 01-424-5331 CONT. EDUCATION                                                                       | 2,018     |                                            | <2602>    | 1,658                |            |
|                                                                                                   |           |                                            | <4502>    |                      |            |
| TRANSFER FOR NEEDED EXPENSE                                                                       |           |                                            |           |                      |            |
| <b>COMPUTER SERVICES (4361):</b>                                                                  |           |                                            |           |                      |            |
| 01-456-5221 DATA PROC. SUPPLIES                                                                   | 7,000     | 1,000                                      |           | 8,000                |            |
| 01-456-5331 CONT. EDUCATION                                                                       | 3,500     |                                            | <1,000>   | 2,500                |            |
| TRANSFER FOR NEEDED EXPENSES                                                                      |           |                                            |           |                      |            |
| <b>COUNTY COURT AT LAW #1 (4221):</b>                                                             |           |                                            |           |                      |            |
| 01-422-5212 POSTAGE                                                                               | 1,300     | 300                                        |           | 1,500                |            |
| 01-422-5321 DUES & BONDS                                                                          | 100       | 145                                        |           | 245                  |            |
| 01-422-5331 CONT. EDUCATION                                                                       | 150       | 100                                        |           | 250                  |            |
| 01-422-5391 MISCELLANEOUS                                                                         | 35        | 30                                         |           | 65                   |            |
| 01-422-5473 COPIER LEASE                                                                          | 1,600     | 240                                        |           | 1,840                |            |
| 01-422-5211 OFFICE SUPPLY                                                                         | 500       |                                            | <50>      | 450                  |            |
| 01-422-5213 BOOKS                                                                                 | 600       |                                            | <100>     | 400                  |            |
| 01-422-5489 TELEPHONE                                                                             | 1,000     |                                            | <1302>    | 850                  |            |
|                                                                                                   |           |                                            | <400>     |                      |            |
| <b>COUNTY COURT OPERATIONS (4371):</b>                                                            |           |                                            |           |                      |            |
| 01-437-5211 OFFICE SUPPLIES                                                                       | 700       | 100                                        |           | 800                  |            |
| 01-437-5201 JURY EXPENSE                                                                          | 14,000    | 1,000                                      |           | 15,000               |            |
| 01-437-5305 TRIAL EXPENSE                                                                         | 1,800     | 11,000                                     |           | 12,800               |            |
| 01-437-5441 APPTD ATTY EXP                                                                        | 125,000   |                                            | <3,325>   | 121,675              |            |
| 01-437-5445 TRANSCRIPTION                                                                         | 11,500    |                                            | <10,000>  | 1,500                |            |
|                                                                                                   |           |                                            | <17,325>  |                      |            |
| <b>COUNTY COURT AT LAW #2 (4611):</b>                                                             |           |                                            |           |                      |            |
| 01-461-5211 OFFICE SUPPLY                                                                         | 500       | 150                                        |           | 650                  |            |
| 01-461-5212 POSTAGE                                                                               | 800       | 650                                        |           | 1,450                |            |
| 01-461-5321 DUES & BONDS                                                                          | 25        | 155                                        |           | 180                  |            |
| 01-461-5331 CONT. EDUCATION                                                                       | 75        | 175                                        |           | 250                  |            |
| 01-461-5461 PRINTING                                                                              | 100       | 25                                         |           | 125                  |            |
| 01-461-5213 BOOKS                                                                                 | 200       |                                            | <75>      | 125                  |            |
| 01-461-5391 MISC.                                                                                 | 300       |                                            | <120>     | 80                   |            |
| 01-461-5489 TELEPHONE                                                                             | 500       |                                            | <1502>    | 350                  |            |
|                                                                                                   |           |                                            | <3432>    |                      |            |
| TOTAL                                                                                             |           | 14,072                                     | <14,072>  |                      |            |
| TRANSFER BETWEEN (3) DEPARTMENTS; REBUDGET ACTUAL EXPENSE WHERE EXPENDED AND NEEDED COURT EXPENSE |           |                                            |           |                      |            |

| FUND NO. 01                                                                                                                     |           | AMENDMENT NO. 11-941 FY 95 BUDGET 08/21/95 |           |                      |            |
|---------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------------------------------|-----------|----------------------|------------|
| FUND TITLE GENERAL                                                                                                              |           |                                            |           |                      |            |
| LINK ITEM - EXPENDITURE                                                                                                         | AMENDMENT | INCREASES                                  | DECREASES | APPROPRIATION BEFORE | AS AMENDED |
| <b>CJD/VOCA GRANT (7051):</b>                                                                                                   |           |                                            |           |                      |            |
| 01-705-5021 STAFF                                                                                                               | -0-       | 4,010                                      |           | 4,010                |            |
| 01-705-5110 FICA                                                                                                                | -0-       | 281                                        |           | 281                  |            |
| 01-705-5121 RETIREMENT                                                                                                          | -0-       | 321                                        |           | 321                  |            |
| 01-705-5160 INSURANCE                                                                                                           | -0-       | 569                                        |           | 569                  |            |
| 01-705-5219 SUPPLIES                                                                                                            | -0-       | 500                                        |           | 500                  |            |
| 01-705-5311 TRAVEL                                                                                                              | -0-       | 50                                         |           | 50                   |            |
| 01-705-5391 OTHER                                                                                                               | -0-       | 110                                        |           | 110                  |            |
| <b>DISTRICT ATTORNEY (4211):</b>                                                                                                |           |                                            |           |                      |            |
| 01-423-5021 STAFF                                                                                                               | 344,817   |                                            | <745>     | 344,072              |            |
| 01-423-5110 FICA                                                                                                                | 27,372    |                                            | <57>      | 27,315               |            |
| 01-423-5121 RETIREMENT                                                                                                          | 27,026    |                                            | <58>      | 26,968               |            |
| 01-423-5160 INSURANCE                                                                                                           | 32,927    |                                            | <564>     | 32,363               |            |
| <b>REVENUE:</b>                                                                                                                 |           |                                            |           |                      |            |
|                                                                                                                                 |           | DECREASE                                   | INCREASE  |                      |            |
| 01-381-2705 CJD/VOCA GRANT                                                                                                      | -0-       |                                            | 4,417     |                      |            |
|                                                                                                                                 |           | 5,841                                      | 5,841     |                      |            |
| TO BUDGET NEW APPROVED VICTIM ASSISTANCE GRANT AND COUNTY MATCH FOR BALANCE OF FY95 - REMAINDER OF GRANT WILL BE IN FY96 BUDGET |           |                                            |           |                      |            |
| FUND NO. 01                                                                                                                     |           |                                            |           |                      |            |
| FUND TITLE ROAD & BRIDGE                                                                                                        |           |                                            |           |                      |            |
| LINK ITEM - EXPENDITURE                                                                                                         | AMENDMENT | INCREASES                                  | DECREASES | APPROPRIATION BEFORE | AS AMENDED |
| <b>PARCENY 4 (4421):</b>                                                                                                        |           |                                            |           |                      |            |
| 03-442-5489 TELEPHONE                                                                                                           | 1,250     | 100                                        |           | 1,350                |            |
| 03-442-5711 OFFICE EQUIP.                                                                                                       | 925       | 150                                        |           | 1,075                |            |
| 03-442-5353 SPECIAL PROJECT                                                                                                     | 5,411     |                                            | <250>     | 5,161                |            |
| TRANSFER TO PURCHASE TELEPHONE AND CHAIR                                                                                        |           |                                            |           |                      |            |

| FUND NO. 01                                                           |           | AMENDMENT NO. 11-941 FY 95 BUDGET 08/21/95 |           |                      |            |
|-----------------------------------------------------------------------|-----------|--------------------------------------------|-----------|----------------------|------------|
| FUND TITLE ROAD BOND SERIES 1995 CONSTRUCTION FUND                    |           |                                            |           |                      |            |
| LINK ITEM - EXPENDITURE                                               | AMENDMENT | INCREASES                                  | DECREASES | APPROPRIATION BEFORE | AS AMENDED |
| <b>ROAD CONSTRUCTION SERIES 95 (692):</b>                             |           |                                            |           |                      |            |
| 04-609-5391 COST OF INSURANCE                                         | -0-       | 75,000                                     |           | 75,000               |            |
| 04-609-5611 CONSTRUCTION                                              | -0-       | 7,925,000                                  |           | 7,925,000            |            |
|                                                                       |           | 8,000,000                                  |           |                      |            |
| <b>REVENUE:</b>                                                       |           |                                            |           |                      |            |
|                                                                       |           | DECREASE                                   | INCREASE  |                      |            |
| 04-372-3458 BOND SERIES 1995 PROCEEDS                                 | -0-       |                                            | 8,000,000 | 8,000,000            |            |
| BUDGET BOND PROCEEDS RECEIVED; BALANCE WILL CARRY OVER TO FY96 BUDGET |           |                                            |           |                      |            |

| FUND NO. 01                                                                                               |           | AMENDMENT NO. 11-941 FY 95 BUDGET 08/21/95 |           |                      |            |
|-----------------------------------------------------------------------------------------------------------|-----------|--------------------------------------------|-----------|----------------------|------------|
| FUND TITLE ANTICIPATION NOTES SERIES 91 PROJECTS                                                          |           |                                            |           |                      |            |
| LINK ITEM - EXPENDITURE                                                                                   | AMENDMENT | INCREASES                                  | DECREASES | APPROPRIATION BEFORE | AS AMENDED |
| <b>ANTICIPATION NOTES 1995 PROJECTS (6421):</b>                                                           |           |                                            |           |                      |            |
| 06-610-5391 COST OF INSURANCE                                                                             | -0-       | 25,000                                     |           | 25,000               |            |
| 06-610-5535 ADA COMPLIANCE BLDGS                                                                          | -0-       | 205,000                                    |           | 205,000              |            |
| 06-610-5712 COMPUTER EQPT.                                                                                | -0-       | 700,000                                    |           | 700,000              |            |
| 06-610-5713 VEHICLES                                                                                      | -0-       | 153,665                                    |           | 153,665              |            |
| 06-610-5714 ROAD DEPT EQUIPT.                                                                             | -0-       | 658,000                                    |           | 658,000              |            |
| 06-610-5715 ROAD DEPT FACILITY                                                                            | -0-       | 242,000                                    |           | 242,000              |            |
| 06-610-5717 SCALES/DPS                                                                                    | -0-       | 16,335                                     |           | 16,335               |            |
| 06-610-5728 JUSTICE CENTER REMOD.                                                                         | -0-       | 450,000                                    |           | 450,000              |            |
| 06-610-5729 JUVENILE SVCS REMOD.                                                                          | -0-       | 80,000                                     |           | 80,000               |            |
| 06-610-5730 ROOF REPAIR                                                                                   | -0-       | 80,000                                     |           | 80,000               |            |
| 06-610-5731 SHCISD/BROADWAY                                                                               | -0-       | 20,000                                     |           | 20,000               |            |
| 06-610-5796 CENTRAL STORES BLDG.                                                                          | -0-       | 70,000                                     |           | 70,000               |            |
| 06-610-5797 EMS BUILDING                                                                                  | -0-       | 70,000                                     |           | 70,000               |            |
|                                                                                                           |           | 2,770,000                                  |           |                      |            |
| <b>REVENUE:</b>                                                                                           |           |                                            |           |                      |            |
|                                                                                                           |           | DECREASE                                   | INCREASE  |                      |            |
| 06-376-3443 ANTICIPATION NOTE 1995 PROCEEDS                                                               | -0-       |                                            | 2,770,000 | 2,770,000            |            |
| BUDGET ANTICIPATION NOTE PROCEEDS RECEIVED IN FY95; BALANCE NOT COMPLETED WILL CARRY OVER TO FY96 BUDGET. |           |                                            |           |                      |            |

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**14283 APPROVE UTILITY PERMIT NO. 95-414 ISSUED BY THE ROAD DEPARTMENT**

Hill Country Water Supply proposes to install a 6" waterline in county right-of-way on Friendswood Lane in Friendship Ranch Subdivision. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permit No. 95-414 issued by the Road Department to Hill Country Water Supply. All voting "Aye".

**14284 RESCHEDULE SEPTEMBER 4, 1995 MEETING DATE (LABOR DAY) TO SEPTEMBER 5, 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to reschedule the September 4, 1995 Commissioners' Court Meeting to September 5, 1995 due to Labor Day holiday. All voting "Aye".

**CONSIDER REPEAL OF BURN BAN (DISASTER DECLARATION - THREAT OF WILD FIRES)**

Commissioner Payne spoke of numerous requests he had received in his precinct to repeal the burn ban in Hays County - the Wimberley area has received adequate rainfall recently. Judge Etheredge and Commissioner Molenaar stated that they had received requests to not lift the ban. Commissioner Payne requested that repeal of burn ban be placed on the agenda every week for consideration. No action taken.

**14285 MADRONE RANCH SECTION II-B - SECOND READING [T1-132]**

Commissioner Molenaar voiced his concerns about subgrade road material being used. Patsy Greiner, Mapping/Planning Coord., spoke of this being the first section of the subdivision that required road construction - concerned about street stub-out on West View Trail. Developer Lee Blocker appeared before the Court - advised that he would build the roads according to county specifications - stated that there is no need for a 100' cul-de-sac on West View Trail (accesses one lot)- this road will be continued on with future development (presented a copy of master plan to Commissioner Molenaar). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Madrone Ranch Section II-B" on second reading. All voting "Aye".

**14286 SUNSET CANYON SECTION 5 LOTS 830 & 831 - ABANDON BUILDING SETBACK BETWEEN THE LOTS - FIRST READING AND CALL FOR A PUBLIC HEARING [T1-304]**

Property owners Travis & Jeri Horelica plan to build a home across the common lot line between Lots 830 & 831. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve abandonment of setback between lots 830 & 831 of Sunset Canyon Section 5 subdivision on first reading and call for a public hearing to be held September 5, 1995 at 9:00 A.M. All voting "Aye".

**14287 DIAMOND D RANCH SECTION 1 - FIRST READING APPROVAL [T1-328/631]**

Charles & Dixie Patterson propose a one lot subdivision (5 acres) and dedicate 0.58 acres of r-o-w on CR317 - this property is out of an original 59.56 acre tract out of the Watkins Nobles Survey & Amos Singleton Survey No. 106. Allen Walther, Environmental Health Director, advised that this property is near the borderline of the recharge zone - not sure whether lot size of 5 acres includes the dedicated r-o-w or not - lot will be undersize if less than five acres. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Diamond D Ranch Section 1" on first reading - property line to be drawn not to include dedicated r-o-w and lot to be at least five acres in size. All voting "Aye".

**14288 CROOKS SUBDIVISION - FIRST READING APPROVAL [T1-338]**

Chris & Marjorie Sylvester, owners of 1.046 acres & 11.2984 acres out of the Trinidad Varcines Survey (located on CR119) proposed a two lot subdivision to be known as "Crooks Subdivision". A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Crooks Subdivision" on first reading. All voting "Aye".

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**14289 THE WOODLANDS RESUB OF LOTS 6-19 - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING** [T1-349]

W. C. Carson, owner of 70.294 acres out of the William Ward League (AKA Lots 6-19 of The Woodlands Subdivision) proposes to develop 42 lots (Lots 1A - 42A) of Lime Kiln Road. Surveyor Ray Kotowski advised that the property owner had previously given additional right-of-way on Lime Kiln Road - the radius on corners inside the subdivision is less than required, however, road will be used only by property owners in the subdivision. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "The Woodlands Resub of Lots 6-19" on first reading and call for a public hearing to be held September 5, 1995 at 9:00 A.M. All voting "Aye".

**14290 WIMBERLEY MOUNTAIN BUSINESS PARK LOT 5 - FIRST READING APPROVAL** [T1-411]

Edwin & Shirley Smith submitted a 2.293 acre lot (Lot 5) located on RR12 in Wimberley (next to the Victoria Bank & Trust). A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Wimberley Mountain Business Park Lot 5" on first reading. All voting "Aye".

**PLATTING VARIANCE - REQUEST BY GERALD WILLIS RE: 7.26 AC. ON GATLIN CREEK RD. (CR 191)** [T1-431]

A platting variance was requested by Gerald Willis for a 7.26 acre tract out of 40 acres located on CR191 - the division of property is for residential use - other lots were previously sold off of the original tract - an access easement will be included with the deed. Allen Walther, Environmental Health Director, advised that a survey is needed and field notes for the easement. Commissioner Barton stated that he was opposed to the proposed easement - adjoining property appears to be subject to additional division with possible use of this easement - future road maintenance must be considered and a property owners association created to address the maintenance. No action taken this date.

**14291 HILLVIEW ADDITION REPLAT OF LOTS 9 & 11 (LOT 9A) - PUBLIC HEARING AND THIRD READING APPROVAL** [T1-532]

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. Staff approval was noted. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hillview Addition Replat of Lots 9 & 11 (Lot 9A) on third and final reading. All voting "Aye".

**14292 GOFORTH ACRES PHASE I - CHANGE OF SUBDIVISION NAME TO "GOFORTH ESTATES"** [T1-550]

Develop Donald Dempsey changed the name of his subdivision to "Goforth Estates" and was unable to file it with the County Clerk because it appeared before the Court under the name of "Goforth Acres Phase I" - official action is needed to allow change of subdivision name for recording. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve change of subdivision name from 'Goforth Acres Phase I' to "Goforth Estates". All voting "Aye".

**14293 3G RANCH ADDITION SECTION 4 - ACTION TO KEEP MOBILE HOMES UNINHABITED** [T1-685]

Commissioner Barton spoke of "3G Ranch Addition Section 4" subdivision that has gone through first and second readings - the road is still not completed, therefore, third reading was never approved - there are three trailers located on the property and two are discharging effluent onto the ground - Environmental Health Director Allen Walther has filed in J.P. Court against Developer Yvonne Gardner - a lawsuit is necessary to prevent occupancy - Developer now proposes to amend the plat and relocate the turn-around on the roadway. Allen Walther advised that if the cul-de-sac is relocated it will require an amendment to Section 3 and will affect the current property owner - we need to take enforcement action against the Developer and not against the people purchasing the property. A motion was made by Commissioner Barton, seconded by Commissioner Payne to request the District Attorney to write a warning letter to Developer Yvonne Gardner advising her of her responsibility in keeping the mobile homes uninhabited until final subdivision approval is obtained. All voting "Aye".

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**14294 AUTHORIZE COUNTY JUDGE TO ENTER INTO AN AGREEMENT WITH VERTEX TARGETED OPPORTUNITIES INC. FOR FEDERAL REIMBURSEMENT INITIATIVE CONSULTANT SERVICES**  
 [T1-995]

A presentation was made to the Court on July 10, 1995 by Vertex Representatives - they will audit the federal programs and monitor grants to maximize funds available - their fee is a percentage of the additional funds that are received. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to enter into an agreement with Vertex Targeted Opportunities Inc. for Federal Reimbursement Initiative Consultant Services. All voting "Aye".

**DISCUSSION REGARDING AMENDMENT TO THE HAYS COUNTY RULES FOR SURFACE APPLICATION OF EFFLUENT** [T1-1044]

Commissioner Molenaar presented a letter he received from the Harris County Engineering Dept.:

RE: Aerobic Plants Utilizing Surface Applications Systems in Harris County, Texas: Request No. 53248

Dear Commissioner Molenaar:

In response to your recent inquiry concerning the captioned we offer the following reply.

Harris County presently has over 44,000 on-sit sewage facilities in operation. The soils in Harris County are mostly clay and a large portion of the county suffers from a seasonal perched water table. Due to these conditions alternative systems such as surface application aerobic plants have become a necessity. Presently Harris County has licenses over 300 such systems utilizing surface application or treated effluent.

We have listed below all the advantages and disadvantages we have discovered with licensing these type of systems. Additionally we have outlined some recommendations that might be helpful to any county considering utilization of surface application type systems.

ADVANTAGES

1. This method of treatment overcomes both soil conditions and ground water problems.
2. Treated waste water is reused beneficially to irrigate landscapes.
3. The treatment plants generally have proved reliable compared to some other alternative systems.
4. The systems appear to be cost effective compared to other alternative systems.

DISADVANTAGES

1. The tablet chlorinators presently in use in Harris County have a tendency to hang up and not provide constant disinfection.
2. These systems require that a maintenance contract be in force for the life of the system. Therefore the county has to insure a maintenance contract is in force and the units are being maintained. Harris County maintains a computer data base to insure the units are property maintained. Presently we are entering approximately 1200 reports annually and have to spend a significant amount of time on routine correspondence to owners and maintenance contractors. The time involved in monitoring these systems was not considered prior to our allowing such systems.
3. When problems arise with units not being maintained we are forced to pursue legal action against the homeowner rather than the maintenance company.

RECOMMENDATIONS

1. Require all systems to be on a timer so that if any problems exist the effluent is sprayed between the hours of 2:00 a.m. and 4:00 a.m. thereby limiting the possibility of human contact. Harris County currently requires this.
2. Require all systems to be equipped with factory approved disinfection devises that have a warranty.
3. Establish a method to hold the maintenance company rather than the property owner responsible if maintenance reports are not turned in.
4. Review units which were not tested by the National Sanitation Foundation to determine if the testing entity is equipped to properly conduct follow-up inspections.

I hope this adequately answers your questions and should you have any more, please feel free to contact us.

Sincerely,

John R. Blount, R.S.  
 Asst. Mgr. of Permit Division

Hays County Environmental Health Director submitted the following:

At Commissioner Molenaar's request and based on the recommendations of Mr. John Blount of Harris County Environmental Health Dept., I offer the following additions to our surface application rules:

- (1) Effluent shall be sprayed only between the hours of 2:00 a.m. and 4:00 a.m.
- (2) All systems shall be equipped with factory warranty and approved disinfection devices.
- (3) Maintenance companies failing to submit required reports within 30 days of the due date shall be subject to enforcement action. (This will involve a formal revision of our local wastewater rules)

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A discussion was had regarding letters submitted - Commissioner Payne was not agreeable to 2-4 A.M. spraying and factory warranties - Judge Etheredge stated his preference in establishing an On-Site Wastewater Task Force and addressing these issues along with the subdivision ordinance revision - Commissioner Molenaar felt like we need to address these systems now for those homeowners making application. A motion was made by Commissioner Molenaar to amend the rules and adopt recommendation of Hays County Environmental Health Dept. Director with change to hours for spraying (from 2 a.m. - 4 a.m. to 12 a.m. - 6 a.m.) . Motion died for lack of second.

**14295 AUTHORIZE COMMISSIONER PRECINCT #3 TO NEGOTIATE A CONTRACT WITH SWTSU & RPI TO PROVIDE PLANNING & ADVISORY SERVICES (RE: WIMBERLEY INCORPORATION) [T1-1432]**

Commissioner Payne requested authorization to negotiate a contract for planning and advisory services to generate a study with the intent to gather public opinion on the topic of incorporation of Wimberley and inform the public as to the facts of incorporation. Buddy Goddard, Wimberley Chamber of Commerce, spoke of need to assimilate information regarding incorporation. David Campbell advised that they are asking the Town of Woodcreek to give up some of the their ETJ - they would like to get any information they can and see if people will support incorporation - two prior elections to incorporate have been defeated. Ed Mihalkanin, SWTSU, spoke of their services in this contract. Commissioner Payne stated that he would commit some of his special project funds. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize Commissioner Precinct #3 to negotiate and enter into a contract with SWTSU and RPI to provide planning and advisory services to the County. All voting "Aye".

**14296 ADOPT INCREASE IN CONSTRUCTION MATERIAL RATES, PROHIBIT DUMPING OF WIRE FENCING, AND REQUIRE ALL SOLID WASTE & RECYCLING ISSUES TO GO THROUGH THE WIMBERLEY TRANSFER STATION [T1-1600]**

Wimberley Transfer Station Manager Jerry Pinnix appeared before the Court - advised that the County use to charge \$7 per cubic yard for dumping of construction materials and later lowered that rate to \$5 PCY - now that the cost of the haul has increased there is a need to increase the rate for dumping construction materials back up to \$7.00 per cubic yard - requested that Court authorize the discontinuance of accepting wire fencing due to hauling costs - requested that all matters, agreements, contracts, etc. pertaining to solid waste and recycling go through the Transfer Station Dept. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to increase the rate for construction materials to \$7.00 per cubic yard, prohibit the dumping of wire fencing, and require that all solid waste & recycling issues go through the Wimberley Transfer Station Department. All voting "Aye".

**CONSIDER ALLOCATION OF \$ 590,000.00 OF JUVENILE DETENTION CONSTRUCTION FUNDS TO BE TRANSFERRED TO THE INTEREST & SINKING FUND AND APPLIED TO FY96 DEBT REQUIREMENT [T1-1830]**

Judge Etheredge presented members of the Court his memorandum regarding the FY1995-1996 Budget (See following page for copy of memo). County Auditor Bill Herzog spoke of need to get the effective tax rate tied down this month - further delay will require more complex figuring. Discussed tax rate with new debt, current budget, requested budget, and recommended budget - spoke of estimated revenues, etc. Court was recessed until August 22, 1995 for possible vote on this agenda item.

MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S



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M E M O R A N D U M

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DATE: August 21, 1995  
 TO: Hays County Commissioners  
 FROM: Eddy Etheredge, Hays County Judge  
 RE: FY 1995-96 Budget

This has been by far the most difficult of the five budgets I have prepared as County Judge. A shortfall of \$800,000 in jail revenues this year and \$2 million next year, combined with sharp growth and ever-increasing demands for service painted a bleak picture as I began forming my proposed budget.

After weeks of work, I am pleased to propose a budget that calls for *no increase in the current tax rate*, despite a four cent debt service increase as a result of the voter-approved bonds passed in 1993. But in order to accomplish that, we must transfer \$589,000 of juvenile construction funds into interest & sinking to reduce next year's debt service payment by the equivalent of 2.6 cents on the tax rate. Otherwise, we face a tax rate in the neighborhood of 45 cents.

Unlike the current year's budget, my proposed budget for 1995-96 is a "bare bones" but workable budget. I know that you will go through the budget line item by line item just as I did, and you will surely change some things. But I am confident that in the end you will see that to achieve a balanced budget, you must consider the following options:

- Cut services and thus cut personnel and/or hours of operation.
- Dip into reserve funds.
- Raise taxes, fees, fines & forfeitures.

I have elected to balance my proposed budget with a combination of cuts in personnel and operating expenses and a one-time use of \$627,000 in reserve funds.

To do so, I have eliminated virtually all new requests for operating expenses in the General Fund - about \$2.7 million - including all new requests for personnel, equipment and vehicles. In addition, I have cut approximately \$725,000 in operating expenses from our current year's budget, including eight positions in the Law Enforcement Center. This has been accomplished while also budgeting for the operation of our new Juvenile Services Center.

While these cuts will put a strain on our elected officials and department heads as they continue to be stressed by growth, I felt it was necessary to avoid a tax rate increase and not rely unduly on our reserves.

The decision to rely in part on reserves troubles me. In order to avoid this predicament in future years I feel that the court must work diligently over the next year to address several problem areas:

- Work with the Sheriff to determine the best solution for boosting revenue from our Law Enforcement Center.
- Explore the possibility of performance-based auditing so that our decisions on creating and eliminating positions are not made arbitrarily, and to make sure our elected officials and department heads collect the fees, fines & forfeitures they should.
- Hold public meetings and work to determine the level of service required by our constituents, and their willingness to pay for those services.

In closing, I would like to thank those elected officials and department heads who went back to their budgets and made cuts that enabled me to present a balanced budget that calls for no increase to our current tax rate of 41.52 cents per \$100 valuation. In particular, I'd like to thank County Auditor Bill Herzog for his hard work and ingenuity.

Because of an increase in property evaluations, maintaining the current tax rate will mean that some property owners will pay slightly more in property taxes in the coming year. But in a county growing as rapidly as ours, I feel we must remain committed to improving our infrastructure and providing much-needed services to our constituents.

To that end - and in line with the Court's Budget Policy Statement - the Hays County Road Department will be the only department to get a significant boost in funding with major increases in contract labor (\$200,000), materials (\$200,000), and six new employees to come on line in March (\$50,500).

In 1993, when the voters approved the first County bond issue in more than 40 years, we estimated taxpayers could expect a nickel increase to the then-tax rate of 42 cents. But through a combination of strong financial management, prudent cuts in operating expenses, and increases in tax base, we have been able to hold the line on the tax rate and not sacrifice our long-term commitment to our infrastructure.

Despite severe revenue shortfalls and phenomenal growth, I believe that fact bodes well for the future of Hays County.



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STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 22nd DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN A BUDGET WORKSHOP MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Judge Etheredge called the meeting to order. He suggested going through each department and compare current budgets with recommended figures.

AUDITORS OFC [T1-130] - County Auditor Bill Herzog stated that all data processing equipment and software appears in the Computer Services Department budget. Auditor's current budget is \$329,197 and recommended budget is \$ 324,612.

TREASURERS OFC [T1-200] - Current budget is \$162,566 and recommended budget of \$151,032.

EXTENSION OFC - Current budget is \$ 90,921 and recommended is \$ 99,133.

JAIL PERSONNEL - [T1-270] 8 jailers were cut & 20% budget line items cut

JUVENILE PROBATION - [T1-322] Juvenile Probation has requested that probation fees collected be utilized - these fees were budgeted under Misc. line item.

ELECTION ADMINISTRATION - [T1-344] Postage was increased for mass mail-outs - request has been made for additional personnel (\$15,663 + fringes) - current budget is \$ 107,497 and recommended budget of \$ 126,215.

VOLUNTEER FIRE DEPTS. [T1-436] - Judge Etheredge explained why VFD are not being funded if they received funds from fire districts.

VEHICLES [T1-587] A discussion was had regarding vehicles being used by county personnel - would like to see only essential personnel using county vehicles. Also discussed the number of mobile phones being used - seems to be excessive.

CIVIC CENTER - Improvements requested = \$360,000+

SOCIAL SERVICES [T1-819] Commissioner Payne voiced his concerns about EMS funding. Judge Etheredge stated that he had met with every Fire & EMS service in the County and he feels like funding is not going to solve their problems. The Southside Community Center is requesting funding to operate/manage Legal Aid services.

INDIGENT HEALTH CARE [T1-1045] Not sure how this will be funded.

RECYCLING [T1-1188] Need to get with Transfer Station Manager Jerry Pinnix.

PARKS [T1-1188] Commissioner Molenaar spoke of funding that had not been requested by Dripping Springs for their park and that is still in his budget.

SHERIFFS DEPT. - [T1-1324] Discussion was had regarding vehicles and overtime pay.

CONSTABLES - [T1-1480] Discussion was had regarding vehicles requested.

TAX INCREASE [T1-1835] Discussion was had regarding increasing taxes - 1 cent = \$224,000.

COMMISSIONER PCT. 4 [T1-2384] Commissioner Molenaar spoke of cuts that could be made in his budget out of various line items.

COURT COSTS - [T1-3346] Discussion was had regarding need to collect all fees possible - need to make sure that Court Appointed Attorney Fees are assessed and collected and that defendants are in fact indigent.

✓ COUNTY CLERK/RECORDS MANAGEMENT [T2-63] County Clerk Ronnie Dannelley spoke of records management system (contract services) - RFP has been given to Purchasing Dept. - feels like the lowest proposal will be approximately \$43,000.00 - requesting longer lease than one year. Commissioner Payne spoke of estimated revenues being less than budget request. County Auditor Bill Herzog suggested bumping revenues up to \$113,000.00. [T2-515] A motion was made by Commissioner Payne, seconded by Commissioner Barton to increase County Clerks Records Management contract services line item to \$43,000.00 and increase projected revenues for this department to \$113,000.00. Commissioner Payne, Commissioner Barton, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez abstained and Judge Etheredge voting "No". PASSED. [T2-681] A motion was made by Commissioner Barton, seconded by Commissioner Payne to reduce Permanent Records line item #5215 to \$16,000.00 and increase Data Processing Equipment line item #5712 to \$4,000.00. Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez abstained and Judge Etheredge voting "No". PASSED.

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ROAD DEPT. - [T2-735] Six new employees have been placed in the budget.  
CONSTABLES - [T2-788] Constable Cruz Pct. 1 has requested a new vehicle for his department. A motion was made by Commissioner Payne to move a car from the Sheriff's Department to Constable Pct. 1 - Motion died for lack of a second. County Auditor Bill Herzog advised that Constable Pct. 1 has four cars and three people in that department. Commissioner Barton spoke of law enforcement services in his precinct - felt like Constable Pct. 1 received a lot in his budget last year. Judge Etheredge spoke of Court having advised Constables that they would not be getting cars every year. Discussion was had regarding replacement vehicles when new ones are purchased - old vehicles should come back to the Court and let them control where those vehicles will go (Data Processing, Juvenile Probation, Constables, auction, etc.). Commissioner Molenaar spoke of request by Constable Pct. 4 for a backup/reserve deputy vehicle - stated that he feels that Constables do not need overhead lights, marked vehicles, uniforms, etc. Commissioner Payne stated that there is too much abuse of vehicles if you use unmarked units. Judge Etheredge advised that he would not support Constable vehicles.

SOCIAL SERVICES:

Buda Library - [T2-1217] A motion was made by Commissioner Barton to give the Buda Library \$13,000.00 - they are the fastest growing library and work very hard to raise funds - Motion died for lack of a second.

✓ Greater San Marcos Economic Development - [T2-1353] A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to reduce the Greater San Marcos Economic Development to \$25,000.00. Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez abstained and Judge Etheredge voting "No". PASSED.

Hays County Economic Development - [T2-1416] A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to reduce funding for the Hays County Economic Development to \$5,000.00. Commissioner Payne and Commissioner Molenaar voting "Aye". Commissioner Rodriguez abstained. Commissioner Barton and Judge Etheredge voting "No". FAILED.

✓ Youth Services Bureau - [T2-1432] A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to reduce funding for the Youth Services Bureau to \$15,000 (same as current year). Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge was not present for vote. PASSED.

✓ Hays County Women's Center - [T2-1470] Requested help with paving parking lot and purchasing telephone system. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to fund the Hays County Women's Center as current funding of \$ 30,000.00. Commissioner Rodriguez, , Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Barton voting "No". Judge Etheredge was not present for vote. PASSED.

✓ Hill Country Senior Citizens - [T2-1548] A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to fund the Hill Country Senior Citizens at their current funding of \$16,500.00. Commissioner Rodriguez, , Commissioner Barton, and Commissioner Payne voting "Aye". Commissioner Molenaar voting "No". Judge Etheredge was not present for vote. PASSED.

✓ Scheib Opportunity Center - [T2-1648] A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to fund the Scheib Opportunity Center at their current level of funding of \$20,500.00. Commissioner Rodriguez, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Barton voting "No". Judges Etheredge was not present for vote. PASSED.

Legal Aid - - [T2-1686] No budget proposal was submitted to account for the \$42,000.00 request by Southside Community Center. A motion was made by Commissioner Payne - Died/lack of a second.

CASA - [T2-1900] Commissioner Barton explained that CASA provides a Court Advocate for children. Commissioner Molenaar voiced his concerns about it being a duplication of foster care. Winton Porterfield spoke of training volunteers - Child Protective Services has created problems with the Hays County Child Welfare Board. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to cut CASA out of the county budget. Commissioner Payne and Commissioner Molenaar voting "Aye". Commissioner Rodriguez and Commissioner Barton voting "No". Judge Etheredge was not present for the vote. FAILED.

✓ Legal Aid @ Southside Community Center - [T2-2045] fulltime legal aid services would be provided . A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to fund Legal Aid at Southside Community Center in the amount of \$25,000.00. Commissioner Rodriguez, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Barton voting "No". Judge Etheredge was not present for the vote. PASSED.

Court recessed until Thursday August 24, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

Eddy A. Etheredge  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 H A Y S COUNTY, TEXAS

Margie T. Villalpando  
 MARGIE T. VILLALPANDO, COUNTY CLERK  
 H A Y S COUNTY, TEXAS



AUGUST 24, 1995

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STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 24TH DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**SOCIAL SERVICES** - Discussion was had regarding *Legal Aid services* to be provided by Southside Community Center - Central Texas Legal Aid is only providing supplemental limited services and they will not represent clients in court or handle family law cases - they do provide workshop for will preparation, etc. Judge Etheredge spoke of need for legal services for the indigent to be able to receive a divorce and get out of a bad situation - feels like we have a moral and ethical obligation to help those who can't help themselves - suggested eliminating current legal aid staff, office space, etc. and let Southside Community Center take over this service. Commissioner Molenaar stated that he is opposed to using tax dollars to fund divorce cases. Commissioner Payne stated his opposition to the requested amount of funding (\$42,000) - would rather fund EMS. Judge Etheredge advised that if you don't fund the \$42,000.00 then don't fund this service at all.

**FIRE/EMS** - [T1-227] Judge Etheredge suggested taking some of the county tax rate and allocate funds to Fire & EMS and really deal with it. [T1-340] Commissioner Molenaar spoke of tax increase voted on by EMS District in North Hays county (increased their 2 cent tax to 3 cents) - suggested a 1/2 cent county tax increase to deal with EMS & Fire Services - spoke of supplementing other EMS/Fire Districts. Judge Etheredge read petition by concerned citizens. Commissioner Barton spoke of higher level of services being provided by Northwest Hays County EMS than by Northeast Hays County EMS. Judge Etheredge spoke of there being no continuity of what level of services are provided and no Court policy - feels like the City of San Marcos will eventually have their own EMS for the City residents - spoke of establishing a formula for funding all districts. Bill Herzog stated that he had requested fund balances from the districts, however, not all districts provided this information. Judge Etheredge spoke of South Hays County RFPD revenues decreasing because of annexations by the City of San Marcos - the Cities of Kyle and Buda occasionally purchase equipment for their volunteers. Commissioner Barton spoke of providing funds for basic service and higher levels of service should be paid for by the City - spoke of North Hays County EMS receiving one time funding of \$90,000 - he is opposed to additional funding at the expense of other social services - Counties must provide road services and law enforcement. - social services are being funded at current levels even though their State & Federal funding is being cut - willing to support a tax increase in order to provide better service - we need to at least meet our basic obligation.

**ROADS** - [T1-1261] Judge Etheredge spoke of funding for roads - we do not have to fund equally for all precincts - we could choose to put 100% of funds in one precinct one year and another precinct the next year - we need to develop programs and policy first and then figure funds needed. Commissioner Barton stated that he would be submitting a three year plan to bring up substandard roads in his precinct and information to show that there will be a savings to the county. Discussion was had regarding law enforcement being provided to small cities by interlocal agreement.

**CIVIC CENTER** - [T1-1730] Discussed expenses. **SALARIES** - [T1-1857] Discussed merit and Cost of Living (3%). **CONTINGENCIES** - [T1-2000] Discussed need for sufficient contingencies to handle unforeseen expenses. Commissioner Barton spoke of need for money to be set aside for possible consultant services. Discussed Predator Control services. **ANIMAL CONTROL** [T1-2265] Discussed problems with having only one Animal Control Officer for countywide coverage seven days a week 24 hours per day. Bill Herzog spoke of Animal Control Ordinance - this department was intended to be self supporting, however, it only generates approximately \$600 per year. Commissioner Payne spoke of need to transfer Animal Control Account to the Sheriff's Dept. where it belongs. ✓ A motion was made by Commissioner Barton, seconded by Commissioner Payne to request the County Auditor and Treasurer to take whatever action is necessary to close the Animal Control Account. All voting "Aye". **PARKS** - [T1-2450] Discussion was had regarding funds, improvements, and restrictions to the dam. Discussion was had regarding **TAX RATE** - Judge Etheredge spoke of budget being built to not increase taxes - felt like there is no room for making any meaningful changes - if you make additions, you must increase the tax rate. [T1-3006] Voters approved issuance of bonds knowing that there could possibly be a tax increase of 5 cents. Discussion was had regarding revenues, sales tax, and possible tax exemptions. [T2-222] Discussion was had regarding county vehicles and creating pool cars to be shared by all the Constables and the Sheriff's Dept.

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**14297 APPROVE ALLOCATION OF JUVENILE DETENTION CONSTRUCTION FUNDS TO BE TRANSFERRED TO THE INTEREST & SINKING FUND AND APPLIED TO FY96 DEBT REQUIREMENT**

A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve allocatin of Juvenile Detention Construction Funds to be tranfered to the Interest & Sinking Fund and applied to FY96 Debt requirement. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



**STATE OF TEXAS**  
**COUNTY OF HAYS**

ON THIS THE 28th DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>RONNIE DANNELLEY</b>    | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14298 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 201,712.57 as presented by the County Auditor. All voting "Aye".

|                   |              |                    |              |                    |               |
|-------------------|--------------|--------------------|--------------|--------------------|---------------|
| Auditors Ofc      | \$ 452.47    | Treasurers Ofc     | \$ 387.14    | Extension Ofc      | \$ 671.88     |
| Grants Admin      | \$ 263.59    | Juvenile Prob      | \$ 383.26    | Election Admin     | \$ 732.82     |
| Indigent Care     | \$ 381.01    | Transfer Station   | \$ 1,637.68  | Bldg. Mtc.         | \$ 9,972.30   |
| Environ Health    | \$ 1,609.99  | Personal Health    | \$ 514.00    | Civic Center       | \$ 2,153.88   |
| Countywide Oper   | \$ 7,392.29  | Tax A/C            | \$ 613.33    | District Clerk     | \$ 774.94     |
| County Clerk      | \$ 467.38    | Sheriff's Ofc      | \$ 11,736.32 | Jail Operations    | \$ 21,985.67  |
| County Judge      | \$ 252.20    | Human Resources    | \$ 90.53     | Co Cr @ Law 1      | \$ 415.31     |
| District Attorney | \$ 1,660.06  | J.P. 1-1           | \$ 66.77     | J.P. 1-2           | \$ 119.34     |
| J.P. 3            | \$ 82.80     | J.P. 4             | \$ 88.01     | J.P. 5             | \$ 71.84      |
| D.P.S.            | \$ 328.13    | Constable 1        | \$ 118.37    | Constable 3        | \$ 49.67      |
| Constable 5       | \$ 37.94     | Dist Cr Operations | \$ 1,393.48  | Co & JP Cr Oper    | \$ 1,177.74   |
| Veterans Admin    | \$ 37.81     | Computer Svcs      | \$ 11,789.96 | Co Cr @ Law 2      | \$ 255.25     |
| Fire Marshal/EMC  | \$ 80.54     | TABC               | \$ 75.19     | Dist Cr Reprtr     | \$ 92.93      |
| TJPC CCAP Grant   | \$ 116.90    | Legal Aid Ofc      | \$ 24.37     | Dunbar Grant       | \$ 20.00      |
| DA DARE Grant     | \$ 219.60    | Emerg Div Grant    | \$ 4,660.00  | Gen Fund Credit    | * \$ 68.75 *  |
| R&B Operations    | \$ 58,899.72 | Precinct 1         | \$ 270.00    | Precinct 2         | \$ 150.00     |
| Precinct 3        | \$ 110.19    | Precinct 4         | \$ 144.08    | R&B Gen Credit     | * \$ 428.68 * |
| Anticip Notes '95 | \$ 20,329.21 | Rec Mng/Co Clk     | \$ 1,534.27  | Health Svcs Grants | \$ 2,100.75   |
| Jail Construction | \$ 1,000.00  | Road Construction  | \$ 15,188.69 | Courthouse Renov   | \$ 10,368.69  |
| Adult Prob Oper   | \$ 6,006.54  | Adult Prob Fac     | \$ 1,653.17  |                    |               |

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14299 APPROVE BUDGET AMENDMENT NO. 95-042

The following budget amendments were proposed:

Extension Office - transfer for needed expenses and to allow purchase/replacement of a PC system @ \$2,400.00.

Transfer Station - transfer for replacement of air conditioner unit from maintenance (\$670.00).

Building Maintenance - transfer for needed supplies from personnel cost savings.

Sheriffs Office - transfer for needed expense and overtime from personnel costs savings and expense line items.

Human Resources - to allow seminar/conference training.

District Attorney - for telephone purchase (\$400)

Justice of Peace 3 - fund chairs for court (\$350)

Road & Bridge Operations - transfer for needed expenses from various line items.

Computer Services - various line item transfers

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-042 as proposed by the County Auditor. All voting "Aye".

|                                                                                        |               | AMENDMENT<br>NO. 95-042<br>FY 95 BUDGET<br>08/28/95 |                 |               |
|----------------------------------------------------------------------------------------|---------------|-----------------------------------------------------|-----------------|---------------|
|                                                                                        |               | FUND NO. 01                                         |                 |               |
|                                                                                        |               | FUND TITLE GENERAL                                  |                 |               |
| LINE ITEM - EXPENDITURES                                                               | APPROPRIATION | AMENDMENT                                           |                 | APPROPRIATION |
|                                                                                        | BEFORE        | INCREASES                                           | DECREASES       | AS            |
|                                                                                        | AMENDMENT     |                                                     |                 | AMENDED       |
| <b>EXTENSION OFFICE (403):</b>                                                         |               |                                                     |                 |               |
| 01-403-5473 COPIER LEASE                                                               | 2,400         | 200                                                 |                 | 2,600         |
| 01-403-5489 TELEPHONE                                                                  | 7,450         | 260                                                 |                 | 7,710         |
| 01-403-5719 MISC EQPT                                                                  | 1,575         | 2,400                                               |                 | 3,975         |
| 01-403-5221 DATA PROC SUPPLY                                                           | 500           |                                                     | (410)           | 90            |
| 01-403-5371 OAK WILT PROJECT                                                           | 5,000         |                                                     | (2,400)         | 2,600         |
| 01-403-5411 OFF EQPT MAINT                                                             | 250           |                                                     | (50)            | 200           |
|                                                                                        |               | <u>2,860</u>                                        | <u>(2,860)</u>  |               |
| TRANSFER FOR NEEDED EXPENSE AND TO ALLOW PURCHASE OF REPLACEMENT P.C.                  |               |                                                     |                 |               |
| <b>TRANSFER STATION (409):</b>                                                         |               |                                                     |                 |               |
| 01-409-5719 MISC EQPT                                                                  | -0-           | 670                                                 |                 | 670           |
| 01-409-5414 HEAVY EQPT MAINT                                                           | 2,600         |                                                     | (670)           | 1,930         |
| TO ALLOW REPLACEMENT OF A/C UNIT                                                       |               |                                                     |                 |               |
| <b>BUILDING MAINTENANCE (410):</b>                                                     |               |                                                     |                 |               |
| 01-410-5231 1ST AID SUPPLY                                                             | 1,780         | 250                                                 |                 | 2,030         |
| 01-410-5311 TRAVEL                                                                     | 200           | 100                                                 |                 | 300           |
| 01-410-5021 STAFF SALARY                                                               | 96,648        |                                                     | (350)           | 96,296        |
| TRANSFER FOR NEEDED SUPPLIES FROM PERSONNEL COST SAVINGS                               |               |                                                     |                 |               |
| <b>SHERIFF OFFICE (418):</b>                                                           |               |                                                     |                 |               |
| 01-418-5031 O/T HOLIDAY                                                                | 109,135       | 5,600                                               |                 | 114,735       |
| 01-418-5211 OFFICE SUPPLIES                                                            | 8,500         | 1,000                                               |                 | 9,500         |
| 01-418-5272 VEHICLE SUPPLY                                                             | 33,000        | 4,000                                               |                 | 3,700         |
| 01-418-5021 STAFF                                                                      | 1,315,475     |                                                     | (1,800)         | 1,313,675     |
| 01-418-5271 FUEL/LUBES                                                                 | 94,300        |                                                     | (2,000)         | 92,300        |
| 01-418-5362 CID EXPENSES                                                               | 6,037         |                                                     | (800)           | 5,237         |
| 01-418-5411 OFFICE EQPT MAINT                                                          | 2,750         |                                                     | (2,000)         | 750           |
| 01-418-5413 VEHICLE MAINT                                                              | 13,700        |                                                     | (2,000)         | 11,700        |
| 01-418-5415 COMMUN EQPT MAIN                                                           | 9,000         |                                                     | (2,000)         | 7,000         |
|                                                                                        |               | <u>10,600</u>                                       | <u>(10,600)</u> |               |
| TRANSFER FOR NEEDED EXPENSE AND O/T FROM PERSONNEL COST SAVINGS AND EXPENSE LINE ITEMS |               |                                                     |                 |               |
| <b>HUMAN RESOURCES OFFICE (421):</b>                                                   |               |                                                     |                 |               |
| 01-421-5211 OFFICE SUPPLY                                                              | 2,375         | 175                                                 |                 | 2,550         |
| 01-421-5331 CONTINUING EDUCATION                                                       | 2,000         | 600                                                 |                 | 2,600         |
| 01-421-5711 OFFICE EQPT                                                                | 252           | 4                                                   |                 | 256           |
| 01-421-5212 POSTAGE                                                                    | 600           |                                                     | (179)           | 421           |
| 01-421-5462 PUBLIC NOTICES/EMPL                                                        | 5,860         |                                                     | (450)           | 5,410         |
| 01-421-5489 TELEPHONE                                                                  | 1,033         |                                                     | (150)           | 883           |
|                                                                                        |               | <u>779</u>                                          | <u>(779)</u>    |               |
| TO ALLOW SEMINAR/CONFERENCE TRAINING                                                   |               |                                                     |                 |               |
| <b>DISTRICT ATTORNEY (423):</b>                                                        |               |                                                     |                 |               |
| 01-423-5711 OFFICE EQPT                                                                | 200           | 400                                                 |                 | 600           |
| 01-423-5489 TELEPHONE                                                                  | 7,114         |                                                     | (400)           | 6,714         |
| FOR TELEPHONES PURCHASE                                                                |               |                                                     |                 |               |
| <b>JUSTICE OF PEACE 3 (427):</b>                                                       |               |                                                     |                 |               |
| 01-427-5711 OFFICE EQPT                                                                | -0-           | 350                                                 |                 | 350           |
| 01-427-5473 EQUIPMENT LEASE                                                            | 780           |                                                     | (125)           | 655           |
| 01-427-5489 TELEPHONE                                                                  | 1,000         |                                                     | (225)           | 775           |
| TO FUND COURTROOM CHAIRS                                                               |               |                                                     |                 |               |

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| FUND NO. <u>03</u>                         |               | FUND TITLE <u>ROAD &amp; BRIDGE</u> |                 |               |
|--------------------------------------------|---------------|-------------------------------------|-----------------|---------------|
| LINE ITEM - EXPENDITURES                   | APPROPRIATION | AMENDMENT                           |                 | APPROPRIATION |
|                                            | BEFORE        | INCREASES                           | DECREASES       | AS            |
|                                            | AMENDMENT     |                                     |                 | AMENDED       |
| <b>ROAD &amp; BRIDGE OPERATIONS (438):</b> |               |                                     |                 |               |
| 03-438-5031 O/T-HOLIDAY                    | 12,000        | 2,500                               |                 | 14,500        |
| 03-438-5160 INSURANCE                      | 112,354       | 975                                 |                 | 113,329       |
| 03-438-5271 FUELS & LUBES                  | 70,000        | 10,000                              |                 | 80,000        |
| 03-438-5351 ROAD MATERIALS                 | 728,200       | 20,100                              |                 | 748,300       |
| 03-438-5413 VEH/EQPT MAINT                 | 46,000        | 5,000                               |                 | 51,000        |
| 03-438-5452 TRASH HAUL                     | 5,200         | 1,800                               |                 | 7,000         |
| 03-438-5471 RADIO TOWER RENTAL             | 2,600         | 200                                 |                 | 2,800         |
| 03-438-5473 COPIER LEASE                   | 1,500         | 125                                 |                 | 1,625         |
| 03-438-5489 TELEPHONE                      | 10,000        | 500                                 |                 | 10,500        |
| 03-438-5011 DEPT HEAD                      | 36,353        |                                     | (3,350)         | 33,003        |
| 03-438-5021 STAFF                          | 1,036,085     |                                     | (12,000)        | 1,024,085     |
| 03-438-5110 FICA                           | 81,311        |                                     | (2,000)         | 79,311        |
| 03-438-5121 RETIREMENT                     | 82,222        |                                     | (925)           | 81,297        |
| 03-438-5191 TRAVEL ALLOWANCE               | 5,500         |                                     | (250)           | 5,250         |
| 03-438-5212 POSTAGE                        | 317           |                                     | (100)           | 217           |
| 03-438-5272 VEHICLE SUPPLY                 | 75,000        |                                     | (4,000)         | 71,000        |
| 03-438-5311 TRAVEL                         | 1,200         |                                     | (550)           | 650           |
| 03-438-5321 DUES & BONDS                   | 300           |                                     | (40)            | 260           |
| 03-438-5331 CONTINUING EDUC                | 2,000         |                                     | (1,295)         | 705           |
| 03-438-5443 CONSULTANTS                    | 15,000        |                                     | (6,000)         | 9,000         |
| 03-438-5461 PRINTING                       | 500           |                                     | (400)           | 100           |
| 03-438-5474 UNIFORM RENTAL                 | 16,000        |                                     | (1,000)         | 15,000        |
| 03-438-5475 ROAD EQPT RENTAL               | 17,500        |                                     | (7,690)         | 9,810         |
| 03-438-5476 MATS/TOWEL RENTAL              | 500           |                                     | (500)           | -0-           |
| 03-438-5480 UTILITIES                      | 7,000         |                                     | (1,100)         | 5,900         |
|                                            |               | <u>41,200</u>                       | <u>(41,200)</u> |               |

TRANSFER FOR NEEDED EXPENSE FROM VARIOUS LINE ITEMS

**14300 AWARD CONTRACT ON HAIL DAMAGE REPAIRS ON ROOF AT LEC**

The following submitted bids for hail damage repairs to various Hays County facilities: Tebbin, Port Enterprise, McNeil, and Easley. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award contract on hail damage repairs on roof at the Law Enforcement Center to Tebbin in the amount of \$ 65,000.00. All voting "Aye".

**14301 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF EMS BUILDING**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for construction of EMS building (Bid #95-B017). All voting "Aye".

**14302 APPROVE CHANGES TO CONTRACT WITH COURTHOUSE ARCHITECT TO COMPLY WITH FEDERAL REQUIREMENTS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve changes to contract with courthouse architect to comply with federal requirements. All voting "Aye".

**14303 AUTHORIZE THE COUNTY JUDGE AND COUNTY AUDITOR TO BE SIGNATORS FOR CONTRACTUAL DOCUMENTS ON TDHCA COMMUNITY DEVELOPMENT PROGRAM - WIMBERLEY WATER SYSTEM**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge and County Auditor to be signators for contractual documents on TDHCA Community Development Program regarding the Wimberley Water System. All voting "Aye".

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RESOLUTION

WHEREAS, the County has been funded by the Texas Department of Housing and Community Affairs under the Texas Community Development Program, and

WHEREAS, the County needs to authorize certain individuals as signators for contractual documents associated with this grant.

NOW THEREFORE BE IT RESOLVED that the following individual will also be designated to sign:

State of Texas Purchase Vouchers  
s/ Eddy Etheredge  
s/ Bill Herzog

Requests for Advance or Reimbursement  
s/ Eddy Etheredge  
s/ Bill Herzog

Passed and Approved the 28th day of August, 1995 by the Commissioners' Court.

**14304 RUBY RANCH PHASE ONE - SECOND READING APPROVAL [T1-58]**

Allen Walther, Environmental Health Director, recommends approval - concerns have been resolved. Commissioner Barton spoke of roads being private with a homeowners association for maintenance. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Ruby Ranch Phase One" subdivision on second reading. All voting "Aye".

**14305 RIVER MOUNTAIN RANCH SECTION ONE - SECOND READING APPROVAL [T1-80]**

Allen Walther, Environmental Health Director, spoke of water pollution abatement plan required - verification of acceptance from TNRCC has been received - recommends that the connector street to FM3237 and the large acreage lots be included in the plat - the Homeowners Association does not go into effect until 100% of lots are sold - description of easement has been received. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Mountain Ranch Section One" subdivision on second reading. All voting "Aye".

**14306 SUNSET CANYON SECTION 5 LOTS 830 & 831 - ABANDON INTERIOR BUILDING SETBACK LINES - SECOND READING [T1-141]**

Travis & Jeri Horelica own both lots #830 & 831 and are building a home between the lots - setback lines between these lots need to be abandoned. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to abandon the interior building setback lines between Lots 830 & 831 of Sunset Canyon Section 5 subdivision. All voting "Aye".

**14307 DIAMOND D RANCH SECTION 1 LOT 1 - SECOND READING [T1-153]**

Kelly Kilber presented "Diamond D Ranch Section 1 Lot 1" on second reading - total acreage is 5.58 acres (.58 acres in roadway). A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Diamond D Ranch Section 1 Lot 1" on second reading. All voting "Aye".

**14308 CROOKS SUBDIVISION LOT 1 - SECOND READING [T1-189]**

Ken Crooks advised that he was unable to determine the width of CR119 by county records, however, he physically measured the roadway and it was 23 ft. 6 in. wide. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Crooks Subdivision Lot 1" on second reading. All voting "Aye".

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**14309 THE WOODLANDS RESUBDIVISION OF LOTS 6 - 19 - SECOND READING [T1-228]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "The Woodlands Resubdivision of Lots 6 through 19" on second reading. All voting "Aye".

**14310 WIMBERLEY MOUNTAIN BUSINESS PARK LOT 5 - SECOND READING [T1-247]**

Allen Walther, Environmental Health Director, gave staff recommendation for approval - noted to the Court that unrecorded lots adjoining this subdivision may have future development. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve "Wimberley Mountain Business Park Lot 5" on second reading. All voting "Aye".

**14311 EL CAMINO REAL ESTATES SECTION 2 - THIRD READING [T1-259]**

Virginia Luna spoke of a pole and fence located in the proposed flag lot. Commissioner Barton advised her that those concerns are beyond the courts purview - also advised that Mrs. Gardner should not be selling lots before obtaining final plat approval. Mark McMinn appeared before the Court requesting approval of this plat. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "El Camino Real Estates Section 2" on third reading. All voting "Aye".

**14312 TRIPLE CREEK RANCH SECTION 3 AMENDED - THIRD READING [T1-341]**

Mapping/Planning Coordinator Patsy Greiner spoke of Court having previously approved "Triple Creek Ranch Section 3" - since that time Lot 1 has been enlarged and approval is needed to allow filing of the final plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Triple Creek Ranch Section 3 Amended" on third reading. All voting "Aye".

**14313 WIMBERLEY CAMPFIRE NO. 2 SECTION 4 RESUB OF LOTS 224-226 - FIRST, SECOND, AND THIRD READINGS (AKA CEDAR OAKS MESA) [T1-359]**

Commissioner Payne stated that a public hearing had already been held regarding this resubdivision of lots - resubdivision is prohibited in this subdivision, however, approval has been obtained from the Property Owners Association as long as each property owner pays 1 1/2 times the usual maintenance fee. Note: The plat was not submitted at this time, however, it was brought in later during the meeting and the following action took place: [T2-77]

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Wimberley Campfire No. 2 Section 4 (AKA Cedar Oaks Mesa) Resubdivision of Lots 224-226" on first, second, and third readings and with stipulation that each lot owner will be required to pay one and one-half times the usual maintenance fee. All voting "Aye".

**3-G RANCH ADDITION SECTION 4 - DISCUSSION ONLY [T1-479]**

Commissioner Barton advised that road work is currently underway and core testing will be provided - they are requesting approval for a 55 foot turnaround - spoke of charges filed regarding wastewater being discharged - houses have now been vacated .

**14314 AUTHORIZE THE COUNTY JUDGE AND SHERIFF TO RE-OPEN DUDLEY JOHNSON PARK [T1-545]**

Commissioner Barton suggesting authorizing the re-opening of Dudley Johnson Park (AKA 5-Mile Dam Park) - GBRA (Guadalupe Blanco River Authority) recommends placement of buoys at dangerous portions of the dam. Ricky Bowen (Park User) stated that he cares about the park and would like to see a marker placed in recognition of the child that lost his life - spoke of need for a telephone for use in emergencies - spoke of access to the river is a part of our rights and is a valuable asset to him and others - any restrictions would impede his right to happiness. Commissioner Barton stated that some Bureaucrats would like to permanently close the park - a telephone was put in at the park and was then removed because of vandalism (unable to get the telephone company to re-install a telephone). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge and Sheriff to re-open Dudley Johnson Park when appropriate buoys are in place. All voting "Aye".



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**14315 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS IN CIMMARON PARK PHASE III SUBDIVISION: STOP SIGNS AND 25MPH SPEED LIMIT ON SHADY ACRES DRIVE**

[T1-670]

Judge Etheredge called the public hearing open. Allen Walther, area resident, voiced his opposition to placement of any additional stop signs in this subdivision - they are systematically ignored. Judge Etheredge closed the public hearing. Commissioner Barton advised that he has a petition signed by every resident of this street - he had originally discouraged them - this street was not intended to be a through street, however, it is being used as one. A motion was made by Commissioner Barton, seconded by Judge Etheredge to establish traffic regulations in Cimmaron Park Phase III Subdivision by setting a Stop sign on Shady Acres Drive at Ripple Rock Lane and Shady Acres Drive at Laurel Path and to furthermore set the Speed Limit at 25MPH. Commissioner Barton and Judge Etheredge voting "Aye". Commissioner Rodriguez, Commissioner Payne, and Commissioner Molenaar voting "No". Note: Later during the day the Court reconsidered their previous action [T2-82]. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to establish traffic regulations in Cimmaron Park Phase III Subdivision by setting a Stop sign on Shady Acres Drive at Ripple Rock Lane and Shady Acres Drive at Laurel Path and to furthermore set the Speed Limit on Shady Acres Drive at 25MPH. All voting "Aye".

**14316 ROAD NAME DESIGNATION: CHANGE "FOX RIDGE CIRCLE" TO "HIGH RIDGE CIRCLE" AND CHANGE "WOLF CREEK CIRCLE" TO "FOX CREEK CIRCLE"**

[T1-741]

Mapping/Planning Coord. Patsy Greiner advised that Developer Ed Longcope put up street signs with incorrect names and were addressed incorrectly - need for record to reflect property street names. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve road name designations: Change "Fox Ridge Circle" to "High Ridge Circle" and change "Wolf Creek Circle" to "Fox Creek Circle". All voting "Aye".

**14317 POSTPONE ACTION ACCEPTING BURNETT RANCH SECTION 5 ROADS FOR COUNTY MAINTENANCE**

[T1-758]

Judge Etheredge advised that property owners are requesting the county to take over roads in the Burnett Ranch Section 5 subdivision (Cottonwood Street has become a public passageway) - suggests that the county only offer to provide the basic level of service now available on other county-maintained gravel roads with condition that the roads will be brought up to county standards only at the expense of the property owners. Judge Etheredge made a motion to accept roads in the Burnett Ranch Section 5 subdivision for county maintenance, seconded by Commissioner Rodriguez. Commissioner Payne stated that we would only be addressing part of the problem and there are a lot more worthy roads than these - their Property Owners Association can take care of their roads - stated that he is opposed to this proposal - these roads are in fairly good shape. Judge Etheredge and Commissioner Rodriguez withdrew their motions. Commissioner Barton agreed that the Commissioner should be involved in their precincts and it should be his prerogative to decide what is best for his precinct (i.e. such as where Stop signs should go, etc). A motion was made by Commissioner Payne, seconded by Judge Etheredge to postpone any action on accepting county maintenance on roads in the Burnett Ranch Section 5 subdivision. All voting "Aye".

**WORKSHOP REGARDING ROAD DEPARTMENT**

[T1-923]

Road Director Ron Bischoff spoke of calls he is receiving - not sure how to respond to all the calls - spoke of speed control methods (speed bumps/humps, giggle bar tiles, buttons, etc.) - who decides what method is used? A discussion was had regarding speed humps vs. speed bumps - the City of San Marcos went through an extensive study and decided not to go with speed humps/bumps and went with 4-way stops. Commissioner Molenaar spoke of necessary signage for speed humps/bumps and spoke of situation in Heritage Oaks subdivision where there are no intersections for Stop signs to slow traffic down. Ron Bischoff stated that he would check with the City of San Marcos and Austin regarding their studies and get cost estimates - asked about guard rail installation at drop-offs to replace posts, etc. - he has had requests regarding guardrails. It was suggested that guardrails be considered in Commissioners' Court on a case by case basis. Ron Bischoff spoke of in place recycling that will be taking place (reclaimer should be delivered this week) - will be working on CR220 on the Wimberley end - CR157 low water crossing culvert needs to be replaced - money from the county auction has allowed more funding for projects - spoke of an additive that might be used in Green Pastures and Hillside Terrace (currently obtaining information) .

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**14318 ADOPT RESOLUTION ALLOCATING FUNDS IN FISCAL YEAR 1996 TO ADDRESS ROADS  
IN PRECINCT #2 [T1-1721]**

Commissioner Jeff Barton read his proposed resolution allocating funds in FY96 to address roads in his precinct - spoke of having received letters from the Postmaster, Tom Green Elementary School Principal, etal - the air quality of these gravel roads are unacceptable - they are high density areas (density is approximately 42 homes per road mile) - vehicles traveling these roads require constant maintenance due to poor quality roads - these are public county roads that are maintained substandard - our cost for not acting are much greater than for not acting - we are better off paving these roads because road maintenance over a period of time will cost more than paving now. Edward Veal spoke of terrible conditions on CR133 for a long time - his wife had surgery and was in constant pain when bringing her home - felt like tax dollars should be used equally - the dust is terrible. Joe Martin (Business Owner) spoke of roads being a health hazard and require constant vehicle maintenance - feels like roads east of IH35 have been historically neglected. Judith ? spoke of pot holes and tar that gets on their vehicles. Glenn Taylor (resident on Rolling Hills Drive) spoke of road maintenance on pot holes - the dust is really bad. Susan Elberg (CR123) spoke of her back problems have caused her to have to stay at home - the dust is so bad you can hardly see some times - oil on the road is creating problems and dust has caused problems with her air-conditioning system - stated that most people living out in the country are there because they want to enjoy clean air. Mrs. Garner (13 year resident on Sunrise Drive) spoke of dust - spoke of residents living on paved road seen to take more pride in their property. John Hall (HCISD Admin. Director of Educational Student Support Svcs/VP of Optimist International Club of North Hays County/Hays County Citizen) spoke of these roads being the worse ones he had ever seen - spoke of people having to be towed, having flat tires, etc. - we need to have roads that will enable children to get to school (causes extensive repairs to school buses) - he would like to see the road improved - road conditions make it difficult for some children to attend school and for families to receive needed assistance. Angie Tobias (Family Educator & Community Action Social Worker) spoke of being in the field daily and trying to deal with the needy children in this area - equal service is deserved for those people living east of IH35. Sustino Gamez spoke CR123 (use to be paved) - he and his wife tried to start walking for exercise and were unable to do so because of all the dust - concerned for their childrens safety with rocks flying from vehicles - they experience constant vehicle maintenance (tires, struts, paint job, etc.). John Villareal (maintains school buses/bus driver) spoke of school buses traveling on this road (CR123) and maintenance required - the dust is terrible and gets in the bus with the children - the worse roads in the county are on the east side of IH35. Julia DeLaCruz spoke of her child that has asthma aggravated by the dust. David Sweet (Pastor of Hays Hills Baptist Church/Member of Optimist Club of North Hays County) spoke of need to improve conditions so that families can be served. Natalie Lambert (Sunrise Circle resident) spoke of children riding buses are covered with dust before they even get to school. Commissioner Barton spoke of paving schedule over the next three years - spoke of new Road Director having made advances and agrees with cost estimates presented - we need to dedicate money for these roads - many of these roads were paved and were taken back to gravel - many were taken over for county maintenance and never maintained properly - spoke of Home Owners Associations that are trying to improve their neighborhoods - we need to stand by each other, help each other, and "Do The Right Thing" - this is a critical vote for this budget and whatever happens politically, you will never regret this vote of support - we can afford to have decent standards of roads - not willing to go through another summer getting telephone calls from mothers crying because their children cannot play outside, they have no air conditioning, and they are afraid to let their children play in their own front yards- the time has passed, we need to direct the road department to take care of this immediately - asked for the Court support. Commissioner Payne spoke of having been in this position many times and has made progress - this would be an appropriation over and above other requests - stated that he is on record in favor of raising taxes for roads but prefers to see Precinct 2 allocations out of existing funds and not extra funds. Commissioner Barton spoke of bad roads and terrible roads - these roads are more densely populated than some bad roads in Precincts 3 & 4 - no matter what happened in history, we owe these citizens a basic standard of roads - we do not allocate funds by precinct, we allocate to a unified road system and they cannot be instructed by one of us as to how to spend these funds - only the entire court can make these decisions - rate of growth in precinct 2 has been high and made it difficult to keep up the roads - the county failed to enforce standards on developers. Commissioner Payne spoke of need to look at the bottom line of the budget before casting his vote on this resolution. Commissioner Barton stated that this proposal should be a part of the bottom line. A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt resolution allocating funds in FY96 to address roads in Precinct 2. Judge Etheredge stated that this is how you build a budget - his proposed budget did not include any tax rate increase - budget workshops should be based on where are we going, why are we here, what are we attempting to do, what do our constituents want us to do and what are they willing to pay to have that done - fairly clear that we are guided by a small by vocal naysayers who prefer not to have services because they have all the services they want and are willing to deny services to other people rather than pay a little greater share to provide the services - supports the resolution - our tax base is increasing and we must do what is right - we must go out an influence people to make them understand that the time is right to move forward - this is a meaningful and realistic proposal - other issues must also be addressed (ie Health Services, etc.).

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Commissioner Molenaar spoke of these roads - he is willing to help if he could see where the money is coming from. Commissioner Barton stated that the Road Department will be utilized for this project - we need a policy to set priorities - for 1/3 or 1/2 cent tax increase, we can do this. Commissioner Molenaar feels like we do have control on what happens to our roads - we have to set priorities and let the road department know how we feel - supports this issue. Commissioner Rodriguez stated that he is thinking about the kids and will support the resolution. Commissioner Payne spoke of road districts that can be created to pay for road improvements. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne abstained.

Resolution of the Commissioners' Court  
of Hays County

Whereas constitutionally and statutorilly one of the prime responsibilities of Texas counties and county commissioners courts is to provide for the maintenance of roads and public transportation; and

Whereas decent roads, though often taken for granted, are one of the foundations of modern society, providing freedom of travel and communication; facilitating trade, work, education, and economic development; and promoting public safety and good health while making accessible emergency services; and

Whereas it is the duty of the commissioners court and of the individual commissioners to ensure that public roads throughout the county are designed and built to a relatively high and efficient standard and maintained in the various neighborhoods throughout the county in a fair and reasonable way; and

Whereas due to a variety of complex factors the standard of public road provided by the county in certain densely populated neighborhoods and subdivisions in the county, particularly east of Interstate 35, is unacceptably low considering their heavy use; and

Whereas these substandard, unpaved and/or failing roads in along densely populated streets create an imminent danger to the public health and welfare, promoting dangerous traffic conditions and poor air quality; and

Whereas, this situation hinders the delivery of the United States mail, discourages school attendance, makes emergency service more difficult, drives up the cost of many public services, contributes to the overall blighted condition of certain neighborhoods, and works countless hardships on the individuals who must live on and travel these roads every day; and

Whereas, paving these roads and providing improved drainage would remedy or improve all these problems; and finally,

Whereas it is in the best interests of the taxpayer at large to pave these roads because of the dollar savings to be achieved over time on maintenance; then

Therefore Be It Resolved by the Hays County Commissioners Court that

◆ Subdivisions existing as of this date on publicly maintained interior gravel or dirt roads with lots of one acre or less or where estimated traffic volume is 100 vehicles per day or greater, and any other subdivision roads or residential county roads as may from time to time be specified by the commissioners court, shall henceforth be expected to be maintained as paved roads;

◆ In this context, the term paved road shall refer to a two-course surface treatment on top of adequate base material, of no less than 16 feet in width;

◆ The county road department is hereby instructed and ordered to develop and implement a plan to bring said roads into compliance with this resolution by the end of Fiscal Year 1998;

◆ The commissioners court hereby orders and resolves that no less than \$90,700 shall be earmarked in the Fiscal Year 1996 county budget to address those roads listed in Attachment No. 1 provided along with this resolution to the county clerk, and that said \$90,700 is exclusive of and in addition to gravel road maintenance and associated paving preparation to be performed by county crews in the regular course of operations; and

Also Be It Resolved, that this Resolution and the related Attachment No. 1 be made a part of the official public record and upon due and proper vote be recognized as an Order of the Court.

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to recess until August 29, 1995 for Budget Workshop session. All voting "Aye".

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MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
HAYS COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 29TH DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCHÉ   | DEPUTY COUNTY CLERK  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP**

HEALTH DEPT. - Discussion was had concerning combining services with Community Action Agency - Grants for Maternal & Child Health will be discontinued (this grant funds the Doctor's salary) - options are to eliminate service, reduce services, or increase the volume of patients. If additional county funds are not provided it would require the closing of the satellite clinics - collection of fees has not be aggressively pursued, therefore there is currently not enough revenues generated - the Wimberley and Dripping Springs clinics are seasonal (pre-school immunization and flu shots) - the Doctor may need to see more patients per week. EMS - [T1-325] Commissioner Payne spoke in support of a tax increase to fund EMS - felt like there are potentials cuts in the proposed budget. JAIL - [T1-520] Commissioner Payne suggested that employees at the jail pay for their own meals - feels like they are overstaffed in Administration. Judge Etheredge spoke of classification of inmates that requires additional staffing and need for experienced responsible supervisors - the Sheriff is the Chief Law Enforcement Officer of the County and has a very important duty and we must rely on his judgment. ROADS - [T1-752] Commissioner Payne spoke of prioritizing roads in each precinct and advising the road department of these priorities. Commissioner Barton spoke of the Unified Road System - Commissioners should not get involved in their day to day operation - the road director is being pulled in five different directions - we need to put dollars and sense into the road budget. Commissioner Molenaar spoke of depending on the Road Director to do work for him - he picks his priorities and takes the Road Director out to the site and requests assistance. Commissioner Barton spoke of need to declare what projects will be done and plug dollars into the budget for these projects (long term schedules & long term planning). COUNTY ATTORNEY - [T1-1112] Discussion was had regarding need for a part-time County Attorney position - needed to represent the Court and not be an employee of the District Attorney's office.

[T1-1232] Discussion was had regarding a tax increase - the voter approved bond issue let people know that the tax rate would increase by possibly 5 cents - need to decide if we are going to increase the tax rate and how it will be allocated - we need to make sure we are bringing in all the revenues we are entitled to. Discussed need for educated professional staff people to put together options - we should not try to write our own policies without professional expertise. Discussed EMS & Fire Districts - a formula is needed to divide up funds for rolling stock (vehicles) and they can budget new purchases accordingly. Cindy Casparis, Purchasing Agent, spoke of printing machine demonstration to be set up for the Court - this duplicator would print a larger number of copies (could be used to print Inmate Pamphlets, street locator map books, etc.).

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ROAD DEPT. - [T1-2812] CAPCO funds are earmarked for specific projects and will be received this fiscal year - some of the money will be used for barricades and advisory warning signs - discussion was had regarding signs - discussed having a Quality Control Officer to check out jobs and address complaints - need to set up a separate line item for CAPCO funds - line item #5271 was increased because of Bomag machine. The \$90,000.00 for Pct. 2 road improvements will be set up in a separate line item. County Auditor Bill Herzog stated that there should be approximately \$95,000.00 left over in the road department at the end of this fiscal year (rollover). ✓ A motion was made by Commissioner Barton, seconded by Judge Etheredge to increase Road Dept. expenditures by \$90,700.00 for contract services on Green Pastures, et al roads as set out in previous resolution #14318 adopted by the Court. All voting "Aye". A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to create a separate line item for the "East Side Project". All voting "Aye".

DRIPPING SPRINGS SENIOR CITIZENS - [T2-506] Commissioner Molenaar requested that the \$2900 he cut out of his budget be put into the Dripping Springs Senior Citizens program. ✓ A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to increase Dripping Springs Senior Citizens (#5862) to \$18,500.00. Commissioner Molenaar, Commissioner Barton, Commissioner Rodriguez, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

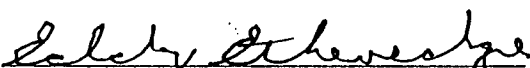
LEGAL AID PROGRAM - [T2-669] Judge Etheredge stated that he will not vote to decrease any line item below his recommendation in Community & Social Services- State and Federal funding is being cut and grants will be harder to get - we need to help provide funding of social service programs - Central Texas Legal Aid only provides minimal services. ✓ A motion was made Commissioner Rodriguez, seconded by Judge Etheredge to go back and fund all the Community and Social Services as recommended by the County Judge and fund the Hill Country Senior Citizens in the amount of \$18,500.00 (an additional \$500 over the recommended amount). Judge Etheredge recommended evaluating all these services and eliminate those not doing a good job and fund only the ones we are sure provide good services. Commissioner Molenaar stated that he cannot support Legal Aid because there is no itemization provided to show where the \$42,000.00 is going. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No". Commissioner Barton stated that he would like to see an itemized budget for Legal Aid and would like to decrease economic development to their current level.


EMS - [T2-780] Judge Etheredge spoke of it being unjust to let one service get more and/or better service than another - stated that he would support a tax increase to fund EMS in more than one area - we need to decide what to do with San Marcos EMS funding and building - any tax increase for EMS should be shared by all EMS and Fire Districts. Commissioner Molenaar suggested funding the Dripping Springs & Wimberley EMS this year and fund other departments next year. Discussion was had regarding dissolving the existing EMS & Fire Districts and creating one County-wide District - this would close the gap in services.

SALARIES - Discussion was had regarding personnel (Pct. 4 staff, Human Resources, etc.). Commissioner Barton spoke of increasing the salaries for Commissioners and step increases for Elected Office (all J.P.'s are making the same salary regardless of their years of service).

A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to recess until 9:00 A.M. Wednesday August 30, 1995. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
HAYS COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 30TH DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>LINDA C. FRITSCHE</b>   | <b>DEPUTY COUNTY CLERK</b>  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP**

TREASURER - [T2-1915] County Treasurer Michele Tuttle appeared - spoke of need for a countywide policy for copies to generate revenues - suggested charging a rental fee for use of the courthouse lawn - auctioned equipment could be cleaned up and we could get more at auction for a small investment (i.e. tires, batteries, etc.) - spoke of the Tax A/C will be getting a bulk mail permit. Michele recommended keeping the payroll system as is - 2/3 of the employees wanted to be paid more than once a month and 205 signed up for direct deposit - requested a salary increase for Asst. Treasurer Britani Bolton - spoke of her years of service and changes in her duties which would justify an increase - Britani will be taking a finance course at SWTSU at her own expense and is able to solve accounting problems that occur from time to time. Asst. County Auditor Paula Pond spoke of the complex accounting system and the time it takes to work through it to find errors. Michele stated that she would like to see Britani upgraded to Grade 10 Step 3 (currently at Grade 10 Minimum) - there will be funds available when one of her employees takes off on maternity leave. Commissioner Barton spoke of promotions - most people moved to mid-level steps came with equal or higher experience - we may need to look at a whole grade change. [T3-2353] Request for employee upgrade denied.

CONSTABLE PCT. 2 - [T2-2485] James Kohler appeared - requested more funds for fuel & lubes (\$6,000 vs. \$1,000) - spoke of telephone expenses, tires, etc. that he has paid out of his own pocket (he did not turn any invoices in for payment) . Commissioner Barton advised that Constable Kohler has requested a new car or funding for repairs. Discussion was had regarding using county personnel to maintain all county vehicles and cars that might be available at the Sheriff's Dept. Constable Kohler spoke of radio repairs he has paid for - spoke of numerous calls that he makes within his precinct. Commissioner Barton advised that he would support funding for vehicle repairs or purchase of a used DPS vehicle. Judge Etheredge spoke of five-year plan submitted by Constable Kohler - stated that he is not in favor of buying new cars for volunteer officers - spoke of vehicles passed on to other departments with repair costs also being passed on. Commissioner Molenaar stated that he is willing to fund a used vehicle - spoke of continuing education for reserve officers. Constable Kohler requested \$600 for his Law Enforcement Equipment Mtc. & Repair line item. [T3-3160] A motion was made by Commissioner Barton, seconded by Judge Etheredge to increase Constable Pct. 2 Law Enforcement Equipment Mtc. & Repair line item to \$500, Continuing Education line item to \$ 150, and Misc. line item to \$250. All voting "Aye". A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to increase Constable Pct. 2 Vehicle Mtc. & Repair line item to \$3,000. Commissioner Molenaar, Commissioner Barton, Commissioner Rodriguez, and Judge Etheredge voting "Aye". Commissioner Payne voting "No". Discussed purchasing vehicles for Constables every three years and pass used cars down to Reserve Officers.

VEHICLES - [T3-2920] Discussion was had regarding new vehicles - when delivered they should come to the Courthouse Annex to be inventoried and distributed as decided by the Court - for every new car purchased an old car must be turned over too the Court for a pool car to be used countywide.

PERSONAL HEALTH - [T2-3409] Director of Nursing Julie Hornberger appeared before the Court and submitting the following regarding the Personal Health Dept. budget:

| REVENUES:       | 1994-1995   | 1995-1996                                  |
|-----------------|-------------|--------------------------------------------|
| MCH             | \$ 502,085  | \$ -0- (line of credit based on # clients) |
| TB              | \$ 55,530   | \$ 37,621                                  |
| County          | \$ 132,391  | \$ 124,704                                 |
| PIIP            | \$ 59,357   | \$ 55,731                                  |
| Family Practice | \$ 140,409  | \$ 138,430                                 |
| CRH             | \$ 29,786   | \$ 44,421                                  |
| IMM             | \$ 17,958   | \$ 41,140                                  |
| Indigent        | \$ 297,722  | \$ 285,523                                 |
|                 | =====       | =====                                      |
|                 | \$1,235,238 | \$ 728,570                                 |

Difference of \$ 506,668

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To make up this difference, the plan is:

|                        |                                                      |
|------------------------|------------------------------------------------------|
| Bill for MCH Services: | \$ 90,809 Medicaid                                   |
|                        | \$ 64,000 State                                      |
|                        | \$ 98,000 Carry Over Program                         |
| Cuts:                  | \$ 50,000 Move Dr. Salary to Family Practice         |
|                        | \$ 81,000 Cut an RN, Clerk, & Practitioner           |
|                        | \$ 25,000 Close Wimberley & Dripping Springs Clinics |
|                        | \$ 61,000 Close Kyle Clinic                          |
|                        | \$ 26,000 Cut 3 clerical positions (2PT & 1FT)       |
|                        | \$ 5,000 Downgrade RN to Social Worker               |
|                        | \$ 5,000 Increase skin test, flu shot, & copies      |
|                        | =====                                                |
|                        | \$ 505,809                                           |

Discussion was had regarding the number of clients served at the clinics during 1994-95: San Marcos = 14,820 Kyle/Buda = 3,501 Wimberley/Dripping Springs = 495 - the Wimberley/DS clinic is a flu & immunization site only and the Kyle/Buda/SM clinic is a full service clinic. Julie Hornberger spoke of providing immunization clinics four times a year throughout the county - they expect other grants to be cut in the future - spoke of losing staff (RN's) for various personnel reasons - the demand for services is increasing and we may need to consider using local Doctors for services - some fees for services are set and we are unable to collect more.

ENVIRONMENTAL HEALTH - [T3-598] Director Allen Walther appeared - spoke of need for a security system to protect equipment in their building (\$400 plus monitoring fees) - spoke of cut in his Misc. line item would limit his ability to do testing - requested \$8,400 for vehicle mtc. & repair which was cut to \$5,000 - spoke of vehicles out of warranty soon and subject to major repairs. - requested re-grading of clerical positions in his office: Mary Torres (Receptionist/Clerk) from Grade 4 to Grade 6 and Yolanda (Office Administrator) from Grade 6 to Grade 8 - also requested an additional Receptionist/Clerk position (Grade 6) to assist in mapping/planning department. [T3-3240] Human Resources Director George Aitken is not in favor of proposed upgrade in personnel - Misc. line item used for water & wastewater testing could be broken out into a testing line item.

✓ [T3-3630] A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to set a fee of \$15 (tax included) to be charged for purchase of Hays County Street Locator Map Books and have the Auditor set up controls and distribute books to the JP's, County Clerk, Book Stores, etc. All voting "Aye".

✓ [T4-300] A motion was made by Commissioner Barton, seconded by Judge Etheredge to increase Misc. line item to \$1,400, Vehicle Mtc. & Repair to \$6,000, and reduce Consultant Expense to \$27,500 for Atlas in the Environmental Health Department budget. All voting "Aye".

Court discussed additional personnel - contingency funds may be used at a later date for various personnel request if deemed necessary.

DISTRICT CLERK - [T3-905] Cecilia Adair appeared - spoke of her two major concerns: (1) lack of computerization - bookkeeping is unbelievable and everyone needs either a terminal or a PC - bookkeeping needs to be computerized immediately - (2) need to increase office work hours to 40 hours per week (8AM - 5PM). Judge Etheredge stated that former District Clerk W. H. Moore had requested two additional PC's, 3 laser printers, and Microsoft Office software, however, these items were not put in the budget - spoke of possibly being able to hookup to the Software Group computer system at the Courts building - will need to converse with Data Processing Administrator Debbie Polk - stated that funds are already in the budget for her staff to go to a 40 hour work week. Cecilia spoke of membership fees & bonds (her bond is more than what is in the budget and she is on the Legislative Committee for the Clerks Assn.) - permanent records supplies may need to be increased to pay for book now being purchased by the District Attorney (\$500). ✓ A motion was made by Commissioner Barton, seconded by Commissioner Payne to delete tenth position from the District Clerks office and re-iterate the 40 hour work week and increase continuing education line item to \$2,000 and permanent record supplies line item to \$2,500. All voting "Aye". District Clerk Cecilia Adair will evaluate what she needs as far as PC's or terminals as get back with the Court.

ELECTIONS ADMINISTRATION - [T3-1529] Elections Administrator Joyce Cowan appeared - spoke of having served as Administrator for 10 years this October - requesting an additional employee so that she can spend more time on administrative duties - having a two person department makes it difficult to take off - spoke of NVRA (National Voter Registration Act) which requires that a voter must stay on the list as inactive through two federal elections before they can be removed - will require four times the letter writing and postage and files must be maintained longer (University students will cause much larger files to be kept) - would like to contract with political subdivisions to run their elections (charge 5%) - already works closely with political parties on their elections - spoke of no longer having to withhold FICA on election works who are paid less than \$1,000 -

Court recessed until 10:00 A.M. August 31, 1995 to continue with budget workshop.

MINUTES APPROVED IN OPEN COURT ON THE 2nd DAY OF October, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
HAYS COUNTY, TEXAS

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 31ST DAY OF AUGUST A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                             |
|----------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b> |
| <b>LINDA C. FRITSCHKE</b>  | <b>DEPUTY COUNTY CLERK</b>  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

WIMBERLEY EMS - [T4-578] Kyle Gerdes presented their proposed budget for 1995-1996 = \$ 199,980 with proposed revenues = \$ 147,980 ( Deficit of \$52,000) - revenue breakdown is as follows:

|                      |             |
|----------------------|-------------|
| Ambulance service    | \$ 89,000   |
| Donations            | \$ 6,000    |
| Emergency Svcs Dist. | \$ 52,800   |
|                      | =====       |
| Total Revenues:      | \$147,980   |
| Total Expenditures:  | - \$199,980 |
|                      | =====       |
| Total Deficit:       | \$ 52,000   |

Spoke of increase in calls and calls where patients are unable to pay - their collection rate is 80% - spoke of having lost their space with the Fire Department - have found property and are building their own station (funds are being raised through donations) - the building is 2700 sf with 2 bays, office, and classroom (\$120,000) - the shell of the building is complete - spoke of increase in district tax (1 cent = \$ 25,000) - have received a great deal of support from the community (\$76,000 has been donated for the building) - spoke of personnel (3 fulltime Paramedics, 1 fulltime & 1 part-time office staff) - Medicare dictates rates charged for services - spoke of standby service at football games and rodeos - cannot envision the Fire & EMS joining together as one district - Wimberley incorporation may help to fund them in the future through sales tax, motel/hotel tax, etc. Commissioner Barton spoke of struggle with how to allocate taxes - spoke of problems at the County Health Department with federal cutbacks - spoke of citizens in Wimberley receiving a higher level of EMS service than other areas of the county. Judge Etheredge spoke of growth not evenly distributed throughout the county - tax base will not increase as fast as the demand for services - what do you do where there is no tax base to support a district - as the City of San Marcos annexes more property the South Hays County Rural Fire Prevention District loses tax base and receives less funding - we need a "United" long range solution for all of Hays County - spoke of allocation of funds if a 1 cent tax increase was levied for fire & EMS - we might use some for rolling stock and let local services deal with smaller items - suggested jointly deciding what the basic level of service is and anyone beyond that level would provide their own funding.

WOMENS CENTER - [T4-1250] Marla Johnson & Roxanne McKinney appeared. Marla Johnson spoke of growth that has increased their demand for services - request was for \$30,000.00 plus assistance with their parking lot and telephone system - with the addition to their building they are able to serve 10 families instead of 6 - a \$65,000 grant applied for was not received - \$36,000 is still needed - spoke of having 200 volunteers - Caldwell County raised \$16,000 last year which was donated to the Womens Center - if funding is not received they will have to cut staff (cut 2 out of 16 employees).

NORTH HAYS COUNTY EMS - [T4-1940] Patty Haffaelder appeared - spoke of additional 1 cent tax to be received next year - spoke of tremendous growth in the area and need for a place to house



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SOUTHSIDE COMMUNITY CENTER/LEGAL AID PROGRAM - Southside Community Center Director Ruben Garza spoke of services they provide - willing to provide legal aid services with expanded space and services - local attorneys have showed interest - would provide more than divorce legal services (Protective Orders, Wills, Social Security, Rental Assistance, Job Related Inquiries, etc.) - would use SWTSU Interns supervised by an Attorney - Austin Legal Aid is not addressing all the problems of the poor - it is critical to have someone oversee the program properly - would publicize services. Judge Etheredge spoke of past legal aid program where no one took responsibility and the County had to take it over - spoke in support of funding this program. Commissioner Payne spoke of big difference in funding amount requested versus the current budget - would like justification for the requested funding. Commissioner Molenaar stated that he supports Southside Community Center but not the legal aid funding requested.

JAIL BUDGET - [T5-15] Discussion was had regarding amount budgeted for medical services - should be lower with reduction in number of inmates. Judge Etheredge spoke of fixed costs - you must fund kitchen, etc. no matter how many inmates you have. Sheriff's Dept. postage was moved to the Jail budget. ✓ [T5-380] A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to reduce Medical Supplies line item to \$45,000.00. Commissioner Rodriguez, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Barton and Judge Etheredge voting "No". Increased cost of food and loss of federal food commodities increases the costs and we must meet jail standard for meals - commodities use to be free. ✓ [T5-449] A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to decrease Prisoners Meal expenses to \$285,000. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge voting "No". ✓ [T5-512] A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to decrease Medical/Dental Services #5431 to \$96,000. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge voting "No". ✓ [T5-660] A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to decrease Contract Building Mtc. & Repair #5451 to \$15,000. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge voting "No". ✓ [T5-707] A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to reduce the Telephone line item #5489 to \$16,000. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye".

PROTECTIVE HOMEMAKER GRANT - [T5-861] Funding for this position end today - Court agreed to continue current funding to the end of September (part-time funding) which would allow her time to find another job - funding will not be provided for FY96.

SHERIFF'S DEPT. - [T5-973] Discussion was had regarding mobile telephones being used - billings for these phones are not provided to the Auditor's office - billings runs approximately \$1,500 per month (most are under \$100 per month) - discussed uniform allowances - discussion was had regarding number of current street Deputies. On January 1, 1995 the Court approved 3 new Patrol Deputies, 1 Dispatcher, 1 Training Sgt. and 1 Asst. Training Officer - Commissioner Molenaar felt like some street Deputies approved by the Court were put into other areas and not on the street. [T5-2455] according to current Patrol schedule there does not appear to be an increase in street Deputies since he was a Deputy in 1989 - possibly have added 2 Sgts - willing to fund patrol deputies if they were actually used as patrol deputies. County Auditor Bill Herzog spoke of having moved the Security Officers to the Courthouse Security Fund and moved two Grant Deputies into the Sheriff's budget. Commissioner Barton spoke of his concerns about adequate coverage in the Kyle area.

SOCIAL SERVICES - [T5-1690] Discussion was had regarding the Hays County Women's Center, Scheib Opportunity Center. Judge Etheredge spoke of need to support good programs that operate well and provide a good service. Commissioner Barton spoke in support of funding the Women's Center an additional \$18,000 if they can get Caldwell County to fund \$9,000. Commissioner Rodriguez suggested funding an additional \$15,000. ✓ [T5-1945] A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to increase the Hays County Women's Center funding to \$50,000. All voting "Aye". Discussed obtaining information regarding Social Services Director's

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 1ST DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| RONNIE DANNELLEY    | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**FY96 BUDGET WORKSHOP**

ANIMAL CONTROL OFFICER - Commissioner Molenaar spoke in support of adding an Animal Control Officer so that we can have 24 hour coverage 7 days a week - a heavy workload for one person - proposes funding \$33,16 4.00 to pay for an officer (\$22,164), pickup truck and equipment (\$10,000), uniform allowance and accessories (\$1000). Commissioner Payne suggested cutting a Jailer position to make up the difference. Commissioner Molenaar does not support cutting Jailer positions - would create staffing problems and more overtime paid - concerned about rabies epidemic approaching Hays County - another Animal Control Officer would free up a Deputy to do his job and not have to deal with animal control situations. Lengthy discussion was had regarding Sheriff/Jail personnel.

ELECTION ADMINISTRATION - [T6-628] Discussed request for an additional employee at Grade 5.  A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to add one new employee to the Election Administration office at Grade 5 and take \$3,000 out of part-time salaries. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge absent for vote.

CONTINGENCY - [T6-794] \$25,000.00 in contingencies - last year there was \$113,000 (\$75,000 was for Juvenile Detention Operation) - Commissioner Molenaar suggested adding an additional \$35,000. Commissioner Barton suggested \$80,000.00 total in contingencies.  A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to budget \$60,000.00 total for contingencies. Commissioner Rodriguez, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Barton voting "No".

PARK MAINTENANCE - [T6-931] Commissioner Barton spoke of maintenance on Kyle Log Cabin and Dudley Johnson Park - fencing is needed at Dudley Johnson Park to properly secure the area.  A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to budget \$16,000.00 for Park Maintenance. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge voting "No".

TAX RATE INCREASE - Discussed budget amendments, health department, animal control, EMS, meals at the jail, consultants, salaries, civic center, etc.

HEALTH DEPT. - [T6-1352] Julie Hornberger spoke of revenues generated by satellite clinics - Wimberley and Dripping Springs brought in \$1,400 (fees only/no Medicaid) and Kyle/Buda brought in \$5,000 (fees) \$27,000 (Medicaid) - spoke of clients seen at the clinics - spoke of costs to operate the clinics (lost revenues) - discussed services provided and personnel. Judge Etheredge stated that Dr. Birdwell is not seeing enough patients - not sure how he is spending his time. Commissioner Barton spoke of delegating the Human Resources Director to look into and communicate with the Medical Director that we think our patients per dollar per hour needs to rise. Julie Hornberger spoke of having contacted local Doctors in the beginning to get their feel of how many patients could

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Practice Clinic by requiring that we see more patients per day (add 1,000 extra patients) and increase average reimbursement by 50 cents (\$1 minimum charge) and go up for immunizations (flu shot is \$5-\$7) to \$10. Discussion was had regarding cuts (personnel - discontinue weekly clinics in Dripping Springs & Wimberley and go with quarterly/peak season/school startup) that could be made and increase in fees (copies, immunization, etc.). ✓ A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to increase revenues for Family Practice Clinic by \$20,000.00, instruct Health Dept. to develop fee increases including a minimum that would generate an estimated \$12,000 in revenue, no longer provide weekly clinics in Wimberley and Dripping Springs but hold regular clinics (quarterly or monthly), and direct Health Dept. to find an additional cuts through layoffs or reductions and \$5,000 in downgrades, and finally direct the Health Dept. to establish policy on skin testing and copies to increase revenues by an additional \$5,000. All voting "Aye". Discussion was had regarding fees to charge for flu shots and immunization ✓ [T1-3181] A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to increase County's portion in Dept. 412 by \$62,000.00. All voting "Aye". Judge Etheredge spoke of asking Central Texas Medical Center to help in funding a survey. Commissioner Barton spoke of Road Department needs - spoke of sending out questionnaires for public input - spoke of quality control surveys - supports more funding for consultant expense to use for future proposed legislation - earmark \$6,000 for survey of Health Dept. needs and seek assistance from Southwest Texas State University. ✓ A motion was made by Commissioner Barton, seconded by Judge Etheredge to increase Countywide Operating Consultant Expense line item #5443 to \$20,000 Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No". Commissioner Barton spoke of the Family Practice Clinic needing to generate at least \$63,000.00 in income this year - current figures are 2,800 visits - private practice doctors average 4,800-5,000 - Dr. Birdwell needs to see 4,000 patients in order to generate the \$63,000 - he is not keeping as many clinic hours as we hoped - we feel like the patients are there and need to be seen - asked Human Resources to contact Dr. Birdwell and challenge him to increase the amount of patients he is seeing(4,000 target).

SHERIFF/ANIMAL CONTROL OFFICER - [T7-145] George Aitken spoke of conversation with the Sheriff and he is uncomfortable with cutting anymore positions - a Patrolman is more important to him than an Animal Control Officer - spoke of patrol positions that were added last year - one is working in Warrants and the other one is Officer Skroki in CID. Commissioner Molenaar spoke in support of adding an Animal Control Officer - this position would free up one Patrol Officer. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to hire another Animal Control Officer in the amount of \$33,164.00 (salary + \$22,164, pickup/cage/equip/uniform \$11,000). Discussed the amount of dollars that have been added to the budget at this point. Commissioner Molenaar voting "Yes" Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Judge Etheredge voting "No". MOTION FAILED.

WIMBERLEY/DRIPPING SPRINGS EMS - Discussed 1¢ tax increase. Judge Etheredge suggested cutting their request in half and advise them to hold their public hearing in a timely manner so that they can begin collecting taxes. Discussion was had regarding how to divide funding between the Wimberley & Dripping Springs EMS. Discussion was had regarding future funding for EMS and Volunteer Fire Departments - willing to fund more if the Fire & EMS organizations would meet together and discuss services. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to provide \$60,000 funding for EMS to be divided 50/50 between the Wimberley & Dripping Springs EMS. Commissioner Rodriguez and Commissioner Payne voting "Aye". Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "No". - MOTION ✓ A motion was made by Judge Etheredge, seconded by Commissioner Barton to fund \$60,000.00 for the Wimberley and Dripping Springs EMS to be distributed equitable as decided by the EMS District Board. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No". MOTION PASSED Commissioner Payne spoke of splitting the funding 50/50 between the two services. FAILED. Discussed tax rates being collected by other EMS/Fire Districts - not willing to fund anymore to departments that are not taxing the maximum amount allowable.

FIRE/EMS DEPARTMENTS - Discussed funding for volunteer fire departments - fund those that have already maxed out on their allowable tax rate or that are in the process of setting up an election to increase their tax. A motion was made by Commissioner Barton to fund \$60,000.00 to be distributed at the discretion of the Commissioners' Court for Emergency Service. Judge Etheredge spoke about need for long range planning - some departments are not located in districts - positive accomplishments by all the departments are needed to determine a basic level of services - need to quit amending the budget this year and reconsider these items next year - we are using reserves and debt service. Discussion was had regarding Emergency Services. Commissioner Barton read the following:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Whereas</b>, emergency services, including volunteer services, are vital to the welfare of the citizens of Hays County, and</p> <p><b>Whereas</b>, the Commissioners' Court recognizes that many small volunteer departments face serious difficulties in maintaining quality service during this period of high growth, and</p> <p><b>Whereas</b>, the Commissioners Court is concerned about maintaining a base level of fire and EMS protection throughout Hays County and promoting cooperation between different departments,</p> <p><b>Therefore, Be It Resolved</b> that the Hays County Commissioner shall set aside \$40,000.00 in the FY96 budget to be dispersed to emergency services once the various department come together with the Court to address long range services and funding plan for Hays County.</p> |
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Need to make all the departments get together and discuss long range plans for the whole county - discussed ways of funding the proposed amount

✓ A motion was made by Judge Etheredge, seconded by Commissioner Barton to fund an additional \$40,000.00 for other Fire and EMS departments in the county (\$60,000 already funded for Wimberley & Dripping Springs EMS). All voting "Aye".

PUBLIC NOTICE - ask Discussed running newspaper ad in the Wimberley Valley News & Dripping Springs Dispatch (second class permit). ✓ A motion was made by Commissioner Barton, seconded by Judge Etheredge to direct Winton to look into possibility of reducing cost by publishing notice in some other newspaper. All voting "Aye".

Rizograph Printer - Not convinced that it can be paid for by using printing line item funds. \$30,000 in budget for printing.

R-O-W FUNDS - ✓ A motion was made by Commissioner Barton, seconded by Commissioner Payne to fund \$10,000.00 for Right-Of-Way Fund. All voting "Aye".

SALARIES FOR ELECTED OFFICIALS - [17-1670] Commissioner Barton spoke in support of increasing salaries for Elected Officials above COLA (3%) amount. Commissioner Molenaar not in support of increase this year - possibly in the future. Commissioner Barton spoke of kind of people we want to run for office - we are well below average in salaries/benchmarks - we are providing step increases to employees, however, we do not have this for the Elected Officials - we should stand up and say our jobs are important.

ROAD SIGNS - Bill Herzog spoke of cost for signs - not sure if there will be enough money for Stop signs - grant is for street name signs.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adjourn. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 5th DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
CRAIG D. PAYNE  
RUSS G. MOLENAAR  
LINDA C. FRITSCHÉ

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 3  
COMMISSIONER, PCT. 4  
DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14319 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$219,511.89 as presentd by the County Auditor. All voting "Aye".

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|                    |              |                   |              |                   |              |
|--------------------|--------------|-------------------|--------------|-------------------|--------------|
| Licenses & Permits | \$ 182.50    | Auditors Office   | \$ 54.36     | Extension Office  | \$ 784.86    |
| Grants Admin       | \$ 145.29    | Juvenile Prob     | \$ 156.10    | Election Admin    | \$ 555.68    |
| Indigent Care      | \$ 65.82     | Bldg Mtc. Dept.   | \$ 1,099.81  | Environ Health    | \$ 2,368.10  |
| Countywide Oper    | \$ 15,990.12 | Tax A/C           | \$ 329.75    | District Clerk    | \$ 417.27    |
| County Clerk       | \$ 315.90    | Sheriffs Office   | \$ 4,664.31  | Jail Operatons    | \$ 18,645.74 |
| County Judge       | \$ 85.00     | Human Resources   | \$ 507.50    | District Attorney | \$ 29.73     |
| J.P. 1-1           | \$ 95.85     | J.P. 1-2          | \$ 173.41    | J. P. 2           | \$ 12.50     |
| J.P. 3             | \$ 164.70    | J.P. 4            | \$ 113.20    | J.P. 5            | \$ 238.20    |
| D.P.S./135 Substa  | \$ 203.91    | Constable 1       | \$ 22.95     | Constable 5       | \$ 265.79    |
| Dist Crt Oper      | \$ 5,267.20  | Co & JP Crt Oper  | \$ 500.00    | Veterans Admin    | \$ 358.00    |
| Computer Svcs      | \$ 2,582.00  | Tx Dot Van Grant  | \$ 43,835.00 | TJPC CCAP Grant   | \$ 21.23     |
| CJD/VOCA Grant     | \$ 109.94    | DA DARE Grant     | \$ 55.50     | R&B Oper          | \$ 12,754.43 |
| Precinct 1         | \$ 10.60     | Precinct 2        | \$ 4,298.81  | Precinct 3        | \$ 2,848.00  |
| Precinct 4         | \$ 137.50    | Gen Fund Credit   | * \$ 23.00 * | Anticip Notes '95 | \$ 3,494.78  |
| Rec Management     | \$ 10,706.50 | Health Svcs Grant | \$ 756.17    | Law Library Fund  | \$ 162.00    |
| Road Construction  | \$ 71,422.34 | Adult Prob Oper   | \$ 9,362.25  | Adult Prob Fac    | \$ 1,843.29  |
| New Canaan Grant   | \$ 1,321.00  |                   |              |                   |              |

**14320 APPROVE BUDGET AMENDMENT NO. 95-043**

The following budget amendments were proposed:

Auditors Office - fund a file cabinet for purchasing from printing.

Grants Administration - transfer \$450 to books from travel, postage, printing & public notice from continuing education and telephone for data lines.

Treasurers Office - transfer for special receipts (transfer station) to printing and travel for seminar from continuing education.

Building Maintenance - transfer part of Adult Probation Building reimbursement to supplies.

Tax Assessor-Collector - transfer additional office supply, postage & travel to Dripping Springs Office from bonds & maintenance lines.

District Attorney - transfer \$1,100 for additional books, \$600 for additional witness travel, and \$175 for special legal forms in printing.

County Clerk - transfer for August & September postage from supplies.

Justice of Peace Pct. 1-2 - transfer for special 3-part forms printing (writs) from continuing education and balance of misc.

Constable Pct. 2 - transfer for tires, balance of radio repair in vehicle maintenance and balance of lightbar in equipment from various line items.

District Court Operations - rebudget where actual expenses between appointed attorney, transcription and trial expense; transfer for additional jury and administrative service fee from personnel cost savings and maintenance.

TJPC/CCAP Grant (Juvenile Probation) - transfer \$150 for transporting juveniles in travel from non-residential expense; create operating expense line.

CJD/VOCA Grant - budget worker comp cost for new grant to 8/31/95 grant year.

TJPC/Emergency Diversion Grant - transfer to reclass operating expense from non-residential per agency. This is a juvenile probation grant.

Road & Bridge Fund Operations and Pct. 1 - budget needed additional materials and fuel from department's share of auction proceeds. Precinct 1: transfer \$200 for telephone from trash hauling.

Adult Probation Operating Fund - transfer for reclassification of funds per agency total of \$5,000.

Tax Office - transfer \$9,000 to fund high speed printer, installation & maintenance agreement from available balances in office equipment & data processing equipment maintenance and dues & bonds.

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Budget Amendment No. 95-043 as presented by the County Auditor. All voting "Aye".

AMENDMENT  
NO. 95-043  
FY 95 BUDGET  
09/05/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS AMENDED    |

AUDITOR OFFICE (401):

|                              |       |     |       |       |
|------------------------------|-------|-----|-------|-------|
| 01-401-5711 OFFICE EQUIPMENT | -0-   | 200 |       | 200   |
| 01-401-5461 PRINTING         | 2,850 |     | (200) | 2,650 |

TRANSFER FOR PURCHASING FILE CABINET

GRANT ADMINISTRATION (404):

|                             |       |            |              |       |
|-----------------------------|-------|------------|--------------|-------|
| 01-404-5212 POSTAGE         | 300   | 53         |              | 353   |
| 01-404-5213 BOOKS           | 1,930 | 450        |              | 2,380 |
| 01-404-5461 PRINTING        | 270   | 150        |              | 420   |
| 01-404-5462 PUBLIC NOTICES  | 1,250 | 127        |              | 1,377 |
| 01-404-5489 TELEPHONE       | 2,775 | 150        |              | 2,925 |
| 01-404-5311 TRAVEL          | 1,350 |            | (450)        | 900   |
| 01-404-5331 CONT. EDUCATION | 400   |            | (330)        | 70    |
| 01-404-5488 DATA LINES      | 630   |            | (150)        | 480   |
|                             |       | <u>930</u> | <u>(930)</u> |       |

TRANSFER FOR NEEDED EXPENSES

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AMENDMENT  
NO. 95-043  
FY 95 BUDGET  
09/05/95

FUND NO. 01

FUND TITLE GENERAL ②

| LINE ITEM - EXPENDITURES                                                | AMENDMENT | AMENDMENT    |                | AMENDMENT  |
|-------------------------------------------------------------------------|-----------|--------------|----------------|------------|
|                                                                         | BEFORE    | INCREASES    | DECREASES      | AS AMENDED |
| <b>DISTRICT ATTORNEY (423):</b>                                         |           |              |                |            |
| 01-423-5213 BOOKS                                                       | 1,700     | 1,100        |                | 2,750      |
| 01-423-5443 WITNESS EXPENSE                                             | 200       | 600          |                | 800        |
| 01-423-5461 PRINTING                                                    | 725       | 175          |                | 900        |
| 01-423-5021 STAFF                                                       | 344,072   |              | (675)          | 343,397    |
| 01-423-5110 FICA                                                        | 27,240    |              | (1,000)        | 26,240     |
| 01-423-5121 RETIREMENT                                                  | 26,968    |              | (200)          | 26,768     |
|                                                                         |           | <u>1,875</u> | <u>(1,875)</u> |            |
| TRANSFER FOR NEEDED EXPENSES FROM PERSONNEL COST SAVINGS/REORGANIZATION |           |              |                |            |
| <b>COUNTY CLERK OFFICE (417):</b>                                       |           |              |                |            |
| 01-417-5212 POSTAGE                                                     | 5,000     | 1,000        |                | 6,000      |
| 01-417-5411 OFFICE EQPT MAINT                                           | 3,200     | 10           |                | 3,210      |
| 01-417-5215 PERM RECORDS SPLY                                           | 13,520    |              | (610)          | 12,910     |
| 01-417-5331 CONT EDUCATION                                              | 6,100     |              | (400)          | 5,700      |
|                                                                         |           | <u>1,010</u> | <u>(1,010)</u> |            |
| <b>JUSTICE OF PEACE OFFICE 1-2 (425):</b>                               |           |              |                |            |
| 01-425-5461 PRINTING                                                    | 975       | 270          |                | 1,245      |
| 01-425-5331 CONT. EDUCATION                                             | 1,658     |              | (225)          | 1,433      |
| 01-425-5391 MISCELLANEOUS                                               | 250       |              | (45)           | 205        |
| TRANSFER FOR SPECIAL FORMS PRINTING                                     |           |              |                |            |
| <b>CONSTABLE OFFICE, PCT. 2 (432):</b>                                  |           |              |                |            |
| 01-432-5413 VEHICLE MAINT                                               | 670       | 312          |                | 982        |
| 01-432-5717 LAW ENF EQPT                                                | 1,200     | 38           |                | 1,238      |
| 01-432-5110 FICA                                                        | 2,242     |              | (150)          | 2,092      |
| 01-432-5121 RETIREMENT                                                  | 2,214     |              | (30)           | 2,184      |
| 01-432-5160 INSURANCE                                                   | 2,274     |              | (20)           | 2,254      |
| 01-432-5271 FUEL                                                        | 2,400     |              | (75)           | 2,325      |
| 01-432-5489 TELEPHONE                                                   | 700       |              | (75)           | 625        |
|                                                                         |           | <u>350</u>   | <u>(350)</u>   |            |
| TRANSFER FOR TIRES, RADIO REPAIR & BALANCE FOR LITEBAR                  |           |              |                |            |
| <b>TREASURER OFFICE (402):</b>                                          |           |              |                |            |
| 01-402-5311 TRAVEL                                                      | 125       | 300          |                | 425        |
| 01-402-5461 PRINTING                                                    | 3,380     | 200          |                | 3,580      |
| 01-402-5331 CONT EDUCATION                                              | 2,890     |              | (500)          | 2,390      |
| TRANSFER FOR NEEDED SPECIAL RECEIPTS & CHECK PRINTING AND SEMINAR       |           |              |                |            |
| <b>BUILDING MAINTENANCE (410):</b>                                      |           |              |                |            |
| 01-410-5241 BLDG. MAINT. SUPPLY                                         | 21,500    | 1,000        |                | 22,500     |
| 01-410-5281 JANITORIAL SUPPLY                                           | 16,500    | 300          |                | 16,800     |
| 01-410-5451 CONT. BLDG. MAINT                                           | 20,865    |              | (1,300)        | 19,565     |
| <b>TAX ASSESSOR/COLLECTOR (415):</b>                                    |           |              |                |            |
| 01-415-5211 OFFICE SUPPLY                                               | 4,500     | 600          |                | 5,100      |
| 01-415-5212 POSTAGE                                                     | 25,000    | 575          |                | 25,575     |
| 01-415-5311 TRAVEL                                                      | 200       | 200          |                | 400        |
| 01-415-5321 DUES & BONDS                                                | 3,700     |              | (500)          | 3,200      |
| 01-415-5421 DATA PROC MAINT                                             | 11,550    |              | (875)          | 10,675     |
|                                                                         |           | <u>1,375</u> | <u>(1,375)</u> |            |
| TRANSFER FOR NEEDED DRIPPING SPRINGS & OTHER EXPENSE                    |           |              |                |            |

SEPTEMBER 5, 1995

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AMENDMENT  
NO. 95-043  
FY 95 BUDGET  
09/05/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES                | APPROPRIATION | AMENDMENT     |                 | APPROPRIATION |
|-----------------------------------------|---------------|---------------|-----------------|---------------|
|                                         | BEFORE        | INCREASES     | DECREASES       | AS AMENDED    |
| <b>DISTRICT COURT OPERATIONS (436):</b> |               |               |                 |               |
| 01-436-5301 JURY EXPENSE                | 32,000        | 1,000         |                 | 33,000        |
| 01-436-5305 TRIAL EXPENSE               | 27,150        | 3,600         |                 | 30,750        |
| 01-436-5311 TRAVEL                      | 5             | 20            |                 | 25            |
| 01-436-5403 DIST CRT ADMIN SVS          | 25,000        | 1,560         |                 | 26,560        |
| 01-436-5441 APPTD ATTY EXP              | 100,000       | 18,320        |                 | 118,320       |
| 01-436-5021 STAFF                       | 65,214        |               | (600)           | 64,614        |
| 01-436-5110 FICA                        | 5,680         |               | (250)           | 5,430         |
| 01-436-5121 RETIREMENT                  | 5,609         |               | (150)           | 5,459         |
| 01-436-5445 TRANSCRIPTIONS              | 50,000        |               | (23,000)        | 27,000        |
| 01-436-5411 OFFICE EQPT MAINT           | 800           |               | (500)           | 300           |
|                                         |               | <u>24,500</u> | <u>(24,500)</u> |               |

TRANSFER FOR NEEDED EXPENSES & REBUDGET TRANSCRIPTION TO APPOINTED ATTORNEY

**TJRC/CCAP GRANT FOR JUVENILE PROBATION (489):**

|                                |       |       |         |       |
|--------------------------------|-------|-------|---------|-------|
| 01-489-5301 OPERATING EXPENSE  | 3,592 | 5,000 |         | 8,592 |
| 01-489-5311 TRAVEL             | 850   | 150   |         | 1,000 |
| 01-489-5448 NONRESIDENTIAL EXP | 9,921 |       | (5,150) | 4,771 |

TRANSFER PER AGENCY

**CJD/VICTIMS OF CRIME ASSISTANCE GRANT (705):**

|                                   |     |   |     |     |
|-----------------------------------|-----|---|-----|-----|
| 01-705-5391 OTHER                 | 110 |   | (6) | 104 |
| 01-705-5346 WORKER COMP INSURANCE | -0- | 6 |     | 6   |

BUDGET ADDITIONAL EXPENSE

**TPJC/EMERGENCY DIVERSION GRANT (729):**

|                               |       |       |         |       |
|-------------------------------|-------|-------|---------|-------|
| 01-729-5301 OPERATING EXPENSE | -0-   | 2,915 |         | 2,915 |
| 01-729-5448 NON RESIDENTIAL   | 2,915 |       | (2,915) | -0-   |

RECLASSIFICATION OF EXPENSE PER AGENCY

AMENDMENT  
NO. 95-043  
FY 95 BUDGET  
09/05/95

FUND NO. 03

FUND TITLE ROAD & BRIDGE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS AMENDED    |

**OPERATIONS (438):**

|                       |         |        |  |         |
|-----------------------|---------|--------|--|---------|
| 03-438-5271 FUEL      | 80,000  | 5,000  |  | 85,000  |
| 03-438-5351 MATERIALS | 748,300 | 15,081 |  | 763,381 |

**REVENUES:**

**DECREASES INCREASES**

|                           |     |  |        |        |
|---------------------------|-----|--|--------|--------|
| 03-363-3633 AUCTION SALES | -0- |  | 20,081 | 20,081 |
|---------------------------|-----|--|--------|--------|

ALLOW SHARE OF AUCTION PROCEEDS TO BE RETURNED TO DEPARTMENT

**PRECINCT 1 (439):**

|                           |       |     |       |       |
|---------------------------|-------|-----|-------|-------|
| 03-439-5711 OFF EQUIPMENT | 260   | 200 |       | 460   |
| 03-439-5452 TRASH HAULING | 1,465 |     | (200) | 1,265 |

TRANSFER FOR TELEPHONE COST

AMENDMENT  
NO. 95-043  
FY 95 BUDGET  
09/05/95

FUND NO. 34

FUND TITLE ADULT PROBATION OPERATING

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS AMENDED    |

**OPERATING/SUPERVISION (486):**

|                                |        |       |         |        |
|--------------------------------|--------|-------|---------|--------|
| 34-486-5219 SUPPLY & OPERATING | 70,041 | 5,000 |         | 75,041 |
| 34-486-5329 PROFESSIONAL FEES  | 53,843 |       | (5,000) | 48,843 |

RECLASSIFICATION OF FUNDS PER AGENCY



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**14321 APPROVE BUDGET AMENDMENT NO. 95-044**

Justice of the Peace Pct. 2 requested approval of a budget amendment to pay for 7 months of copier rental out of countywide operating funds. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Budget Amendment No. 95-044 as presented by the County Auditor. All voting "Aye".

SPECIAL  
AMENDMENT  
NO. 95-044  
FY 95 BUDGET  
09/05/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES                      | APPROPRIATION | AMENDMENT    |                                | APPROPRIATION |
|-----------------------------------------------|---------------|--------------|--------------------------------|---------------|
|                                               | BEFORE        | INCREASES    | DECREASES                      | AS            |
|                                               | AMENDMENT     |              |                                | AMENDED       |
| <b>JUSTICE OF PEACE PCT.-2 OFFICE (426):</b>  |               |              |                                |               |
| 01-426-5212 POSTAGE                           | 600           |              | 165                            | 765           |
| 01-426-5473 COPIER LEASE                      | 824           | 1,387        |                                | 2,211         |
| 01-426-5211 OFFICE SUPPLY                     | 2,030         |              | (400)                          | 1,630         |
| 01-426-5391 MISC                              | 300           |              | (47)                           | 253           |
| 01-426-5461 PRINTING                          | 500           |              | (200)                          | 300           |
| 01-426-5489 TELEPHONE                         | 2,400         |              | (120)                          | 2,280         |
| 01-426-5331 CONT. EDUCATION                   | 150           |              | (5)                            | 145           |
|                                               |               | <u>1,552</u> | <u>(772)</u>                   |               |
| <b>COUNTY-WIDE OPERATING (414):</b>           |               |              |                                |               |
| 01-414-5711 OFF EQPT<br>(UNSPECIFIED PORTION) | 38,272        | <u>1,552</u> | <u>(780)</u><br><u>(1,552)</u> | 37,492        |

**14322 CHANGE RNII GRADE 16 TO SOCIAL SERVICES WORKER GRADE 10**

The Personal health Dept. is expecting less grant revenue next year based on new state policies and rules for grant allocated funds. This new position is a revenue generating position. It will be a little easier to fill than a RN position. The lower employee cost will allow us to continue to provide service to county residents, but do so with less grant revenue. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve change of RNII Grade 16 position to a Social Services Worker Grade 10. All voting "Aye".

**14323 AUTHORIZE PURCHASE OF A 4-CHANNEL ADVOCATE V TRANSCRIBER OUT OF COUNTY CLERK'S RECORDS MANAGEMENT FUNDS**

County Clerk Ronnie Dannelley requested a portable unit that would be used for listening to and/or transcribing the minutes from the new tape format (these tapes cannot be heard on a standard cassette recorder). A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize purchase of a 4-channel Advocate V Transcriber out of the County Clerk's Records Management funds. All voting "Aye".

**14324 ACCEPT INTERNAL AUDIT REPORT OF JUSTICE OF PEACE PCT. 3 OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to accept the Internal Audit Report of Justice of the Peace Pct. 3 office. All voting "Aye".

**14325 AWARD CONTRACT ON SWEEPER MACHINE FOR ROAD DEPARTMENT**

Bids were submitted by: Cooper Equipment, Conley Lott-Nichols, Waukesha-Pearce, Hoss Equipment, and Howard-McNear. Cindy Casparis, Purchasing Agent, advised that bids were reviewed by Ron Bischoff and he is of the opinion that the low bid does not meet our specs - Conley Lott Nichols did list one deviation and it is our decision whether or not we accept the deviation - Ron feels that it is in the county's best interest to accept the bid from Cooper Equipment at a bid price of \$20,450. A motion was made by Commissioner Barton, seconded by Commissioner Payne to award contract on sweeper machine for road department to Cooper Equipment at a bid of \$20,450.00. All voting "Aye".

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**14326 AUTHORIZE PURCHASE OF A LASER PRINTER (11X17) OUT OF COUNTY CLERK'S RECORDS MANAGEMENT FUNDS**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize purchase of a laser printer (11X17) out of County Clerk's Records Management Funds. All voting "Aye".

**14327 AUTHORIZE USE OF THE COURTHOUSE BY THE SAN MARCOS POLICE DEPARTMENT FOR "OPERATION KID PRINT" ON OCTOBER 21, 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize use of the Courthouse by the San Marcos Police Department for "Operation Kid Print" on October 21, 1995. All voting "Aye".

**14328 CALL FOR A PUBLIC HEARING TO CONSIDER CHANGE OF STREET NAME FROM "PROCHNOW ROAD" IN PCT. 4 TO "GAINOR MOUNTAIN ROAD"**

Commissioner Molenaar spoke of petition submitted requesting change of road name - Mr. Prochnow had put up a sign directing people to his house years ago and it had become known as Prochnow Road - would like to have a public hearing before authorizing the change of street name. Commissioner Payne spoke of the Prochnow family's long history in this area - not willing to support a street name change at this time. Patsy Greiner, Mapping/Planning Coord., spoke of need to research the "Gainor Mountain Road" name - could be confused with "Mt. Gainor Rd". A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to call for a public hearing to be held September 18, 1995 consider change of street name from "Prochnow Road" in Precinct 4 to "Gainor Mountain Road". All voting "Aye".

**14329 GRANT VARIANCE TO MINIMUM LOT SIZE AS A RESULT OF ACQUISITION OF RIGHT-OF-WAY ON FISCHER STORE ROAD**

County Land Acquisition Agent Eric Moerbe advised that Fay Mowery (owns land on Fischer Store Road - CR181) has asked for a variance to minimum lot size since the county will be purchasing 0.0932 acres out of a 1.01 acre tract for improvement of Fischer Store Road leaving less than one acre for a well and septic system. A motion was made by Commissioner Barton, seconded by Commissioner Payne to grant a variance to minimum lot size to Fay Mowery for property located on Fischer Store Road (AKA CR181) as a result of county acquisition of right-of-way. All voting "Aye".

**14330 ROAD NAME DESIGNATION - NAME ROADWAY EASEMENT IN GRAPE CREEK SUBDIVISION "KELLEY LANE"**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve road name designation: name roadway easement in Grape Creek Subdivision "Kelley Lane". All voting "Aye".

**14331 APPROVE AMENDMENT TO OWNER ARCHITECT AGREEMENT WITH FORD, POWELL & CARSON FOR RESTORATION OF THE COURTHOUSE**

TxDot would not approve reimbursable rates in original contract - the amendment increases basic contract by \$3,000 to cover those costs - approval is recommended by Project Manager, Auditor and Courthouse Team. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Amendment to Owner Architect Agreement with Ford, Powell & Carson for restoration of the Courthouse. All voting "Aye".

|                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>AMENDMENT NO. 1</p>                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Amendment No. 1, executed the 28th day of August 1995, to the Standard Form Agreement Between Owner and Architect executed the first day of May 1995, between Hays County, a political and legal subdivision of the State of Texas, and Architect, Ford, Powell &amp; Carson, Inc. for the Hays County Courthouse Renovation and Preservation Project.</p> <p>The Owner and Architect agree to the following amendments to this Contract:</p> |
| <p><b>ARTICLE 11.2.1</b> For Basic Services as described in Article 2, and any other services included in Article 12 as a part of the Basic Services, Basic Compensation shall be computed as follows: an amount equal to the fixed sum of <u>Three Hundred Thirty-Three Thousand, Three Hundred Dollars (\$333,300.00)</u>.</p>                                                                                                                 |
| <p><b>ARTICLE 11.2.2</b> Where compensation is based on a stipulated sum, progress payments for Basic Services in each phase shall total the following percentages of the basic compensation payable.</p>                                                                                                                                                                                                                                        |
| <p><b>ARTICLE 11.3.2</b> The above figures are direct personnel expenses as defined in Article 10.1. Overhead and profit added to the above hourly rates will be a multiplier of 2.5. Overhead costs must be supported by the final audit.</p>                                                                                                                                                                                                   |
| <p><b>ARTICLE 11.3.3</b> .....as part of Additional Services, <u>a multiple of one and no tenths (1.0)</u> times the amount billed to the Architect for such services. Additional Services of the Architect for administering Additional Service Contracts with Consultants shall be as described in Paragraph 11.3.2.</p>                                                                                                                       |
| <p><b>ARTICLE 11.4.1</b> .....included in Article 12 as reimbursable expenses, <u>a multiple of one and no tenths (1.0)</u> times the expense incurred by the Architect....</p>                                                                                                                                                                                                                                                                  |

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**PUBLIC HEARING - THE WOODLANDS REPLAT** [T1-94]

Judge Etheredge called the public hearing open to consider the replat of The Woodlands subdivision. No public input was received - public hearing was closed. Patsy Greiner, Mapping/Planning Coord., advised that no letter of credit has been filed and plat is not ready for third reading at this time.

**14332 PRICE ADDITION SECTION 2 - FIRST READING APPROVAL** [T1-121]

TxDot approval is needed since lots use FM3237 & FM150 for access. Staff recommended approval on first reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Price Addition Section 2" on first reading. All voting "Aye".

\*SHOULD BE "THE POINT REPLAT OF LOTS 5-7" - SEE 11/13/95 #14509\*

**14333 LOMA VISTA REPLAT OF LOTS 5,6 & 7 - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING** [T1-139]

Lots 5, 6, & 7 of Loma Vista are being replatted into two lots (5A & 7A) - this property is located on the Point Road known as CR281 about one mile from the Wimberley square - property is owned by Dr. Deere and is under contract by Mr. Al Sander & Larry Craddock subject to the replat - the bluff located on this property prevents widening of CR281. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Loma Vista Replat of Lots 5-7" on first reading and call for a public hearing to be held on September 17, 1995. All voting "Aye".

**14334 HERITAGE COUNTRY - THIRD READING APPROVAL** [T1-167]

Letter of Credit was filed. Chad Swedlar, President of the Neighborhood Assn., appeared - they are not against the development, only concerned about the roads. County Road Director Ron Bischoff spoke of Developer having 90 days to start construction - they don't have to pave until they want approval by the County. Chad spoke of improvements to Trail Driver (the ingress road) contingent on construction of this subdivision road. Judge Etheredge advised that the Court has made a commitment to the property owners of Big Country to make improvements to Trail Driver to make it sufficient to handle additional traffic - need to time improvements to correspond with road construction. Developer Carroll Walker spoke of waiting to put in water system (Hill Country Water Supply) before constructing roads. Judge Etheredge stated that the County is reluctant to wait a year, we might have to go ahead and make the improvements. Chad spoke of concerns about resubdivision of lots in the future. Mr. Walker stated that he will revise the covenants to not allow further resub of lots. Commissioner Barton spoke of revisions being made to the county subdivision rules. Allen Walther, Environmental Health Director, spoke of need for signature block for the City of Dripping Springs on the plat and need for a letter from them waiving their review. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Heritage Country" subdivision plat on third reading. All voting "Aye".

**14335 RUBY RANCH PHASE ONE - THIRD READING APPROVAL** [T1-436]

Commissioner Barton explained that these are large acreage lots on FM967 - roads will be private and access to lots will be off the inside roads. Staff recommended approval. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Ruby Ranch Phase One" subdivision on third reading. All voting "Aye".

**14336 SUNSET CANYON SECTION 5 LOTS 830 & 831 - ABANDON BUILDING SETBACK BETWEEN LOTS - PUBLIC HEARING AND APPROVE ON THIRD READING** [T1-472]

Judge Etheredge opened the public hearing to consider abandonment of building setback between Lots 830 & 831 of Sunset Canyon Section 5. No public input was received - staff recommended approval. Public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve abandonment of building setback between Lots 830 & 831 of Sunset Canyon Section 5 subdivision. All voting "Aye".

**14337 DIAMOND D RANCH SECTION 1 LOT 1 - THIRD READING APPROVAL** [T1-487]

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Diamond D Ranch Section 1 Lot 1" on third reading. All voting "Aye".

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**14338 WIMBERLEY MOUNTAIN BUSINESS PARK LOT 6 - THIRD READING APPROVAL [T1-497]**

Note: Lot number was changed from Lot 5 to Lot 6 for the final reading. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Wimberley Mountain Business Park Lot 5" on third reading. All voting "Aye".

**PROPOSAL FOR MARKET STUDY/FEASIBILITY ANALYSIS FOR A PROPOSED CONVENTION CENTER AND HOTEL FACILITY AT THE OLD HOSPITAL SITE [T1-510]**

Judge Etheredge spoke of parties interested in the old hospital site (IH35 north) - recommended a feasibility analysis to put the county in a better position for negotiating a contract. McNichol & Connelly, Inc. submitted a proposal - the scope of the work to be provided will generally involve a study of market and financial conditions which are likely to affect the feasibility of the proposed project, along with in-depth financial feasibility analysis - the proposed fee for completing the Market and Financial Feasibility Study is Nine Thousand Seven Hundred Dollars (\$9,700) including all expenses for travel, lodging, etc. Judge Etheredge spoke of this putting to rest discussions of property use - spoke of constant inquiries about this property. No action taken this date.

**14339 REJECT BIDS RECEIVED ON DELINQUENT TAX PROPERTIES [T1-592]**

Tax Assessor-Collector Luanne Caraway submitted copies of bids received for various tax delinquent properties:

|                                                                      |                                                                    |
|----------------------------------------------------------------------|--------------------------------------------------------------------|
| Suit No. 2995 Lots 2 & 3 Block A Allegre Monantial Section 1         |                                                                    |
| Values:                                                              | Lot 2 = \$ 14,930      Lot 3 = \$ 13,620                           |
| Tax Due                                                              | = \$ 9,101.70                                                      |
| Bid                                                                  | = \$ 4,000.00                                                      |
|                                                                      |                                                                    |
| Suit No. 4037 Lot 4 Block B Allegre Monantial Section 1              |                                                                    |
| Value                                                                | = \$ 13,170.00                                                     |
| Tax Due                                                              | = \$ 4,194.65                                                      |
| Bid                                                                  | = \$ 2,000.00                                                      |
|                                                                      |                                                                    |
| Suit No. 4104 Lot 333 Block 27 Westover Addition, City of San Marcos |                                                                    |
| Value                                                                | = \$ 24,570.00 (improvements = \$ 16,020 land = \$ 8,550)          |
| Tax Due                                                              | = \$ 11,955.60                                                     |
| Bid                                                                  | = \$ 1,500.00 Note: house is not useable and needs to be torn down |
|                                                                      |                                                                    |
| Lot 37 Timmeron Section One                                          |                                                                    |
| Value                                                                | = \$ 5,000.00                                                      |
| Tax Due                                                              | = \$ 1,500.05                                                      |
| Bid                                                                  | = \$ 820.00                                                        |

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to reject all bids submitted on delinquent tax properties. All voting "Aye".

**14340 APPROVE CONSOLIDATING VOTING PRECINCTS FOR THE NOVEMBER 7, 1995 CONSTITUTIONAL AMENDMENT ELECTION [T1-647]**

Election Administrator Joyce Cowan presented proposed consolidation of polling places for the November 7th Constitutional Amendment Election - these are basically the same polling places used in past constitutional amendment elections. Commissioner Payne and Commissioner Molenaar requested that the regular Driftwood and Rolling Oaks polling places be open for voting rather than consolidating because of the distance between them. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve consolidating voting precincts for the November 7, 1995 Constitutional Amendment Election as proposed by the County Elections Administrator with amendment to have separate polling places for Rolling Oaks & Driftwood precincts. All voting "Aye".

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Joyce Cowan  
Office of Hays County  
Elections Administrator

401-C Broadway  
San Marcos, Texas 78666  
(512) 396-3232

August 30, 1995

Due to low voter turnout in Constitutional Amendment Elections and the cost factor of opening all of the county election precincts, it is my recommendations to consolidate our precincts for the November 7th Election as follows:

| <u>Precincts</u> | <u>Polling Place</u>                                       | <u>Precincts</u> | <u>Polling Place</u>                                              |
|------------------|------------------------------------------------------------|------------------|-------------------------------------------------------------------|
| 110 & 113        | Elections Office<br>401-C Broadway<br>San Marcos, Tx.      | 315              | Williams Vet Clinic<br>150 Quail Run<br>San Marcos, Tx.           |
| 111 & 112        | Dunbar Center<br>801 MLK Dr<br>San Marcos, Tx.             | 330 & 331        | Grace Lutheran Church<br>1250 Belvin<br>San Marcos, Tx.           |
| 114              | Allenwood Hms Auditorium<br>Thorp Lane<br>San Marcos, Tx.  | 334 & 336        | 1st Presbyterian Church<br>410 W. Hutchison<br>San Marcos, Tx.    |
| 116              | Westover Bapt. Church<br>1310 Advance<br>San Marcos, Tx.   | 335 & 337        | Chapel of the Hill<br>Ranch Road 12<br>Wimberley, Tx.             |
| 120 & 121        | CM Allen Hms Office<br>Sturgeon St<br>San Marcos, Tx.      | 440              | Henty Vol. Fire Dept.<br>Hwy 290 West<br>Henty, Tx.               |
| 223, 225, & 227  | Kyle City Hall<br>Burleson<br>Kyle, Tx.                    | 441 & 449        | Dripping Spgs City Hall<br>402-G Mercer<br>Dripping Springs, Tx.  |
| 224, 226 & 228   | Senior Citizens Bldg<br>FM 2770 & Barton Xing<br>Buda, Tx. | 442 & 448        | Driftwood Community<br>County Rd 150<br>Driftwood, Tx.            |
| 222 & 230        | Hays City Hall<br>526 Tanglewood Trl<br>Buda, Tx.          | 443              | Sunset Canyon Bapt.<br>4400 E. Hwy 290 W<br>Dripping Springs, Tx. |
| 229              | St. Johns United Church<br>Hwy 21<br>Uhland, Tx.           | 445 & 451        | 1st American Lutheran<br>130 W. Holland St<br>San Marcos, Tx.     |
|                  |                                                            | 446 & 447        | Travis Elementary<br>Old Post Rd<br>San Marcos, Tx.               |

**DISCUSSION REGARDING TAX EXEMPTIONS FOR DISABLED PEOPLE [T1-808]**

Commissioner Payne spoke of his constituents requesting consideration of tax exemption for disabled people - \$10,000 exemption would be equivalent to \$43.00 - there are approximately 266 accounts which would total \$11,704.00. Tax A/C Luanne Caraway spoke of guidelines - to qualify they must be eligible for SSI. County Auditor Bill Herzog spoke of need for actual numbers from the Central Appraisal District - need to be able to identify eligible taxpayers.

**14341 ADOPT RESOLUTION PROHIBITING ACCESS TO DAM AT DUDLEY JOHNSON PARK [T1-935]**

Commissioner Barton spoke of re-opening of Dudley Johnson Park - proposes that we restrict access to the dam - there have been several incidents on the dam despite warning signs - needs to be added to the park rules. A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt resolution prohibiting access to dam at Dudley Johnson Park, instruct Precinct 2 Commissioner to post appropriate signs and request the Sheriff's office to enforce that rule. All voting "Aye".

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**DISCUSSION REGARDING PROPOSALS FOR OPERATION & MAINTENANCE OF THE JUVENILE SERVICES CENTER [T1-1011]**

Six proposal were submitted - Commissioners to review the proposals and pick one out for negotiations tomorrow.

**BUDGET WORKSHOP FY96**

WIMBERLEY SUBSTATION - Commissioner Payne spoke of increase in rental fee being requested (10%) - last year we shared expense of increasing the size of the courtroom - this increase in square footage resulted in a reduction in rental fee per square foot (from 60¢ psf to 48¢ psf) with a two year contract. Commissioner Molenaar spoke of centralized Road Dept. offices plus satellite offices - we could abandon the Kyle yard and use it for county offices - suggested a new location for the Road Dept. at RM3237 and FM150 (more centralized location). Commissioner Barton felt like the current Road Dept. location would not be suitable for the Health Department Clinic. ✓ A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve a 10% increase in rent at the Wimberley Substation. All voting "Aye".

KYLE OFFICE SPACE - [T1-1316] Commissioner Barton spoke of property owner wanting to replace the current lease - would like for county to be responsible for air conditioning maintenance, taxes, and insurance of the building - owner would agree to not increase the rental fee for period of the lease (5 yrs). Court was not agreeable to this length of lease - discussed uncertainty of the health clinic. Judge Etheredge stated that we are not in a position to build any new buildings for the next two years unless revenues go up and/or debt is reduced.

JP1-2 - [T1-1546] Commissioner Molenaar advised that JP1-2 has indicated that she will be short in postage and printing. Discussion was had regarding continuing education (not mandatory for staff). Commissioner Barton spoke of JP2 & JP5 having \$300 each for continuing education which is usually free and within driving distance - anticipated growth for the JP's will make it difficult to stay within their budgets. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to increase JP1-2 Postage line item to \$2,000 and Printing line item to \$1,300. Judge [T2-803] Etheredge stated that if you look at cuts in other JP offices, she was treated fairly. Commissioner Barton stated that he feels uncomfortable giving her so much more than the other JP's. Commissioner Rodriguez and Commissioner Molenaar voting "Aye". Commissioner Barton and Judge Etheredge voting "No". Commissioner Payne was absent for vote. MOTION FAILED.

COMMISSIONER PCT. 4 - [T1-1978] Commissioner Molenaar spoke of need for an employee - he is currently using personnel from the Tax Office and JP4 Office to assist him - will cross-train his employee to assist the other Clerks - people are requesting services. ✓ A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize an employee for Commissioner Pct. 4 office to be shared with JP4 - Grade 6 position. Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No" and Commissioner Rodriguez abstained. MOTION PASSED.

CONTINGENCIES - [T1-2551] ✓ A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to increase Contingencies to \$80,000.00. Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Payne voting "No". MOTION PASSED.

ANIMAL CONTROL - [T1-2866] A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to add an Animal Control Officer to the Sheriff's Department. Commissioner Barton stated that he had intended to obtain information regarding animal control from constituents and the Sheriff - would rather add a patrol officer - animal control is not a priority of the Sheriff. Commissioner Barton and Commissioner Molenaar voting "Aye". Commissioner Rodriguez, Commissioner Payne and Judge Etheredge voting "No". MOTION FAILED.

TAX INCREASE - Judge Etheredge spoke of proposed budget - he is not comfortable with creating new positions with debt funds. Commissioner Molenaar voiced his concerns about jail shortfalls. Judge Etheredge spoke of juvenile detention might absorb part of the deficit at the jail - part of it is covered with reserve funds - could create a budget shortfall next year - we need to adopt the tax rate (proposed at 44¢) - need to advise constituents of the tax increase for next year.

ELECTED OFFICIALS SALARIES - Commissioner Barton read a resolution in support of increasing the Elected Officials salaries - supports setting elected officials accordingly and County Commissioners below Grade recommended by DMG (would still be an increase in current salary) - people are expecting more from their Elected Officials - would encourage high quality people and would compensate them fairly - we are below average for most counties of our population and budget amount - before he ran for election he stated that he was in favor of salary increases for elected officials. Judge Etheredge spoke of salary increases last year for the Sheriff, County Judge and Auditor - we now have many new Elected Officials who are working hard at their jobs.

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Court recessed until September 6, 1995.

MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

*Eddy Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 6th DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN BUDGET WORKSHOP. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCHÉ   | DEPUTY COUNTY CLERK  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**BUDGET WORKSHOP FY96**

Commissioner Payne was not present for beginning of meeting.

SALARIES - [T2-440] Commissioner Barton spoke in support of salary increases - mentioned Grievance Committee procedure. Judge Etheredge stated that if we do not address elected officials salaries during this budget, it should be somewhat of a priority of this commissioners court to determine a fair and equitable way to keep Elected Officials salaries in line with private industry, neighboring counties, and/or counties of our size - no reason for Elected Officials to not be treated as well as we treat our Dept. Heads and employees - when we discuss salaries we not only discuss employees salaries but also Elected Officials - need to address travel and continuing education expenses - we have a job to do and most take their job seriously and work very hard (a fulltime job) and we are not paying very good salaries to Elected Officials - will affect the quality of candidates that seek office - requiring more and more education - no one likes to raise their own salaries - there needs to be a way it is done - beginning in October he will try to push forward with a system for re-evaluating Elected Offices.

HUMAN RESOURCES - [T2-597] Commissioner Barton proposed a travel allowance for Human Resources Director - he is traveling throughout the County and is not turning in mileage. Judge Etheredge spoke of proposed changes in his office which would involve the Human Resources Director - supports allocating money for travel (\$50 X 12 months = \$ 600 per year). ✓ A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to budget \$600 for travel for Human Resources. All present voting "Aye".

ANIMAL CONTROL OFFICER - [T2-750] Commissioner Molenaar spoke in support of an additional Animal Control Officer.

HOSPITAL PROPERTY - [T2-846] Judge Etheredge spoke of the old hospital property site off IH35 is the single most valuable asset the county has - we could go out for sealed bids to purchase the property - the longer we own it the more valuable it becomes - has had inquiries from real estate people, SWTSU, etc.

CIVIC CENTER - [T2-944] \$10,000 is funded for a study. Commissioner Barton spoke of this facility losing money - do we add on to it for more revenues or do we scale down the facility - there is no good plan for the best use of this facility. Judge Etheredge spoke of need to do something with the Civic Center or return ownership to the Hays County Fair Association.

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TAX RATE - [T2-1010] Any change in the tax rate would require another public hearing - it could be increased if you make cuts that would not affect the tax rate.

FIRE DISTRICT - [T2-1062] Discussed tax rate dropping from 3¢ to the effective tax rate of 2.68¢ - the Fire District Board needs to vote the tax rate back up to 3¢.

JUVENILE SERVICES CENTER - [T2-1121] Judge Etheredge spoke of proposal received for operation and management of the Juvenile Services Center - he ranked the proposals as follows: #1 CCI #2 ESMOR #3 Wackenhut #4 RECOR #5 Texson #6 San Marcos Treatment Center - eliminated RECOR because they have not released their current contract, San Marcos Treatment Center is not what we're after, and Texson has no figures in their proposal - CCI shown the greatest interest and desire - currently housing kids in two of their facilities - we are getting positive results from these - they are the only company operating a juvenile boot camp in Texas - ESMOR (out of West Virginia) has a good proposal - Wackenhut currently operates a juvenile facility in Bexar County and in Kyle.

**EXECUTIVE SESSION - PERSONNEL MATTERS**

The Court convened into closed executive session to discuss personnel matters (11:00 A.M. - 12:15 A.M.). Upon completion of closed session and after taking a lunch break, they reconvened into open budget workshop.

**BUDGET WORKSHOP CONTINUED**


TAX RATE - Discussion was had regarding the value of average homes in Hays County. [T2-1468] ✓ A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to set the tax rate at 43.9¢ per \$100 valuation. All voting "Aye".


JUVENILE SERVICES CENTER - [T2-2052] Discussion was had regarding operation/management proposals - agreed to set up a committee to evaluate the top four vendors CCI, ESMOR, Wackenhut, and RECOR. [12-3187] ✓ A motion was made by Commissioner Payne, seconded by Commissioner Barton to appoint Ed Cooper, Bill Herzog, Cindy Casparis, Commissioner Payne, and Commissioner Rodriguez to a committee to evaluate the Juvenile Services Center operations & management proposals submitted by CCI, ESMOR, Wackenhut, and RECOR.. All voting "Aye".

TRAVEL COMPENSATION - Commissioner Barton spoke of Elected Officials not having had a increase in travel allowance for two years. Commissioner Payne stated that he has not seen an increase in his expenses.

Court adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
HAYS COUNTY, TEXAS





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 11TH DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCHE   | DEPUTY COUNTY CLERK  |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14342 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$ 119,634.75 as presented by the County Auditor. All voting "Aye".

|                    |              |                    |              |                    |              |
|--------------------|--------------|--------------------|--------------|--------------------|--------------|
| Auditors Ofc       | \$ 150.60    | Treasurers Ofc     | \$ 62.07     | Extension Ofc      | \$ 828.68    |
| Grants Admin       | \$ 250.00    | Juvenile Probation | \$ 34.78     | Transfer Station   | \$ 326.21    |
| Bldg. Maintenance  | \$ 3,234.79  | Civic Center       | \$ 249.53    | Countywide Oper    | \$ 5,888.49  |
| Tax A/C            | \$ 226.36    | District Clerk     | \$ 90.00     | County Clerk       | \$ 392.18    |
| Sheriffs Office    | \$ 3,552.10  | Jail Operations    | \$ 5,294.61  | County Judge       | \$ 48.34     |
| Human Resources    | \$ 863.71    | District Attorney  | \$ 998.99    | J.P. 1-2           | \$ 529.00    |
| J.P. 2             | \$ 246.13    | J.P. 3             | \$ 64.28     | J.P. 4             | \$ 12.50     |
| DPS/135 Substation | \$ 698.06    | Constable 2        | \$ 54.12     | Constable 3        | \$ 208.96    |
| Constable 5        | \$ 87.77     | Dist Court Oper    | \$ 3,695.53  | Computer Svcs      | \$ 6,377.32  |
| Protective Hmkr    | \$ 663.87    | TABC               | \$ 10.63     | Dist Crt Reporters | \$ 59.00     |
| TJPC CCAP Grant    | \$ 1,069.33  | R&B Operations     | \$ 24,062.93 | Precinct 1         | \$ 42.33     |
| Precinct 2         | \$ 242.90    | Precinct 3         | \$ 16.49     | *R&B Gen Credit*   | * \$ 30.29 * |
| Anticip Notes '95  | \$ 1,529.34  | Rec Mng/Co Clk     | \$ 124.62    | Health Svcs Grant  | \$ 346.90    |
| Road Construction  | \$ 42,348.05 | Adult Prob Oper    | \$ 6,471.46  | Adult Prob Fac     | \$ 267.73    |
| Animal Control     | \$ 12.85     | D.A. Reimb Trust   | \$ 7,904.50  |                    |              |

**14343 APPROVE BUDGET AMENDMENT NO. 95-045**

The following budget amendments were proposed:

- Civic Center - transfer for utilities and building repairs from supplies, vehicle mtc., and eqpt.
- Dept. of Public Safety - transfer balance of original scales repair (\$320) from supplies and bonds.
- J.P. 4 - fund mobile telephone from supplies, bonds, & lease expense.
- Veterans Officer - fund mobile telephone from postage and telephone expense.
- TPDRS/Protective Homemaker Grant - transfer for delivering charges.

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Budget Amendment No. 95-045 as presented by the County Auditor. All voting "Aye".

AMENDMENT  
NO. 95-045  
FY 95 BUDGET  
09/11/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | AMENDMENT | AMENDMENT |           | AMENDMENT  |
|--------------------------|-----------|-----------|-----------|------------|
|                          | BEFORE    | INCREASES | DECREASES | AS AMENDED |

**CIVIC CENTER (413):**

|                              |        |              |                |        |
|------------------------------|--------|--------------|----------------|--------|
| 01-413-5451 CONTR BLDG MAINT | 10,000 | 900          |                | 10,900 |
| 01-413-5459 MISC CONTR MAINT | 13,000 | 500          |                | 13,500 |
| 01-413-5480 UTILITIES        | 25,000 | 1,200        |                | 26,200 |
| 01-413-5299 MISC SUPPLY      | 7,000  |              | (1,300)        | 5,700  |
| 01-413-5413 VEH MAINT        | 3,200  |              | (400)          | 2,800  |
| 01-413-5272 VEH SUPPLY       | 700    |              | (400)          | 300    |
| 01-413-5719 MISC EQPT        | 500    |              | (500)          | -0-    |
|                              |        | <u>2,600</u> | <u>(2,600)</u> |        |

TRANSFER FOR UTILITIES AND BUILDING REPAIR

**DEPARTMENT OF PUBLIC SAFETY (439):**

|                                |       |            |              |       |
|--------------------------------|-------|------------|--------------|-------|
| 01-430-5417 LAW ENF EQPT MAINT | 1,500 | 320        |              | 1,820 |
| 01-430-5221 DATA PROC SUPPLY   | 140   |            | (120)        | 20    |
| 01-430-5211 OFFICE SUPPLY      | 640   |            | (100)        | 540   |
| 01-430-5321 DUES & BONDS       | 100   |            | (100)        | -0-   |
|                                |       | <u>320</u> | <u>(320)</u> |       |

TRANSFER FOR ORIGINAL SCALES REPAIR

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JUSTICE OF PEACE PCT. 4 (428):

|                          |       |            |              |       |
|--------------------------|-------|------------|--------------|-------|
| 01-428-5711 OFF EQPT     | -0-   | 260        |              | 260   |
| 01-428-5212 OFF SUPPLY   | 600   |            | (50)         | 550   |
| 01-428-5321 DUES & BONDS | 300   |            | (87)         | 213   |
| 01-428-5473 COPIER LEASE | 1,225 |            | (123)        | 1,102 |
|                          |       | <u>260</u> | <u>(260)</u> |       |

TRANSFER FOR MOBILE PHONE

VETERAN OFFICE (455):

|                         |     |            |              |     |
|-------------------------|-----|------------|--------------|-----|
| 01-455-5711 OFFICE EQPT | -0- | 260        |              | 260 |
| 01-455-5212 POSTAGE     | 100 |            | (60)         | 40  |
| 01-455-5489 TELEPHONE   | 800 |            | (200)        | 600 |
|                         |     | <u>260</u> | <u>(260)</u> |     |

TRANSFER FOR MOBILE PHONE

TPDRS/PROTECTIVE HOMEKAKER GRANT (468):

|                           |       |    |      |       |
|---------------------------|-------|----|------|-------|
| 01-468-5211 OFFICE SUPPLY | 145   | 40 |      | 185   |
| 01-468-5311 TRAVEL        | 2,700 |    | (40) | 2,660 |

TRANSFER FOR DELIVERING CHARGES

**14344 GRIEVANCE COMMITTEE SELECTION**

The following were selected for service on the 1995 Grievance Committee: Helen Reyes (San Marcos), Mark Anthony Tenorio (Kyle), Ricky Wayne Bowen (Buda), Darlene Hill (San Marcos), Karen Denise Williams (Buda), and Catherine A. Hutchison (Buda).

**14345 APPROVE UTILITY PERMITS ISSUED BY THE ROAD DEPARTMENT**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Utility Permit No. 95-212 (Aus-Tex Parts & Service) and Permit No. 95-213 (Maxwell Water Supply Corp) as issued by the Hays County Road Department. All voting "Aye".

**14346 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR PRESCRIPTION AND OVER THE COUNTER DRUGS FOR THE JAIL**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve specifications and authorize the County Auditor to advertise for prescription and over-the-counter drugs for the Jail. All voting "Aye".

**14347 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR ANNUAL OFFICE SUPPLY CONTRACT**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve specifications and authorize the County Auditor to advertise for bids for annual Office Supply contract. All voting "Aye".

**14348 APPROVE SPECIFICATIONS AND AUTHORIZE COUNTY AUDITOR TO ADVERTISE FOR PRESCRIPTION DRUGS FOR INDIGENT HEALTH SPECIAL ASSISTANCE & HAYS COUNTY HEALTH DEPARTMENT CLIENTS IN THE WIMBERLEY/DRIPPING SPRINGS, KYLE/BUDA AND SAN MARCOS AREAS**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve specifications and authorize the County Auditor to advertise for prescription drugs for the Indigent Health Special Assistance & Hays County Health Department clients in the Wimberley/Dripping Springs, Kyle/Buda, and San Marcos areas. All voting "Aye".

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**14349 LANIER RANCH REPLAT OF LOT 1E - FIRST READING AND CALL FOR A PUBLIC HEARING** [1-65]

Pat Love, owner of Lot 1E of Lanier Ranch proposes to sell her lot to Brian Winterowd and he proposes to divide that 30 acre lot into two parcels (11.20 & 18.80 acres) and will sell off the 11.20 acre tract - property is located on Darden Hill Road - additional right-of-way will be dedicated on plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lanier Ranch Replat of Lot 1E" on first reading and call for a public hearing to be held September 25, 1995 at 9:00 A.M. All voting "Aye".

**14350 OAK FOREST SECTION 2 - FIRST READING APPROVAL** [T1-124]

Consist of 50 lots (minimum lot size is 5.01 acres) - no resubdivision of lots will be allowed per restrictive covenants - discussion was had regarding flag lots. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Oak Forest Section 2" subdivision on first reading. All voting "Aye".

**14351 PRICE ADDITION SECTION 2 - SECOND READING APPROVAL** [T1-235]

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Price Addition Section 2" subdivision on second reading. All voting "Aye".

**14352 CROSS VALLEY SUBDIVISION - THIRD READING APPROVAL** [T1-258]

Easement is dedicated to the public but never accepted by the County - \$5,000 deposited in roadway maintenance fund to make improvements to the road - Property Owners Association for future maintenance. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Cross Valley" subdivision on third reading approval. All voting "Aye".

**3-G RANCH ADDITION SECTION 4 LOTS 1 & 2 - DISCUSSION** [T1-325]

Commissioner Barton spoke of a letter from a Certified Engineer stipulating that the required amount of base is on the road. Ron Bischoff, Road Director, stated that the base ranges from 6 to 8 inches (8 inches required) - there are some thin spots - average width is 14 ft. - spoke of drainage problems at the cul-de-sac. Commissioner Barton spoke of currently being in Court with this Developer regarding other violations - this is a private road and people in the process of purchasing the property and are insistent that they do not care what the standard of the road is, however, we have entered into that standard - there are people who are unable to inhabit their homes at this time - recommends no action at this time.

**14353 REJECT BIDS RECEIVED FOR COUNTY OWNED PROPERTY (DELINQUENT TAX PROPERTY)** [T1-397]

Tax Assessor-Collector Luanne Caraway spoke of bid received for Lot 3 & part of Lot 4 Block 8 of the D. S. Combs Addition (511 Center Street) - went back to CAD and obtain new figures and purchaser has agreed to pay full amount - no action needed for this property. Luanne spoke of bids received on a 61.23 acre tract in the J.M. Veramendi League - was originally valued too high - CAD has lowered the value (now valued at \$119,000) - one bid is \$122,160 but they want us to get a roadway easement from Wonderland Drive to the boundary of the property - another bid for \$110,000 with no strings attached - there is also a 1.88 acre tract out of T. J. Chambers Survey (close to Bishop Street) - value of \$75,750 - taxes \$27,949.21 plus court cost with a bid of \$15,000. A motion was made by Judge Etheredge, seconded by to Commissioner Molenaar to reject offer for 1.88 acre tract out of the T. J. Chambers Survey. All voting "Aye". Commissioner Payne made a motion to table the offers on 61.23 acre tract in the J. M. Veramendi League, seconded by Commissioner Molenaar. All voting "Aye". Judge Etheredge spoke of one acre tract on Hunter Road at intersection of McCarty Lane discussed several weeks ago - not a full acre because property goes to center of Hunter Road - recommends not selling at this time because of possible widening of Hunter Road. Court agreed to not offer for sale at this time. Commissioner Payne spoke of possibly using this land for future housing of the South Hays County Fire Dept.

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14354 APPROVE SCHEMATIC DESIGN FOR THE COURTHOUSE RENOVATION [T1-582]

Judge Etheredge spoke of substantial difficulties in dealing with the TxDot regarding the ISTEIA grant - we have Architects and Project Control folks who have not been paid for their services - if something does not happen this week, he will recommend turning back to \$2.2 million of ISTEIA funds and do what we can do with the county funds available - costs continue to rise the longer we put this project off. Caroline Peterson (Ford, Powell & Carson) spoke of history of project - have been researching changes in the building that were made - outside of building will be taken back to original design - open all four entrances on the first floor - trying to recognize all the original spaces and work them into a plan that will work today - spoke of looking at paint chips from windows to try and match the original paint (a dark color with white trim) - the inside of the building was very much a light green - first floor rotunda was light yellow green and darker green - spoke of colors in the courtroom on the second floor - have a general ideal of colors used originally. Plan to restore the limestone curb - historic photos show a post and chain fence around the perimeter and a hedge just inside of that - propose to come back with that outline of the original square - San Antonio and LBJ Street there is more pavement than actually needed for the roadway - proposing that outside the limestone curb put a planting area, a sidewalk, and then parking to define the roadway better - on Hopkins Street we propose a bus drop-off lane for the trolley and parallel parking - inside the sight we would come back with new sidewalks that loop around the building - open east and west entries - will restore the historic fountain - lower shrubs and bushes around the building will be removed (was not any shrubbery around the building originally - detrimental to foundation of the building - would maintain the large trees - have not reviewed this plan with the City of San Marcos yet. Discussed accommodating all space requirements in the building - opening both entrances (East & West) is important to restoring the courthouse - a major modification to the facade of the building - the basement will remain storage and mechanical equipment - first floor will be Auditing, Purchasing, Mailroom, Hays County Historical Commission, new public toilets, and a meeting room - new elevator will meet ADA requirements - second floor will be Commissioners' Courtroom (historic location), Judge and Commissioners' area in the north wing, Human Resources and Grants Dept. in the west wing, and public toilets - third floor we would open up the gallery to overlook the courtroom on the second floor, the Treasurers office, employee lounge, and space for future county attorney and staff, new public toilets, and space for the U.S. Representative and State Representative - restoring all interior spaces to original colors and finishing the wood will take place. Discussion was had regarding air conditioning of the building - discussed moving Election Administrator office to the courthouse - would not be adequate parking for early voting, etc. - will need to discuss other county buildings in the vicinity of the courthouse square. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Schematic Design for the Courthouse renovation. All voting "Aye".

Court recessed until Wednesday September 13, 1995 at 1:30 P.M. to consider offers on delinquent properties, subdivision issues, and Operations & Management of the Juvenile Services Center.

MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

  
 MARGIE T. VILLALPANDO, COUNTY CLERK  
 HAYS COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 13TH DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN AN EMERGENCY MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                     |                      |
|---------------------|----------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE         |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4 |
| LINDA C. FRITSCHÉ   | DEPUTY COUNTY CLERK  |


WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14355 ACCEPT RESIGNATION OF RONNIE DANNELEY AS COUNTY CLERK AND DESIGNATE AN ACTING COUNTY CLERK**

Judge Etheredge explained that the purpose of this meeting is to accept the resignation of Ronnie Dannelley as the Hays County Clerk. A letter of resignation was submitted by Ronnie Dannelley effective 5:00 P.M. September 12, 1995. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to accept the resignation of Ronnie Dannelley as Hays County Clerk and declare that office vacated. All voting "Aye". Judge Etheredge spoke of need to discuss a process for filling that position - a decision is needed by Monday. Commissioner Payne stated that he was ready to make a decision today. Judge Etheredge spoke of need to consider those who have expressed an interest in this position. Court adjourned. \*Not on tape: Chief Deputy County Clerk Linda Fritsche questioned how the County Clerk's office should document paperwork coming in and going out since there is no longer a person designated as County Clerk \* Court reconvened to receive input from Assistant District Attorney David Watts - he advised that the Court should designate an Acting County Clerk vested with all the powers and privileges until that office can be permanently filled - a bond is required. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to designate Chief Deputy Linda Fritsche as Acting County Clerk until such time as that position is permanently filled by the Commissioners Court and further instruct Mrs. Fritsche to execute a bond in the amount stipulated for County Clerk. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



SEPTEMBER 13, 1995

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 13th DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN CONTINUATION OF REGULAR MEETING OF SEPT. 11, 1995. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                                   |
|----------------------------|-----------------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>               |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b>       |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b>       |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b>       |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b>       |
| <b>LINDA C. FRITSCHÉ</b>   | <b>DEPUTY/ACTING COUNTY CLERK</b> |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14356 CONSIDER BID OFFERS FOR DELINQUENT TAX PROPERTIES** [T1-1220]

Tax A/C Luanne Caraway spoke of 1.88 acres out of T.J. Chambers Survey that was considered on 9/11/95 - located at the end of Ramsay Street (value is \$73,700) - bid received was for \$20,000 - spoke of \$110,000.00 offer for the 60+ acre tract considered on 9/11/95 (value is \$119,000) - taxes due are \$220,000. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to reject the \$20,000.00 offer for the 1.88 acre tract out of the T. J. Chambers Survey. All voting "Aye". A motion was made by Judge Etheredge, seconded by Commissioner Barton to accept the \$110,000.00 offer of cash on the 60+ acre tract out of the J. M. Veramendi League - this is the best offer we have had on this property in 6 months (offers ranged from \$50,000-\$110,000) - contingent on approval by the City of San Marcos and the San Marcos CISD. All voting "Aye".

**14357 3G RANCH ADDITION SECTION 4 LOTS 1&2 - THIRD READING APPROVAL** [T1-1370]

A letter has been received from a Certified Engineer stating that Developer meets our average base depth - Developer has made a good faith effort to come into compliance - two prospective buyers have notified him that the road is fine by their standards - it is essentially a private driveway - requested inclusion of statement regarding road for the record : Note for the permanent record that while this does apparently meet our absolute minimum standards as negotiated between our former Road Director and the developer for this project, that we have some concerns about the overall quality of the road and have expressed those to the Developer - has met our standards for private roads - there is not a requirement for bar ditches and there aren't really very good bar ditches and our estimation is that the road may not last very long - Developer and prospective buyers have been notified of our concerns. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "3G Ranch Addition Section 4 Lots 1&2" on third reading. All voting "Aye".

**14358 AUTHORIZE A COMMITTEE TO NEGOTIATE CONTRACT WITH CCI FOR OPERATIONS AND MANAGEMENT OF THE HAYS COUNTY JUVENILE SERVICES CENTER** [T1-1485]

Commissioner Payne spoke of the four qualified vendors that were interviewed by the Committee - best presentation was by CCI (out of Hondo) - they can start up immediately - Committee composed of Ed Cooper, Bill Herzog, Cindy Casparis, Commissioner Payne, and Commissioner Rodriguez would like to negotiate a contract with CCI. Judge Etheredge spoke of Juvenile Board Meeting held this morning - requested that District Attorney Marcos Hernandez be included in the negotiations - he has specific ideas about programming - he is also a member of the Juvenile Board. Commissioner Molenaar spoke of his concerns about programming - we need to rehabilitate the juveniles - wants to be assured that programming is there. Ed Cooper, Chief Juvenile Probation Officer, stated that all the vendors agreed that programs were an important part. Judge Etheredge spoke of progressive sanctions model (for state-aid funding) which addresses 7 categories of service and the Juvenile Board has accepted those sanctions. County Auditor Bill Herzog felt like the amount of money budgeted should be adequate if we begin operation in January 1996. Judge Etheredge spoke of need to include Sheriff Hastings in negotiations since it will be located in the jail. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to authorize the JSC Committee (including D.A. Marcos Hernandez) to negotiate a contract with CCI for operations and management of the Hays County Juvenile Services Center and bring the contract back to the Court for final approval. All voting "Aye".

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Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 25<sup>th</sup> DAY OF OCTOBER, 1995.

*Eddy Etheredge*  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
 MARGIE T. VILLALPANDO, COUNTY CLERK  
 H A Y S COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 18TH DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                            |
|---------------------|----------------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE               |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1       |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2       |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3       |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4       |
| LINDA C. FRITSCHÉ   | DEPUTY/ACTING COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14359 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 302,342.22 as presented by the County Auditor. All voting "Aye".

|                    |              |                    |               |                    |               |
|--------------------|--------------|--------------------|---------------|--------------------|---------------|
| License & Permits  | \$ 255.55    | State Shared Rev   | \$ 122.47     | Public Safety Svcs | \$ 125.00     |
| Fines              | \$ 667.00    | Auditors Ofc       | \$ 746.82     | Treasurers Ofc     | \$ 1,815.02   |
| Extension Office   | \$ 802.03    | Grants Admin       | \$ 1,881.58   | Juvenile Prob      | \$ 1,305.64   |
| Election Admin     | \$ 578.13    | Indigent Care      | \$ 29,575.75  | Transfer Station   | \$ 5,345.75   |
| Bldg. Maint Dept.  | \$ 1,534.01  | Environ Health     | \$ 1,334.40   | Personal Health    | \$ 602.91     |
| Civic Center       | \$ 885.70    | Countywide Oper    | \$ 46,757.19  | Tax A/C            | \$ 602.90     |
| District Clerk     | \$ 190.99    | County Clerk       | \$ 226.57     | Sheriff's office   | \$ 2,417.61   |
| Jail Operations    | \$ 13,950.74 | County Judge       | \$ 477.28     | Human Resources    | \$ 418.77     |
| Co Crt @ Law 1     | \$ 86.62     | District Attorney  | \$ 1,204.30   | J.P. 1-1           | \$ 361.95     |
| J.P. 1-2           | \$ 147.00    | J.P. 2             | \$ 75.02      | J.P. 4             | \$ 33.41      |
| J.P. 5             | \$ 8.69      | DPS/135 Substation | \$ 225.43     | Constable 1        | \$ 273.48     |
| Constable 4        | \$ 196.07    | Constable 5        | \$ 81.00      | District Crt Oper  | \$ 3,271.82   |
| Co & JP Crt Oper   | \$ 13,463.69 | Veterans Admin     | \$ 51.16      | Computer Svcs      | \$ 3,676.33   |
| Co Crt @ Law 2     | \$ 6.19      | Fire Marshal/EMC   | \$ 3,091.65   | TABC               | \$ 83.46      |
| Dist Crt Reporters | \$ 141.50    | TIPC CCAP Grant    | \$ 417.00     | Legal Aid Ofc      | \$ 1,392.09   |
| Dunbar Grant       | \$ 111.17    | DA DARE Grant      | \$ 143.24     | *Gen Fund Credit*  | * \$ 640.69 * |
| R&B Operations     | \$ 13,050.08 | Precinct 1         | \$ 192.80     | Precinct 3         | \$ 87.32      |
| Precinct 4         | \$ 147.99    | *R&B Gen Credit*   | * \$ 134.27 * | Anticip Note'95    | \$ 53,628.90  |
| Rec Mng/Co Clk     | \$ 2,707.36  | Health Svcs Grant  | \$ 3,451.65   | Law Library Fund   | \$ 122.75     |
| Road Construction  | \$ 52,453.93 | Courthouse Renov   | \$ 5,424.55   | FosterCare Fund    | \$ 8,242.00   |
| Adult Prob Oper    | \$ 12,147.75 | Adult Prob Fac     | \$ 251.36     | D.A. Reimb         | \$ 3,353.90   |
| Anticip Notes '94  | \$ 6,922.76  |                    |               |                    |               |

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14360 APPROVE BUDGET AMENDMENT NO. 95-046

The following budget amendments were proposed:

Treasurer's Office - Transfer \$1,800 for JP's & other Data Processing forms from Insurance of Personnel costs savings/reorganization.

Juvenile Probation - Transfer for balance of current telephone from Misc. and Maint.

District Clerk - Transfer for \$2,000 into postage from maintenance & telephone; \$400 into dues and bonds for Official's bond, Misc. and Printing.

Sheriff's Ofc./Jail/Computer Svcs - Transfer \$3,000 from Jail to Sheriff (salary error calculation). Transfer for various departments lines for overtime/holiday. Transfer \$3,000 into Computer Svcs. budget from training & data processing supply for video processing equipment.

Computer Services - Fund additional data processing equipment and software from within department budget.

County Court at Law #1 - Transfer for needed printing from insurance.

DPS - Transfer additional telephone & mobile airtime from equipment line.

Veterans Officer - Transfer from various line items in dept. to fund cruise control on new van.

Records Management/Co Clk - Fund balance of Landata contract for FY95 from office supplies.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-046 as proposed by the County Auditor. All voting "Aye".

Table for Fund No. 01, General, showing Appropriation Before, Amendment (Increases/Decreases), and Appropriation as Amended for various line items like Treasurer Office, Juvenile Probation, Building Maintenance, District Clerk Office, etc.

Table for Fund No. 01, General, showing Appropriation Before, Amendment (Increases/Decreases), and Appropriation as Amended for various line items like Sheriff Office, Jail Operations, Computer Services, etc.

Table for Fund No. 01, General, showing Appropriation Before, Amendment (Increases/Decreases), and Appropriation as Amended for various line items like County Court at Law #1, Dept. of Public Safety, Veterans Officer, etc.

Table for Fund No. 02, Records Management/Courty Clerk, showing Appropriation Before, Amendment (Increases/Decreases), and Appropriation as Amended for various line items like Contract Service, Telephone/Data Line, Office Supply, etc.



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14361 APPROVE COUNTY TREASURER'S REPORT FOR JULY 1995

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Hays County Treasurer's Report for July 1995. All voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
July 31, 1995

|                    | General                  | Road and Bridge General | Hot Check Fee Fund | Law Library       | Medical and Dental Fund | Jail Construction | Limited Tax Refunding | Anticipation Notes Series 1994 | Courthouse Ren. & Road Bond 1994 |
|--------------------|--------------------------|-------------------------|--------------------|-------------------|-------------------------|-------------------|-----------------------|--------------------------------|----------------------------------|
| <b>CHECKING</b>    |                          |                         |                    |                   |                         |                   |                       |                                |                                  |
| Begin. Bal.        | 202,643.90               | 1,579.73                | 1,589.42           | 1,994.31          | 1,534.09                | 2,960.19          | 1,649.35              | 1,510.41                       | 1,544.05                         |
| M/M Int.           | 842.19                   | 17.85                   |                    | 5.82              | 143.43                  | 7.54              | 11.69                 | 7.88                           | 4.95                             |
| Deposits           | 1,793,336.21             | 234,327.47              | 2,100.75           | 680.00            | 131,108.43              | 0.00              | 5,473.13              | 59,150.00                      | 96,275.00                        |
| Disbursements      | 1,965,884.44             | 233,642.13              | 1,892.17           | 224.20            | 120,714.09              | 0.00              | 0.00                  | 59,066.23                      | 95,876.92                        |
| Ending Bal.        | 30,937.86                | 2,282.92                | 1,798.00           | 2,455.93          | 12,071.86               | 2,967.73          | 7,134.17              | 1,602.06                       | 1,947.08                         |
| <b>INVESTMENTS</b> |                          |                         |                    |                   |                         |                   |                       |                                |                                  |
| Begin. Bal.        | 4,387,132.83             | 1,193,595.75            | 2,932.35           | 12,536.44         | 455,375.36              | 785,154.10        | 218,283.39            | 143,637.84                     | 4,999,303.85                     |
| M/M Int.           | 20,669.33                | 5,676.82                | 14.47              | 61.89             | 2,183.54                | 0.00              | 1,077.85              | 590.10                         | 24,469.90                        |
| Deposits           | 0.00                     | 0.00                    | 0.00               | 0.00              | 0.00                    | 0.00              | 0.00                  | 59,150.00                      | 96,275.00                        |
| Disbursements      | 936,000.00               | 119,510.00              | 0.00               | 0.00              | 16,500.00               | 0.00              | 0.00                  | 85,077.94                      | 4,927,498.75                     |
| Ending Bal.        | 3,471,802.16             | 1,079,762.57            | 2,946.82           | 12,598.33         | 441,058.90              | 789,031.08        | 219,361.24            | 143,637.84                     | 4,999,303.85                     |
| *****              |                          |                         |                    |                   |                         |                   |                       |                                |                                  |
|                    | Courthouse Road Bond I&S | Jail I&S                | Jail Addition I&S  | Hays County I & S | Public Works I&S        | Springlake I&S    | Pioneer Trails I&S    | Burnett Road I&S               | Anticipation Notes I&S           |
| <b>CHECKING</b>    |                          |                         |                    |                   |                         |                   |                       |                                |                                  |
| Begin. Bal.        | 1,742.97                 | 1,604.84                | 2,032.02           | 1,529.72          | 2,399.53                | 2,134.57          | 1,534.16              | 1,673.33                       | 1,656.11                         |
| M/M Int.           | 14.14                    | 9.40                    | 6.16               | 8.55              | 7.86                    | 6.99              | 5.51                  |                                | 11.16                            |
| Deposits           | 6,219.90                 | 3,399.82                | 628.87             | 16,537.57         | 1,120.18                | 994.05            | 2,700.00              | 523.01                         | 4,470.87                         |
| Disbursements      | 37.50                    | 0.00                    | 0.00               | 16,566.89         | 0.00                    | 0.00              | 1,200.00              | 0.00                           | 75.00                            |
| Ending Bal.        | 7,939.51                 | 5,014.06                | 2,667.05           | 1,508.95          | 3,527.57                | 3,135.61          | 3,039.67              | 2,196.34                       | 6,063.14                         |
| <b>INVESTMENTS</b> |                          |                         |                    |                   |                         |                   |                       |                                |                                  |
| Begin. Bal.        | 192,181.03               | 369,876.53              | 159,630.85         | 55,941.03         | 191,569.76              | 71,016.36         | 15,259.83             | 12,022.69                      | 293,775.12                       |
| M/M Int.           | 948.97                   | 1,826.40                | 788.23             | 235.63            | 945.94                  | 350.67            | 69.43                 | 59.36                          | 1,450.63                         |
| Deposits           | 0.00                     | 0.00                    | 0.00               | 0.00              | 0.00                    | 0.00              | 0.00                  | 0.00                           | 0.00                             |
| Disbursements      | 0.00                     | 0.00                    | 0.00               | 13,010.00         | 0.00                    | 0.00              | 2,700.00              | 0.00                           | 0.00                             |
| Ending Bal.        | 193,130.00               | 371,702.93              | 160,419.08         | 43,166.66         | 192,515.70              | 71,367.03         | 12,629.26             | 12,082.05                      | 295,225.12                       |

TEMPORARY TRANSFERS : #14-95 General to Animal Control \$1,128.05

*Michele Tuttle*  
Michele Tuttle  
Hays County Treasurer

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
July 31, 1995

|                    | Adult Probation Operating        | Adult Probation Facilities | Courthouse Security    | Records Management             | Records Preservation    | Animal Control              | Sheriff's Drug Forfeiture  | District Attorney Drug Forfeiture | District Attorney Reimburs. |
|--------------------|----------------------------------|----------------------------|------------------------|--------------------------------|-------------------------|-----------------------------|----------------------------|-----------------------------------|-----------------------------|
| <b>CHECKING</b>    |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 30,412.08                        | 189.24                     | 1,743.64               | 1,671.15                       | 4,423.00                | 698.56                      | 1,582.93                   | 3,518.46                          | 8,691.24                    |
| M/M Int.           | 51.18                            |                            |                        | 17.42                          |                         |                             | 3.90                       |                                   | 18.43                       |
| Deposits           | 210,775.17                       | 4,450.00                   | 2,565.05               | 21,897.15                      | 1,140.00                | 1,403.30                    |                            | 200.00                            | 25,859.43                   |
| Disbursements      | 216,758.03                       | 4,419.27                   | 0.00                   | 15,091.10                      | 0.00                    | 2,101.86                    | 1,586.83                   | 3,698.77                          | 19,765.52                   |
| Ending Bal.        | 24,480.40                        | 219.97                     | 4,308.69               | 8,494.62                       | 5,563.00                | -0.00                       |                            | 19.69                             | 14,803.58                   |
| <b>INVESTMENTS</b> |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 643,684.91                       | 16,381.43                  | 42,525.91              | 43,717.80                      | 9,278.80                | 9.83                        | 0.00                       | 0.00                              | 124,592.32                  |
| M/M Int.           | 2,977.16                         | 67.59                      | 210.00                 | 177.12                         | 45.82                   | 0.00                        |                            | 14.24                             | 570.64                      |
| Deposits           | 0.00                             | 0.00                       | 0.00                   | 0.00                           | 0.00                    | 0.00                        |                            | 3,500.00                          | 0.00                        |
| Disbursements      | 95,050.00                        | 4,450.00                   | 0.00                   | 11,000.11                      | 0.00                    | 0.00                        |                            | 200.00                            | 13,500.00                   |
| Ending Bal.        | 551,612.07                       | 11,999.02                  | 42,735.91              | 32,894.81                      | 9,324.62                | 9.83                        | 0.00                       | 3,314.24                          | 111,662.96                  |
| *****              |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
|                    | Historical Commission Trust Fund | Foster Care                | Health Services Grants | Texas Capital Fund/ New Canaan | General First Southwest | Road Construction Bond 1995 | Road Construction I&S 1995 | Anticipation Notes '95            | Anticipation Notes '95 I&S  |
| <b>CHECKING</b>    |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 1,865.75                         | 14,216.94                  | 2,738.18               | 0.00                           | 3,556.27                | 0.00                        | 0.00                       | 0.00                              | 0.00                        |
| M/M Int.           | 4.40                             |                            | 231.93                 |                                | 14.80                   |                             | 40.89                      |                                   | 13.00                       |
| Deposits           | 25.00                            | 100.00                     | 142,188.06             | 1,321.69                       | 500,000.00              |                             | 41,745.26                  |                                   | 13,951.00                   |
| Disbursements      |                                  | 8,986.95                   | 54,385.67              | 1,321.69                       |                         |                             | 0.00                       |                                   | 0.00                        |
| Ending Bal.        | 1,895.15                         | 5,329.99                   | 90,772.50              | 0.00                           | 503,571.07              | 0.00                        | 41,786.15                  | 0.00                              | 13,965.00                   |
| <b>INVESTMENTS</b> |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 6,686.56                         | 0.00                       | 43,593.29              | 0.00                           | 301,223.90              | 0.00                        | 0.00                       | 0.00                              | 0.00                        |
| M/M Int.           | 33.01                            |                            | 215.27                 |                                |                         |                             | 17,473.78                  |                                   | 0.00                        |
| Deposits           |                                  |                            | 0.00                   |                                |                         |                             | 7,940,000.00               |                                   | 2,755,000.00                |
| Disbursements      |                                  |                            | 0.00                   |                                |                         |                             |                            |                                   | 0.00                        |
| Ending Bal.        | 6,719.57                         | 0.00                       | 43,808.56              | 0.00                           | 301,223.90              | 7,957,473.78                | 0.00                       | 2,761,063.01                      | 0.00                        |

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**14362 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE TEXAS DEPT. OF HEALTH FOR TB, OFFICE OF REGIONAL ADMINISTRATIVE SERVICES, IMMUNIZATION, VACCINE DIRECT CARE, PUTTING PREVENTION INTO PRACTICE, AND PRIMARY HEALTH CARE, AND TO EXECUTE A CONTRACT FOR \$390,325.00**

Grants Administrator Richard Salmon advised that this is one renewal contract with six attachments representing the six funding areas outlined - the funds are received annually by the Hays County Health Dept. and have been significantly reduced this year from last years \$636,019 - the reduction was the result of the cancellation of the Maternal and Child Health Grant. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to accept a grant award from the Texas Department of Health for TB, Office of Regional Administrative Services, Immunization, Vaccine Direct Care, Putting Prevention into Practice, and Primary Health Care, and to execute a contract for \$390,325.00. All voting "Aye".

\*SHOULD BE "THE POINT REPLAT OF LOTS 5-7" - SEE 11/13/95 #14509\*

**14363 LOMA VISTA REPLAT OF LOTS 5-7 - PUBLIC HEARING & SECOND READING APPROVAL [T1-39]**

Judge Etheredge called the public hearing open. Allen Walther, Environmental Health Director, advised that developer is creating two lots out of three (lots 5A & 7A) - staff recommends approval. Judge Etheredge closed the public hearing. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Loma Vista Replat of Lots 5 - 7 (lots 5A & 7A)" on second reading. All voting "Aye".

**VARIANCE DISCUSSION - REQUEST FROM RONALD & WENDY GANT RE: 3.060 ACRES [T1-61]**

Leanna Langford spoke of family partition - a driveway already exists on FM1626. Allen Walther, Environmental Health Director, spoke of floodplain on the property, however, there is plenty of room for development. No action taken this date.

**14364 HILLS OF TEXAS ESTATES SECTION 2 - FIRST READING APPROVAL [T1-90]**

Four lots (#59-62) are being developed next to Section 1 - Lot 59 is being configured to allow a wider curve on Kemp Hills Drive. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Estates Section 2" on first reading. All voting "Aye".

**14365 MARLBORO COUNTRY REPLAT OF LOT 4 - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING [T1-112]**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Marlboro Country Replat of Lot 4" on first reading and call for a public hearing to be held October 2, 1995 at 9:00 A.M. All voting "Aye".

**14366 CROOKS SUBDIVISION LOT 1 - THIRD READING APPROVAL [T1-128]**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Crooks Subdivision Lot 1" on third reading. All voting "Aye".

**14367 THE POLO CLUB AT ROOSTER SPRINGS PHASE 1 - SECOND READING APPROVAL [T1-128]**

Environmental Health Director Allen Walther spoke of concerns about drainage. It was stated by the subdivision representative that this development is 6.2 miles outside of Dripping Springs, therefore, it is his opinion that they are not in the Dripping Springs ETJ. [T1-2249] A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "The Polo Club at Rooster Springs Phase 1" on second reading. All voting "Aye".

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**14368 APPOINTMENT OF A HAYS COUNTY CLERK TO FILL THE UNEXPIRED TERM [T1-217]**

Commissioner Payne spoke of having a well qualified person in Linda Fritsche to fill the position of County Clerk - hate to see us once again put someone in office that is running for that job. Judge Etheredge spoke of this being an elected position and whoever fills that position is responsible not to this court but to the voters of this county and I think its unfair to put her as a county employee in a position of being responsible to the voters as an elected or appointed department head - it is a political position and appointment. Commissioner Barton stated that he will support someone who he can vote for and who is seeking the office - spoke of Linda Fritsche being able to step in with the full confidence of the Commissioners' Court in a very difficult situation and will continue to be an asset to the county - spoke of there being a number of qualified people who contacted him interested in the job but will support Margie Villalpando. Commissioner Molenaar spoke of having a qualified person to handle it for a short time - would give an unfair advantage by being in the office for a year - has a lot a respect and admiration for Linda Fritsche and will continue to support her. Commissioner Rodriguez stated that Linda Fritsche has done a great job and applaud her for that. Rose Brooks spoke in support of Margie Villalpando - she is a very qualified compassionate person. Ofelia Vasquez-Philo spoke in support of Margie Villalpando - would make an excellent department head - can never recall that a minority (Hispanic or black) has had a job as a county department head - she is highly qualified. Augustine Lucio spoke in support of Margie Villalpando - spoke of working with Community Action with Margie. Lydell Clayton, Former County Clerk, spoke in support of Linda Fritsche. Johnnie Armstead - hopes we can come to a point where we don't have to consider political lines - spoke in support of Margie Villalpando. Francis Emory spoke in support of Margie Villalpando. Ruben Garza spoke in support of Margie Villalpando - Mrs. Fritsche does a wonderful job. Nina Pryatel spoke in support of Margie Villalpando - have been working with her on the Board of the Local Red Cross. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to appoint Margie Villalpando as Hays County Clerk. Judge Etheredge spoke in support of Margie Villalpando and her accomplishments - read a letter of support from Congressman Laughlin - spoke of other letters of support. Commissioner Payne asked that the Court not appoint someone who will be running for that job - we have a qualified person - Linda is the right person for the job. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No". A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to make the appointment effective October 1, 1995. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No".

**14369 DENY REQUEST TO CHANGE ROAD NAME FROM "PROCHNOW ROAD" TO "GAINOR MOUNTAIN ROAD [T1-585]**

Judge Etheredge declared the public hearing open to consider change of road name in Precinct 4. Johnny McClaferty spoke of history of Prochnow Road which led to the Prochnow property - stated that his abstract shows the road name as Gainor Mountain Road. Commissioner Molenaar spoke of gating the road for livestock passage. Mr. McClaferty spoke of liability if someone is injured on his property. Commissioner Molenaar spoke of Mr. McClaferty advising that he would gate the roadway if the name is not changed. Diana McClaferty spoke of difficulty in spelling and pronouncing "Prochnow". Patsy Greiner, Hays County Mapping/Planning Coord., spoke of there already being a Mt. Gainor Road - suggested renaming it "Mountain Road". Mary Ann Prochnow submitted petitions and letters from area property owners/residents - the Prochnows have lived here since the 1920's and many of the property owners in the area are opposed the name change. Annie Prochnow gave the history of their property - spoke of cost to change addresses again. Shirley Prochnow Mathews spoke in support of keeping the name "Prochnow Road" - spoke of number of times their address has been changed. Jerry Pinnix, area resident, spoke in support of keeping the current name. Public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to deny the request to change road name from "Prochnow Road" to "Gainor Mountain Road". Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge voting "No".

**CONSIDER TAXPAYER'S REQUEST TO HAVE PENALTY AND INTEREST WAIVED ON DELINQUENT TAXES [T1-1081]**

Mary Anderson (part owner of Rocky River Ranch) appeared before the Court requesting waiver of penalty and interest on delinquent taxes - from 1988 through 1993 the tax notices were sent to the Texas Commerce Bank in Houston and were not paid by them - we did not realize that we were not paying taxes on this particular parcel and received no notification of taxes due - just happened to find out recently when paying on other property taxes. Tax A/C Luanne Caraway spoke of law - taxpayers are responsible for rendering their taxes - property owners became aware of the problem

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in April and had 21 days to payup their taxes. Rocky River Ranch Bookkeeper spoke of Texas Commerce Bank and the fact that they did not respond to notifications from the tax office - this creates a financial hardship on the owners. John Rolette, Tax Consultant, advised that the Commissioners' Court has no authority to waive the penalty and interest under the Code - certain criteria must be met in order to come before this Court - the Bank cannot ask the county for refund of the taxes it did pay. District Attorney Marcos Hernandez advised that no action should be taken according to the law.

**14370 COMMUNITY ACTION BOARD OF DIRECTORS - ACCEPT RESIGNATION OF RAY KOTOWSKI AND APPOINT CATHY LARA [T1-1495]**

Commissioner Pete Rodriguez spoke of need to accept the resignation of Ray Kotowski as President of the Board of Directors of Community Action and appoint Cathy Lara as the new President. Frank Arredondo spoke of the Board makeup - Ray Kotowski has served his limit on the Board and will be appointed in another area - supports the appointment of Cathy Lara to replaced Mr. Kotowski. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to accept the resignation of Ray Kotowski as President of the Board of Directors of Community Action and appoint Cathy Lara as the new President. All voting "Aye".

**14371 ACTION TO PROHIBIT FISHING OFF THE UHLAND ROAD BRIDGE [T1-1604]**

Commissioner Rodriguez spoke of county property/CR166 near the Law Enforcement Center and problems with people fishing off the bridge - City of San Marcos has already passed an ordinance prohibiting fishing on their part of the bridge. J. L. Howze spoke of traveling this roadway quite often and the dangers to children fishing off the bridge. Judge Etheredge stated that he would reluctantly support this action which restricts access to the river. Commissioner Molenaar spoke of need to consider ways to allow public access without endangering unsupervised children. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to post "NO FISHING FROM BRIDGE" signs on Uhland Rd. at the bridge crossing over the Blanco River. All voting "Aye".

**DISCUSSION REGARDING THE TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM ADCR PLAN AND BUY BACK OPTION [T1-1700]**

County Treasurer Michele Tuttle spoke of Reinstatement (Buy-Back) of Previously Forfeited Services Credit - there are about 12 employees who are eligible for Buy-Back - the re-study would require additional county funds. Judge Etheredge spoke of employees who quit for the money and come back to work and want it back - stated that he is not ready to make a decision. No action taken.

**DISCUSSION REGARDING PAYMENT FOR STORAGE OF CONFISCATED VEHICLES [T1-2008]**

Commissioner Barton spoke of JP's being more aggressive in confiscating vehicles - the DPS License & Weight program is bringing in more vehicles to deal with and impounding charges are adding up. Judge Etheredge spoke of their being no funds budgeted for storage of these vehicles and the liability for impoundment fees. District Attorney Marcos Hernandez advised that the Agency ordering the seizure should be responsible for fees - if we are to bear the expense then we should receive better wrecker rates - will investigate further and get back to the court.

**14372 REPEAL DISASTER DECLARATION - THREAT OF WILDFIRES (BURN BAN) [T1-2190]**

Discussion was had regarding repealing burn ban so that people can go ahead and burn - there are still areas of the county that have concerns about lifting the ban. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to repeal the Disaster Declaration - Threat of Wildfires (Burn Ban). All voting "Aye".

**14373 AUTHORIZE THE PURCHASING AGENT AND ALLEN WALTHER TO NEGOTIATE WITH ESRI AND DIGITAL AND TO PURCHASE A GIS WORK STATION AND SOFTWARE AND AUTHORIZE THE USE OF ANTICIPATION NOTE FUNDS FOR SAID PURCHASE [T1-2280]**

Judge Etheredge spoke of Central Appraisal District agreeing to participate in GIS since the costs have gone down - funds will be available out of money budgeted for the Juvenile Services Center. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize the Purchasing Agent and Allen Walther to negotiate with ESRI and Digital and to purchase a GIS work station and software and furthermore authorize the use of Anticipation Note funds for said purchase not to exceed \$45,000. All voting "Aye".

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14374 ADOPT RESOLUTION MAKING AN APPOINTMENT TO THE BOARD OF DIRECTORS OF THE CAPITAL AREA HOUSING FINANCE CORPORATION [T1-2491]

A motion was made by Commissioner Payne, seconded by Commissioner Barton to adopt resolution re-appointing Eddy Etheredge to the Board of Directors of the Capital Area Housing Finance Corporation. All voting "Aye".

RESOLUTION

Making an Appointment to the Board of Directors of the Capital Area Housing Finance Corporation

Whereas, the articles of incorporation of the Capital Area Housing Finance Corporation authorize the Commissioners Court of Hays County, Texas, to appoint one director of the Corporation; and

Whereas, The term of the current director from this County, Eddy A. Etheredge, expires October 21, 1995; now, therefore, be it

Resolved By the Commissioners' Court of Hays County, Texas, that:

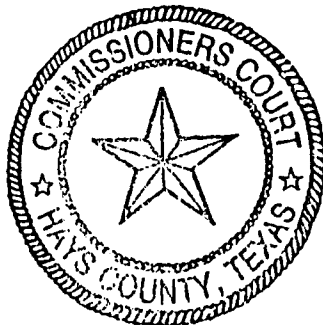
Eddy A. Etheredge is appointed a director of the Corporation for the term beginning October 22, 1995 and expiring October 21, 1997.

Adopted this 18th day of September, 1995

Eddy A. Etheredge
County Judge

Attest:

Dinda C. Fritche
[Deputy] County Clerk



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**ROAD DEPARTMENT - WORKSHOP DISCUSSION**

Road Director Ron Bischoff spoke of Interlocal Agreements and reimbursement for materials from Goldenwood POA - will be using current funds for purchase of materials and will receive reimbursement next fiscal year (\$36,0000) - discussed speed humps, reclaimer, emulsions and chemicals being tested to control dust. Discussion was had regarding Carney Lane Project. Road Director is concerned about funds not being available for the Carney Lane Project - would like to stockpile fill that is now available due to construction.

Court was adjourned.

**MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.**

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**



**STATE OF TEXAS**  
**COUNTY OF HAYS**

**ON THIS THE 18th DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

- |                            |                                   |
|----------------------------|-----------------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>               |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b>       |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b>       |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b>       |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b>       |
| <b>LINDA C. FRITSCH</b>    | <b>DEPUTY/ACTING COUNTY CLERK</b> |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

**14375 PUBLIC HEARING ON PROPOSED TAX RATE FOR FY96 AND SET DATE, TIME AND PLACE FOR VOTE ON THE TAX RATE [T2-42]**

Judge Etheredge declared the public hearing opening. Eugene Megas (San Marcos resident) spoke of Elected Officials being a servant of the people - spoke of voting yourself a raise - spoke of difficulties people are having making it - spoke of his property value increasing - would like for county to live off last years budget. Commissioner Barton spoke of cost-of-living increase given based on benchmarks - was not done secretively - certain members of the Court have appeared before the Legislature and debated the current tax structure - our countywide operating is only 1% higher this year - less than inflation - we are one of the fastest growing counties in the State - spoke of voter approved bonds which affect the tax rate - only 1/3 of budget is funded by property tax and there is through department revenues and grants - we will have less employees than last year - spoke of hours spent to develop this budget - this is a tight conservative budget. Judge Etheredge spoke of Mr. Megas' property being purchased in 1990 when the appraised values were lower than the real values - since 1990 the values have increased back up to what they were in 1986 and you have realized the impact of that - our demands for services have increased so you have gotten a double hit - we are hoping the economy will stabilize and values will grow at a more acceptable rate - spoke of public hearings that were held prior to the bond issue election - when you want more services you have to pay more - invited Mr. Megas to work along with us during this next year - we welcome participation by our constituents in the budget process. Public hearing was closed. A motion was made by Commissioner Barton, seconded by Commissioner Payne to set the date, time, and place for the vote on the Proposed Hays County Tax Rate for September 25, 1995 at 1:00 o'clock P.M. in the Commissioners' Courtroom in the Hays County Courthouse, San Marcos, Texas. All voting "Aye".

Court adjourned.

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MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

Eddy Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

Margie T. Villalpando  
MARGIE T. VILLALPANDO, COUNTY CLERK  
HAYS COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 21ST DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                     |                            |
|---------------------|----------------------------|
| EDDY A. ETHEREDGE   | COUNTY JUDGE               |
| PETER RODRIGUEZ     | COMMISSIONER, PCT. 1       |
| JEFFERSON W. BARTON | COMMISSIONER, PCT. 2       |
| CRAIG D. PAYNE      | COMMISSIONER, PCT. 3       |
| RUSS G. MOLENAAR    | COMMISSIONER, PCT. 4       |
| LINDA C. FRITSCHE   | DEPUTY/ACTING COUNTY CLERK |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14376 APPROVE CONTRACT FOR LEASE, OPERATION, MAINTENANCE, AND MANAGEMENT OF THE HAYS COUNTY JUVENILE FACILITY**

District Attorney Marcos Hernandez has reviewed the contract and Sheriff Paul Hastings has approved use of part of the jail facility for use a Juvenile Services Center - the following amendments to the contract proposed by Community Corrections Inc. were considered:

- Section 3.1 Lessor agrees to pay the per diem rate within ten days of being billed for the per diem rate charges. \*ten changed to thirty\*
- Section 5.1 Need to specify amount of insurance at One Million Dollars per occurrence
- Section 9.2 County has right to audit.
- Section 9.3 Lessee agrees to provide and pay for all electricity, water, sewer, and gas used by the Lessee, .....
- Section 9.4 Hays County will not be responsible for medical services for juveniles sent to this facility from other counties.
- Section 9.12 Lessee agrees to relinquish to Lessor any interest in equipment and furniture used at the facility .....

Commissioner Payne stated that he was confident that we can keep this juvenile facility full. A motion was made by Commissioner Payne, seconded by Judge Etheredge to approve Lease Agreement as amended with Community Corrections Inc. for operations and management of the Hays County Juvenile Services Center and authorize the County Judge to execute the contract. All voting "Aye".

**FY96 BUDGET WORKSHOP**

Adult Probation Dept. - [11-150] Lynda Turley appeared before the Court with proposed increases based on a total of \$70,000.00 from Caldwell, Comal & Hays Counties (Facilities Account) - Hays County's portion of the increase is \$8,000.00 - there have been no increases since 1989 - increase pays for rent, utilities, telephones, supplies, desks & chairs, and metal detectors - Comal County has agreed to fund their additional request.

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Clean Air Act - [11-286] Discussed Statute that allows Counties to take enforcement action on violations of the Clean Air Act - State Agency will perform testing when requested.

Retirement Buy-Back - [11-334] County Auditor Bill Herzog spoke of surplus funds in some line items which could help pay the approximately \$7500 necessary for buy-back plan.

Computer Equipment - [11-365] J.P. 2 has requested a computer - there are available terminals that can be utilized in data processing dept.- purchase of PC's is not necessary. Commissioner Molenaar spoke of fancy imprinted paper being used for receipt by the JP's - not necessary and too costly.

Constable Pct. 2 - [11-485] Commissioner Barton spoke of obtaining a used DPS vehicle for a pool/reserve car for Constable 2- he has \$3,000 in his vehicle mtc. line item - will need a total of \$6,000 to purchased a good used DPS vehicle. Commissioner Molenaar asked about seven vehicles that were replaced with new vehicles at the Sheriff's Dept. - we need to have replaced vehicles to come back to the Court for placement in other areas. Commissioner Barton suggested having a county mechanic look at the old Sheriff's Dept. vehicles to see if one is available or add \$4,000 to the budget to purchase a used DPS vehicle for the Constable.

Libraries - ✓ Commissioner Barton made a motion, seconded by Commissioner Molenaar, to move \$5,000.00 out of the Greater San Marcos Economic Development Council line item and add to libraries based on their percentage of funding. Commissioner Molenaar, Commissioner Payne, and Commissioner Barton voting "Aye". Judge Etheredge and Commissioner Rodriguez voting "No".

Roll-over - Subdivision Task Force has not finished their work - suggested carrying over \$8,000. GIS maps will not be complete until October - need to carryover some funds for this.

District Judge's supplement - There is a State limit on the amount of supplement received - we may need to reduce the amount currently being paid.

Grade Adjustments - Commissioner Barton spoke of need for some Grade adjustments - would like to review some department head positions. Judge Etheredge spoke of lower grade positions that are also off grade - we need to begin process and look at the whole system.

\*Commissioner Payne had to leave the meeting at this time\*

County Attorney - [11-1090] Commissioner Barton spoke of need for a County Attorney - stated that he is not interest in setting up a separate department - we need an Attorney to review contracts, etc. for the Commissioners' Court. District Attorney Marcos Hernandez spoke of new Assistant D.A. handling Civil matters (Bond Forfeiture cases) - spoke of hiring a paralegal for less money - would still need to set aside funding for specialized advice. Judge Etheredge spoke of his concerns about tax abatements - spoke of waiting a week to get a verbal opinion - what are our legal obligations?.

Animal Control Officer/Patrol Deputy - [11-1419] Commissioner Barton spoke of funding a Patrol Deputy position for 6-9 months with Sheriff providing the equipment and vehicle needed. Commissioner Molenaar spoke of rabies epidemic - there is no Animal Control Officer on duty on weekends and evenings - this position would free up a Patrol Deputy (presently having to deal with these issues). A motion was made by Commissioner Molenaar to fund an Animal Control Office with equipment and a Patrol Deputy in the FY95 budget effective January 1, 1996. Motion died for lack of a second. County Auditor Bill Herzog suggested putting money in contingencies and allocate funds later if it becomes necessary.

Mental Commitments - [11-1820] ✓ A motion was made by Commissioner Barton, seconded by Judge Etheredge to include \$12,000 in the FY96 budget for mental commitments. All present voting "Aye".

Juvenile Probation - [11-1918] ✓ A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to include fringe benefits for two Juvenile Probation Officers (funded by Grant) in the FY96 budget. All present voting "Aye".

Adult Probation - [11-1970] ✓ A motion was made by Judge Etheredge, seconded by Commissioner Barton to provide additional \$2,000 for Adult Probation Facilities funding. All present voting "Aye".


Constable Pct. 2 - A motion was made by Commissioner Barton, seconded by Judge Etheredge to reduce Constable Pct. 2 vehicle maintenance line item by \$2,000 and add \$6,000 to that for purchase of a used vehicle, provided that we look at available vehicles in the Sheriff's Dept. and have a mechanic look at the current Constable Pct. 2 vehicle. Judge Etheredge and Commissioner Barton voting "Aye". Commissioner Molenaar and Commissioner Rodriguez voting "No". Motion Failed.

The following items were discussed: (1) switch salary line item for Department Head in the Extension Office budget (2) R&B General Fund create a new line item titled "substandard road repairs" for the Green Pastures, et al project (3) update merit & COLA (4) meals at the Jail (5) newspaper ad regarding Elected Officials Salary increases show Tax A/C travel allowance up by \$50 per month.

Adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 25TH DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                            |                                   |
|----------------------------|-----------------------------------|
| <b>EDDY A. ETHEREDGE</b>   | <b>COUNTY JUDGE</b>               |
| <b>PETER RODRIGUEZ</b>     | <b>COMMISSIONER, PCT. 1</b>       |
| <b>JEFFERSON W. BARTON</b> | <b>COMMISSIONER, PCT. 2</b>       |
| <b>CRAIG D. PAYNE</b>      | <b>COMMISSIONER, PCT. 3</b>       |
| <b>RUSS G. MOLENAAR</b>    | <b>COMMISSIONER, PCT. 4</b>       |
| <b>LINDA C. FRITSCHE</b>   | <b>DEPUTY/ACTING COUNTY CLERK</b> |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14376 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$ 114,558.00 as presented by the County Auditor. All voting "Aye".

|                   |              |                    |              |                  |             |
|-------------------|--------------|--------------------|--------------|------------------|-------------|
| Fin Adm Svcs      | \$ 207.30    | Fines              | \$ 163.29    | Auditors Ofc     | \$ 197.07   |
| Extension Ofc     | \$ 2,919.89  | Grants Admin       | \$ 1,075.00  | Juvenile Prob    | \$ 2,068.45 |
| Election Admin    | \$ 547.65    | Bldg. Mtc. Dept    | \$ 10,680.56 | Environ Health   | \$ 5,410.96 |
| Personal Health   | \$ 268.53    | Civic Center       | \$ 2,476.24  | Countywide Oper  | \$ 3,813.32 |
| District Clerk    | \$ 948.51    | County Clerk       | \$ 333.41    | Sheriff's Ofc    | \$ 795.67   |
| Jail Operations   | \$ 21,588.83 | Human Resources    | \$ 241.96    | Co Crt @ Law 1   | \$ 147.80   |
| District Atty Ofc | \$ 1,096.39  | J.P. 1-1           | \$ 98.61     | J.P. 2           | \$ 5.34     |
| J.P.4             | \$ 110.17    | J.P. 5             | \$ 77.36     | DPS/135 Substa   | \$ 455.45   |
| Constable 1       | \$ 125.65    | Constable 2        | \$ 305.66    | Constable 3      | \$ 55.02    |
| Constable 5       | \$ 297.49    | Dist Crt Oper      | \$ 3,238.99  | Co & JP Crt Oper | \$ 32.05    |
| Veterans Admin    | \$ 50.00     | Computer Svcs      | \$ 5,712.40  | Juv Svcs Grant   | \$ 960.00   |
| Fire Marshal/EMC  | \$ 7.36      | TABC               | \$ 4.95      | Dist Crt Reprtr  | \$ 47.28    |
| TJPC CCAP Grant   | \$ 425.15    | TJPC Emerg Div     | \$ 11,406.80 | Lic & Permits    | \$ 3,383.02 |
| State Shared Rev  | \$ 1,760.24  | R&B Operations     | \$ 4,732.39  | Precinct 1       | \$ 21.28    |
| Precinct 2        | \$ 182.84    | Precinct 3         | \$ 1,900.24  | Precinct 4       | \$ 147.78   |
| Anticip Notes '95 | \$ 1,474.02  | Health Svcs Grants | \$ 1,597.37  | Hot Check Fee    | \$ 249.90   |
| Road Construction | \$ 11,836.56 | Courthouse Renov   | \$ 4,816.00  | Adult Prob Oper  | \$ 1,086.77 |
| Adult Prob Fac    | \$ 917.44    | Animal Control     | \$ 56.59     |                  |             |

**14378 APPROVE BUDGET AMENDMENT NO. 95-047**

The following budget amendments were proposed:

- Auditor - Increase postage, data processing supplies, and telephone out of printing line item.
- Treasurer - transfer \$200 from office eqpt maintenance to office equipment (modem).
- Extension Office - Transfer \$350 from printing to telephone line item.
- Indigent Care - Transfer \$7,800 from various line item into Medical services line item.
- Transfer Station - Transfer \$250 from trash hauling to Misc. supplies and utilities.
- Environmental Health - Transfer \$9,835 from staff line item to various line items.
- District Clerk - Transfer \$400 from continuing education to misc. line item.
- County Clerk - Transfer \$800 from permanent records supply to office supplies & ofc eqpt mtc.
- Jail Operations - Transfer \$500 from office equipment to office supplies.
- County Judge - Transfer \$335 from postage & printing to dues&bonds and telephone line items.
- District Attorney - Transfer \$500 from various line items to continuing education line item.
- J.P. 1-1 - Transfer \$45 from Postage to Office Supply.
- J.P. 1-2 - Transfer \$290 from various line items to postage & copier lease line items.
- J.P. 2 - Transfer \$25 from copier lease to printing
- Constable 1 - Transfer \$150 from misc. to vehicle maintenance
- Constable 2 - Transfer \$200 from fuel to vehicle maintenance
- Constable 4 - Transfer \$500 from vehicle mtc. & law enforcement eqpt mtc. to telephone line item.
- Co & JP Court Operations - Transfer \$7,000 from Appointed Attorney line to Jury & Trial Expenses.
- R&B Precinct 2 - Transfer \$1,295 between various line items
- R&B Precinct 3 - Transfer \$1,790 from various line items to special projects line item.
- R&B Precinct 4 - Transfer \$225 from special projects to office supplies and equipment.
- R&B Precinct 4 - Decrease Park maintenance line item by \$5,000.
- R&B Operations - Transfers between various line items.
- Adult Probation Operating - Decrease costs and adjust revenues per Agency/CJAD

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Budget Amendment No. 95-047 as proposed by the County Auditor. All voting "Aye".

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AMENDMENT NO. 95-047 FY 95 BUDGET 09/25/95

AMENDMENT NO. 95-047 FY 95 BUDGET 09/25/95

FUND NO. 01

FUND NO. 01

FUND TITLE GENERAL

FUND TITLE GENERAL

APPROPRIATION BEFORE AMENDMENT INCREASES DECREASES APPROPRIATION AS AMENDED

APPROPRIATION BEFORE AMENDMENT INCREASES DECREASES APPROPRIATION AS AMENDED

AUDITOR OFFICE (4011)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include POSTAGE, DATA PROC SUPPLY, TELEPHONE, PRINTING.

TREASURER OFFICE (4021)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include OFF EQPT, OFF EQPT MAINT.

EXTENSION OFFICE (4031)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include TELEPHONE, PRINTING.

INDIGENT CARE (4081)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include MEDICAL SERVICES, STAFF, PICA, RETIREMENT, INSURANCE, POSTAGE, TRAVEL, CONT. EDUCATION, SOFTWARE MAINT., SPEC ASSISTANCE, PAUPER BURIAL.

TRANSFER TO PARTIALLY FUND HOSPITAL COSTS

TRANSFER STATION (4091)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include MISC SUPPLIES, UTILITIES, TRASH HAULING.

ENVIRONMENTAL HEALTH (4111)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include OFFICE SUPPLY, POSTAGE, FUEL, CONSULTANT, ATLAS, UTILITIES, TELEPHONE, STAFF.

FUND UTILITIES AND ABOVE GROUND WASTE WATER STUDIES FROM PERSON COST SAVINGS

DISTRICT CLERK (4161)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include MISC, CONT. EDUCATION.

COUNTY CLERK (4171)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include OFFICE SUPPLY, OFF EQPT MAINT., PERM RECORD SUPPLY.

JAIL OPERATIONS (4191)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include OFC. SUPPLY, OFF EQUIPMENT.

COUNTY JUDGE (4201)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include DUES & BONDS, TELEPHONE, POSTAGE, PRINTING.

DISTRICT ATTORNEY (4231)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include CONT. EDUCATION, INSURANCE, OFFICE SUPPLY, FUEL.

AMENDMENT NO. 95-047 FY 95 BUDGET 09/25/95

AMENDMENT NO. 95-047 FY 95 BUDGET 09/25/95

FUND NO. 01

FUND NO. 01

FUND TITLE GENERAL

FUND TITLE ROAD AND BRIDGE

APPROPRIATION BEFORE AMENDMENT INCREASES DECREASES APPROPRIATION AS AMENDED

APPROPRIATION BEFORE AMENDMENT INCREASES DECREASES APPROPRIATION AS AMENDED

JUSTICE OF PEACE 1-1 (4241)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include OFFICE SUPPLY, POSTAGE.

JUSTICE OF PEACE 1-2 (4251)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include POSTAGE, COPIER LEASE, STAFF, FICA, RETIREMENT, INSURANCE.

TRANSFER FROM PERSONNEL COST SAVINGS

JUSTICE OF PEACE 2 OFFICE (4261)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include PRINTING, COPIER LEASE.

CONSTABLE 1 OFFICE (4311)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include VEH MAINT, MISC.

CONSTABLE 2 OFFICE (4321)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include VEH MAINT, FUEL.

CONSTABLE 4 OFFICE (4341)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include TELEPHONE, VEH MAINT, LAW ENF EQPT MAINT.

COUNTY JP COURT OPERATION (4371)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include JURY EXPENSE, TRIAL EXPENSE, APPTD ATTY.

FUND TRIAL/COURT REPORTING FROM APPOINTED ATTORNEY EXPENSE

PRECINCT 2 (4401)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include BOOKS, TRAVEL, TELEPHONE, OFF EQPT MAINT, TEMP PERSONNEL.

PRECINCT 3 (4411)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include SPEC PROJECTS, RETIREMENT, OFFICE SUPPLY, BOOKS, DUES & BONDS, CONT EDUCATION, TELEPHONE.

PRECINCT 4 (4421)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include OFFICE SUPPLY, OFF EQPT, SPEC PROJECTS.

OPERATIONS (4381)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include O/T, INSURANCE, FUEL & LUBES, VEH SUPPLY, ROAD EQPT MAINT, CONSULTANT, EQPT. RENTAL, UTILITIES, TELEPHONE, STAFF, UNIFORMS, VEHICLES, ROAD EQPT, MISC TOOLS/EQPT, MATERIALS.

PRECINCT 4 (4421)

Table with columns: LINE ITEM - EXPENDITURES, AMENDMENT, INCREASES, DECREASES, APPROPRIATION AS AMENDED. Rows include PARR MAINT.

TRANSFER FOR BALANCE OF FY 95 EXPENSE

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AMENDMENT  
NO. 95-047  
FY 95 BUDGET  
09/25/95

FUND NO. 034

(5)

FUND TITLE ADULT PROBATION OPERATING

| LINE ITEM - EXPENDITURES                       | APPROPRIATION<br>BEFORE<br>AMENDMENT | AMENDMENT        |                  | APPROPRIATION<br>AS<br>AMENDED |
|------------------------------------------------|--------------------------------------|------------------|------------------|--------------------------------|
|                                                |                                      | INCREASES        | DECREASES        |                                |
| <b>OPERATING/SUPERVISION (486):</b>            |                                      |                  |                  |                                |
| 34-486-5499 FACIL, UTIL, EQPT                  | 71,472                               |                  | (7,120)          | 64,352                         |
| <b>REVENUES:</b>                               |                                      |                  |                  |                                |
|                                                |                                      | <u>DECREASES</u> | <u>INCREASES</u> |                                |
| 34-342-3425 CALDWELL COOUNTY<br>PROBATION FEES | 172,800                              |                  | 1,250            | 174,050                        |
| 34-342-3426 COMAL COUNTY<br>PROBATION FEES     | 388,800                              |                  | 1,650            | 390,450                        |
| 34-342-3427 HAYS COUNTY<br>PROBATION FEES      | 518,400                              |                  | 2,100            | 520,500                        |
| 34-361-3611 DEPOSITORY INT.                    | 13,750                               | 750              |                  | 13,000                         |
|                                                |                                      | <u>750</u>       | <u>5,000</u>     |                                |

DECREASE COSTS AND ADJUST REVENUES PER AGENCY/CJAD

14379 APPROVE THE TREASURER'S REPORT FOR AUGUST 1995

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve the Treasurer's Report for August 1995. All voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
August 31, 1995

|                    | General                     | Road and Bridge<br>General | Hot Check<br>Fee Fund | Law Library             | Medical and<br>Dental Fund | Jail<br>Construction | Limited<br>Tax<br>Refunding | Anticipation<br>Notes<br>Series 1994 | Courthouse<br>Ren. & Road<br>Bond 1994 |
|--------------------|-----------------------------|----------------------------|-----------------------|-------------------------|----------------------------|----------------------|-----------------------------|--------------------------------------|----------------------------------------|
| <b>CHECKING</b>    |                             |                            |                       |                         |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | 30,937.86                   | 2,282.92                   | 1,798.00              | 2,455.93                | 12,071.86                  | 2,967.73             | 7,134.17                    | 1,602.06                             | 1,947.08                               |
| M/M Int.           | 1,005.72                    | 94.12                      |                       | 0.00                    | 65.34                      | 4.90                 | 0.00                        | 0.00                                 | 0.00                                   |
| Deposits           | 1,205,841.60                | 357,679.43                 | 3,345.34              | 1,358.25                | 190,368.23                 | 2,550.00             | 230,312.17                  | 86,961.87                            | 214,446.77                             |
| Disbursements      | 1,193,556.31                | 340,220.84                 | 4,596.82              | 3,593.18                | 200,891.61                 | 4,000.00             | 237,445.34                  | 88,563.93                            | 216,392.23                             |
| Ending Bal.        | 44,228.87                   | 19,835.63                  | 546.52                | 221.00                  | 1,613.82                   | 1,522.63             | 1.00                        | 0.00                                 | 1.62                                   |
| <b>INVESTMENTS</b> |                             |                            |                       |                         |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | 3,471,802.16                | 1,079,762.57               | 2,946.82              | 12,598.33               | 441,058.90                 | 789,031.08           | 219,361.24                  | 85,077.94                            | 4,927,498.75                           |
| M/M Int.           | 16,657.20                   | 4,683.58                   | 21.91                 | 68.56                   | 2,246.81                   | 3,835.20             | 50.11                       | 282.87                               | 23,372.75                              |
| Deposits           | 0.00                        | 0.00                       | 2,317.88              | 2,802.48                | 70,000.00                  | 0.00                 | 5,756.59                    | 1,601.06                             |                                        |
| Disbursements      | 357,150.00                  | 204,325.00                 | 595.00                | 0.00                    | 75,500.00                  | 2,550.00             | 219,361.24                  | 86,961.87                            | 210,166.77                             |
| Ending Bal.        | 3,131,309.36                | 880,121.15                 | 4,691.61              | 15,469.37               | 437,805.71                 | 790,316.28           | 5,806.70                    | 0.00                                 | 4,740,704.73                           |
| *****              |                             |                            |                       |                         |                            |                      |                             |                                      |                                        |
|                    | Courthouse<br>Road Bond I&S | Jail<br>I&S                | Jail<br>Addition I&S  | Hays<br>County<br>I & S | Public<br>Works I&S        | Springlake<br>I&S    | Pioneer<br>Trails<br>I&S    | Burnett<br>Road<br>I&S               | Anticipation<br>Notes<br>I&S           |
| <b>CHECKING</b>    |                             |                            |                       |                         |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | 7,939.51                    | 5,014.06                   | 2,667.05              | 1,508.95                | 3,527.57                   | 3,135.61             | 3,039.67                    | 2,196.34                             | 6,063.14                               |
| M/M Int.           | 0.00                        | 0.00                       | 0.00                  | 0.00                    | 0.00                       | 0.00                 | 0.00                        | 0.00                                 | 0.00                                   |
| Deposits           | 148,330.96                  | 359,970.62                 | 128,128.44            | 2,739.84                | 167,630.03                 | 70,997.64            | 46.34                       | 344.57                               | 275,252.4                              |
| Disbursements      | 156,269.47                  | 364,983.68                 | 130,794.49            | 4,247.79                | 171,156.60                 | 74,132.25            | 3,085.01                    | 2,539.91                             | 281,309.6                              |
| Ending Bal.        | 1.00                        | 1.00                       | 1.00                  | 1.00                    | 1.00                       | 1.00                 | 1.00                        | 1.00                                 | 6.0                                    |
| <b>INVESTMENTS</b> |                             |                            |                       |                         |                            |                      |                             |                                      |                                        |
| Begin. Bal.        | 193,130.00                  | 371,702.93                 | 160,419.08            | 43,166.66               | 192,515.70                 | 71,367.03            | 12,629.26                   | 12,082.05                            | 295,225.75                             |
| M/M Int.           | 280.30                      | 136.95                     | 184.80                | 220.83                  | 157.76                     | 255.09               | 70.46                       | 66.54                                | 169.68                                 |
| Deposits           | 6,344.47                    | 4,153.68                   | 1,994.49              | 4,247.79                | 2,384.10                   | 5,495.85             | 3,038.67                    | 2,405.10                             | 4,973.38                               |
| Disbursements      | 143,500.00                  | 357,330.00                 | 127,640.00            | 0.00                    | 166,760.00                 | 68,636.40            | 46.34                       | 134.81                               | 271,775.00                             |
| Ending Bal.        | 56,254.77                   | 18,663.56                  | 34,958.37             | 47,635.28               | 28,297.56                  | 8,481.57             | 15,692.05                   | 14,418.88                            | 28,593.81                              |

TEMPORARY TRANSFERS : #15-95 General to Animal Control \$335.00  
#16-95 Gerneal to Limited Tax Refunding \$6,700.00  
#17-95 General to Foster Care \$11,300.00  
#18-95 General to Animal Control \$1,407.96

*Michele Tuttle*  
Michele Tuttle  
Hays County Treasurer

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COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
August 31, 1995

|                    | Adult Probation Operating        | Adult Probation Facilities | Courthouse Security    | Records Management             | Records Preservation    | Animal Control              | Sheriff's Drug Forfeiture  | District Attorney Drug Forfeiture | District Attorney Reimburs. |
|--------------------|----------------------------------|----------------------------|------------------------|--------------------------------|-------------------------|-----------------------------|----------------------------|-----------------------------------|-----------------------------|
| <b>CHECKING</b>    |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 24,480.40                        | 219.97                     | 4,308.69               | 8,494.62                       | 5,563.00                | 0.00                        | 1,586.83                   | 19.69                             | 14,803.58                   |
| M/M Int.           | 77.90                            |                            |                        | 0.00                           |                         |                             | 0.00                       |                                   | 0.00                        |
| Deposits           | 236,634.21                       | 9,491.25                   | 2,685.05               | 15,443.35                      | 1,545.00                | 2,387.31                    |                            | 225.00                            | 23,970.76                   |
| Disbursements      | 250,508.24                       | 4,684.69                   | 6,799.40               | 23,876.77                      | 6,947.00                | 2,387.31                    |                            | 239.40                            | 35,475.13                   |
| Ending Bal.        | 10,684.27                        | 5,026.53                   | 194.34                 | 61.20                          | 161.00                  | 0.00                        | 1,586.83                   | 5.29                              | 3,299.21                    |
| <b>INVESTMENTS</b> |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 551,612.07                       | 11,999.02                  | 42,735.91              | 32,894.81                      | 9,324.62                | 9.83                        | 0.00                       | 3,314.24                          | 111,662.96                  |
| M/M Int.           | 2,567.54                         | 45.78                      | 228.35                 | 194.01                         | 67.57                   | 0.00                        |                            | 15.27                             | 575.86                      |
| Deposits           | 26,750.00                        | 250.00                     | 6,799.40               | 13,476.10                      | 6,947.00                |                             |                            | 0.00                              | 16,885.90                   |
| Disbursements      | 116,078.17                       | 9,172.34                   |                        | 6,678.70                       |                         | 0.00                        |                            | 225.00                            | 7,796.11                    |
| Ending Bal.        | 464,851.44                       | 3,122.46                   | 49,763.66              | 39,886.22                      | 16,339.19               | 9.83                        | 0.00                       | 3,104.51                          | 121,328.61                  |
| *****              |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
|                    | Historical Commission Trust Fund | Foster Care                | Health Services Grants | Texas Capital Fund/ New Canaan | General First Southwest | Road Construction Bond 1995 | Road Construction I&S 1995 | Anticipation Notes '95            | Anticipation Notes '95 I&S  |
| <b>CHECKING</b>    |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 1,895.15                         | 3,329.99                   | 90,772.50              | 0.00                           | 503,571.07              | 0.00                        | 1,786.15                   | 0.00                              | 13,965.55                   |
| M/M Int.           | 0.00                             |                            | 83.85                  |                                | 89.22                   |                             | 0.00                       |                                   | 0.00                        |
| Deposits           | 265.00                           | 20,286.95                  | 76,223.12              | 2,643.38                       |                         |                             | 0.00                       | 537,603.88                        | 0.00                        |
| Disbursements      | 2,159.15                         | 16,558.01                  | 158,982.85             | 1,321.00                       | 499,730.89              |                             | 1,785.15                   | 537,602.09                        | 13,964.55                   |
| Ending Bal.        | 1.00                             | 9,058.93                   | 8,096.62               | 1,322.38                       | 3,929.40                | 0.00                        | 1.00                       | 1.79                              | 1.00                        |
| <b>INVESTMENTS</b> |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 6,719.57                         | 0.00                       | 43,808.56              | 0.00                           | 301,223.90              | 7,957,473.78                | 0.00                       | 2,761,063.01                      | 0.00                        |
| M/M Int.           | 37.30                            |                            | 527.22                 |                                |                         | 38,740.72                   | 110.81                     | 11,999.86                         | 36.38                       |
| Deposits           | 2,159.15                         |                            | 99,000.00              |                                | 499,730.89              | 0.00                        | 41,785.15                  | 0.00                              | 13,964.55                   |
| Disbursements      |                                  |                            | 48,790.00              |                                |                         |                             |                            | 537,603.88                        |                             |
| Ending Bal.        | 8,916.02                         | 0.00                       | 94,545.78              | 0.00                           | 800,954.79              | 7,996,214.50                | 41,895.96                  | 2,235,458.99                      | 14,000.93                   |

**14380 ACCEPT AUDIT REPORTS FOR THE LAW ENFORCEMENT CENTER AND TREASURER'S OFC.**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to accept the Audit Reports for the Law Enforcement Center and the Treasurer's Office. All voting "Aye".

**14381 APPROVE UTILITY PERMITS #95-108 & 95-416 ISSUED BY THE ROAD DEPARTMENT**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Utility Permits #95-108 & 95-416 as issued by the Road Department. All voting "Aye".

**14382 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A SMALL BUSINESS ENTERPRISE PROGRAM GRANT PRE-APPLICATION TO THE FARMERS HOME ADMINISTRATION FOR FUNDS TO INITIATE A REVOLVING LOAN FUND IN THE AMOUNT OF \$75,000**

Grants Administrator Richard Salmon advised that the Farmers Home Administration makes grants to finance small and emerging private business enterprises in rural areas or cities up to 50,000 population. Priority for these funds goes to projects in open country, rural communities, and small, economically depressed areas. The establishment of this fund will promote small business development in Hays County. grants are awarded to the county and then the county re-lends the funds at below market rates to small businesses in rural areas. Local Banks will administer the revolving funds to meet requirements of the Neighborhood Reinvestment Act. Chances of getting this grant are low due to the current unemployment and poverty rates, but we have been encouraged to submit this application by the District Office of the Farmers Home Administration in Seguin. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the County Judge to submit a small business enterprise program grant pre-application to the Farmers Home Administration for funds to initiate a revolving loan fund in the amount of \$75,000.00. All voting "Aye".

**14383 AMEND PERSONNEL POLICY SECTION 2.05: METHODS OF RECRUITMENT**

George Aitken, Human Resources Director, advised that the personnel policy manual stipulates applications for employment are valid for 60 days - the County Sheriff prefers 90 days to allow time for background investigations - recommended changing policy to allow Sheriff the 90 days and other departments to remain at 60 days rule. A motion was made by Commissioner Barton, seconded by Commissioner Payne to amend the Hays County Personnel Policy Section 2.05 as proposed by the Human Resources Director. All voting "Aye".

**2.05 METHODS OF RECRUITMENT.** The county has five methods of recruiting persons to fill vacancies: (1) promotion from within; (2) transfer from within; (3) public announcement and; (4) referral from a job training program; or (5) selection from valid current applications. Applications are valid for 60 days; except for the County Sheriff which are valid for 90 days. The department head determines the method of selection to be used in filling each vacancy.

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**14384 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS DEPT. OF HEALTH FOR TB, OFFICE OF REGIONAL ADMINISTRATIVE SERVICES, IMMUNIZATIONS, VACCINE DIRECT CARE, PUTTING PREVENTION INTO PRACTICE, AND PRIMARY HEALTH CARE AND TO EXECUTE A CONTRACT FOR \$390,325. TWO ADDITIONAL CONTRACT ATTACHMENTS BEING ADDED ARE: WOMEN AND CHILDREN FEE FOR SERVICE AT UP TO \$154,373 AND WOMEN & CHILDREN CORE PUBLIC HEALTH \$38,593, BRINGING THE TOTAL GRANT TO \$583,291**

This is one renewal contract with eight attachments, six of which were approved last week in Commissioners' Court. The final two contracts represent the funding areas of Women and children Fee for Service, \$ 154,373 and Women and Children Core Public Health, #38,593, increasing the total grant from \$ 390,325 to \$583,291. These funds are received annually by the Hays County Health Dept. and have been significantly reduced this year from last year's \$636,019. the reduction was the result of cancellation of the Maternal and Child Health Grant. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the County Judge to accept grant award from the Texas Dept. of Health for TB, Office of Regional Administrative Services, Immunization, Vaccine Direct Care, Putting Prevention Into Practice, and Primary Health Care and to execute a contract for \$390,325, two additional contract attachments being added are: women and children fee for service at up to \$154,373 and women & children core public health \$38,593, bringing the total grant to \$583,291.00. all voting "Aye".

**14385 LANIER RANCH REPLAT OF LOTS 1E-1, 1E-2 & 1H-1 > PUBLIC HEARING & SECOND READING [T1-59]**

Judge Etheredge called the public hearing open to consider "Lanier Ranch Replat" on second reading. No input was received and the public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Lanier Ranch Replat of Lots 1E-1, 1E-2, & 1H-1" on second reading. All voting "Aye".

**14386 HILLS OF TEXAS ESTATES SECTION 2 > SECOND READING APPROVAL [T1-97]**

Allen Walther, Environmental Health Director, recommended approval of this subdivision on second reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Section 2" on second reading. All voting "Aye".

**14387 MARLBORO COUNTRY REPLAT OF LOT 4 > SECOND READING APPROVAL [T1-109]**

Allen Walther, Environmental Health Director, recommended approval of this subdivision on second reading - a letter is needed from TNRCC stating that a water pollution abatement plan is not necessary prior to this subdivision receiving third reading approval. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Marlboro country Replat of Lot 4" on second reading and advising developer that a letter needs to be provided from TNRCC regarding water pollution abatement plan. All voting "Aye".

**PLATTING VARIANCE DISCUSSION RE: 2.101 ACRES ON FITZHUGH ROAD [T1-173]**

A request for variance to the platting requirements for a 2.101 acre parcel of property located on 14909 Fitzhugh Road and being out of a 14.80 acre tract of land was submitted by Fred Bode - the division of the property is to facilitate construction of a home for his son and is for residential use - access is by a private gated road easement - a surveyors drawing will be attached to the deed upon recording at the Hays County Clerk's office and required fees will be paid. Allen Walther, Environmental Health Director, requested that the easement description be included in recorded deed or recording information be referenced. This property is located in the Dripping Springs ETJ.

**PLATTING VARIANCE DISCUSSION RE: TWO 5.001 ACRE TRACTS OUT OF 87 ACRES (FARRELL LANE) [T1-230]**

Property owner Grady Moore requested a variance to platting requirements for two 5.001 acre tracts out of an original 87 acres off Farrell Road. This is a family partition of property (son & daughter). There is a recorded access easement off Farrell Lane - will provide a 60 foot access. Commissioner Molenaar stated that he would support this variance.

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**PLATTING VARIANCE DISCUSSION RE: 5 ACRES OUT OF 82.4798 ACRES ON HWY 290 [T1-335]**

Allen Walther, Environmental Health Director, advised that a 60 ft. access easement is provided - this property is located in the Dripping Springs ETJ. Commissioner Barton stated that this request needs to go through the City of Dripping Springs since the tract is not over 5 acres. Commissioner Molenaar stated that it was his understanding that a tract 5 acres or greater does not have to go before the City of Dripping Springs. No action taken this date.

**14388 MADRONE RANCH SECTION 2B > THIRD READING APPROVAL [T1-458]**

Allen Walther, Director of Environmental Health, gave staff approval on third reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Madrone Ranch Section 2B" on third reading. All voting "Aye".

**14389 PLATTING VARIANCE GRANTED TO GERALD WILLIS FOR A 7.36 ACRE TRACT OUT OF 32.14 ACRES ON GATLIN CREEK ROAD (CR191) [T1-473]**

Gerald Edward Willis and Glynis Kimly Willis are the owners of 7.36 acres out of the J.M. Mading Survey (survey plat in file and copy of unsigned Agreement). Allen Walther, Director of Environmental Health, recommended approval of variance. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant platting variance to Gerald Eugene and Glynis Kimly Willis for a 7.36 acre tract out of the J.M. Mading Survey out of an original 32.14 acres on Gatlin Creek Road. All voting "Aye".

\*SHOULD BE "THE POINT REPLAT OF LOTS 5-7" - SEE 11/13/95 #14509\*

**14390 LOMA VISTA REPLAT LOTS 4A & 7A > THIRD READING APPROVAL [T1-486]**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Loma Vista Replat Lots 4A & 7A" subdivision on third reading. All voting "Aye".

**14391 PLATTING VARIANCE GRANTED TO RONALD & WENDY GANT FOR A 3.060 ACRE TRACT LOCATED AT 1700 NORTH FM1626 [T1-497]**

Allen Walther, Director of Environmental Health, recommended approval of variance. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to grant a platting variance to Ronald & Wendy Gant for a 3.060 acre tract located at 1700 North FM1626. All voting "Aye".

**14392 APPROVE RENEWAL OF THE SPEED S.T.E.P. GRANT [T1-548]**

Sheriff Paul Hastings has requested renewal of the Texas Traffic Safety Program - S.T.E.P. (Selective Traffic Enforcement Program) Grant to be administered by the Sheriff's Dept. Patrol Commander Dennis Gutierrez appeared on behalf of the Sheriff requesting renewal of this grant - the grant will provide \$40,000 and the county match is \$23,908 - parts of the match are already being supplied by use of current officers (\$11,382) with actual cost to the county of \$12,526 - revenues more than compensates for the cost. Judge Etheredge spoke of paperwork involved in this grant - the Auditor and Grants Administrator suggested total funding by the county to avoid the paperwork required for this grant - County Judge recommends approving the grant and see if the paperwork can be simplified. Dennis Gutierrez spoke of changes made in the guidelines which may reduce the amount of paperwork. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to approve renewal of the SPEED S.T.E.P. Program Grant and instruct Deputy Dennis Gutierrez and Auditor to look into paperwork idiosyncrasies. All voting "Aye".

**14393 AWARD CONTRACT ON CONSTRUCTION OF EMS BUILDING [T1-666]**

Cindy Casparis, Purchasing Agent, presented tabulation of the bids received on the EMS Office Building:

| <i>Vendor</i>             | <i>Bid Price</i> | <i># of Days for Completion</i> |
|---------------------------|------------------|---------------------------------|
| Hopson Builders           | \$ 39,940.00     | 90-120 Days                     |
| H.O. Perkins Construction | \$ 56,795.00     | 90 Days                         |
| Stokes Construction       | \$ 59,995.00     | 100 Days                        |

The apparent low bidder meeting specs is Hopson Builders - Purchasing Agent recommends accepting bid of \$39,940.00. A motion was made by Commissioner Payne, seconded by Commissioner Barton to award contract on construction of EMS Building to Hopson Builders in the amount of \$39,940.00. All voting "Aye".

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**14394 ADOPT RESOLUTION EXPRESSING COUNTY'S CONCERNS ABOUT A PROPOSED CONCRETE BATCH PLANT IN BUDA AND REQUESTING THE TNRCC TO HOLD A PUBLIC HEARING [T1-698]**

Commissioner Barton spoke of ABC Concrete Inc. which has applied to TNRCC for an expedited permit to build a batch plant just east of Buda off FM2001, near Tom Green Elementary School - about 60 neighborhood residents met September 18, 1995 to organize opposition - the Davenport neighborhood (Claudia Drive) is right next door to the proposed plant and the school is less than one half mile away - area residents and school officials are deeply and emotionally concerned about (1) air pollution and dust emissions, (2) noise and light pollution, (3) traffic and bus safety on FM2001, (4) water use - the school recently spent more than a million dollars to cure an air quality problem - State Representative Alec Rhodes has promised to help present the neighborhood's position (as has Commissioner Barton) - a proposed resolution was submitted for approval.

**RESOLUTION CONCERNING PROPOSED CONSTRUCTION  
OF CONCRETE BATCH PLANT IN BUDA, HAYS COUNTY**

Whereas, ABC Concrete Inc. has applied with the Texas Natural Resources Conservation Commission for a Standard Exemption No. 71 permit to construct a concrete batch plant in Hays County (Registration No. 30360); and

Whereas, this proposed plant would emit air contaminants such as cement, aggregate and road dust; and

Whereas, it would also likely be a substantial nuisance to surrounding properties because of these contaminants as well as the significant levels of noise and light pollution it is likely to generate; and

Whereas, its proposed location raises serious questions about traffic safety; and

Whereas, nearby residents believe that such a plant would devalue their property substantially; and

Whereas, there is a residential neighborhood right next to the proposed plant; and

Whereas, there is also an elementary school within one half mile of the proposed plant; and

Whereas, rules promulgated under the authority of Section 382 of the Texas Health and Safety Code calls on the TNRCC to give especially careful consideration to the location of batch plants within 3,000 feet of a school; and

Whereas, ABC Concrete has not demonstrated to the local community any ability to successfully manage pollution abatement and maintenance requirements at the plant; and

Whereas, the scarcity of water and concerns about water pollution give added urgency to questions about the wisdom of the plant's location; and

Whereas, when considered together, these several concerns expressed in this resolution make it clear that the proposed batch plant may pose a threat to the health, safety and welfare of Hays County citizens, then

**THEREFORE BE IT RESOLVED** that the Hays County Commissioners' Court, meeting informal session this 25th day of September, 1995, does hereby petition and request of the Chief Clerk of the TNRCC, of the executive director, and of the agency's commissioners, that a public hearing for a contested case be called and scheduled; and

Be it further resolved that the Commissioners' Court does hereby go on record expressing its concerns about the proposed plant and requests the TNRCC to exercise a diligent and skeptical review of the proposed application.

A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt resolution expressing the County's concerns about a proposed concrete batch plant in Buda and requesting the TNRCC to hold a public hearing. All voting "Aye".

**14395 AUTHORIZE HIRING OF A NEW EMPLOYEE IN THE DISTRICT ATTORNEY'S OFFICE BEFORE THE OUTGOING EMPLOYEE HAS LEFT COUNTY EMPLOYMENT [T1-763]**

One of the Assistant D.A.'s will be leaving employment and the District Attorney wants to go ahead and hire the replacement and get her started (will have two people in one position) - funds are available in the budget. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize hiring of a new employee in the District Attorney's office before the outgoing employee has left county employment. All voting "Aye".

**14396 AWARD CONTRACT ON TELEPHONE SYSTEM FOR JUSTICE CENTER [T1-780]**

Purchasing Agent Cindy Casparis spoke of RFP's received - one is a PBX system and the other utilizes our current telephones - recommend awarding contract to Century Centrex System which is the lowest and best proposal - will give the flexibility needed without a large investment \$35,000 was budgeted but she believes we will only spend around \$30,000. Commissioner Molenaar stated that he is opposed to a voice mail & automated attendant system. Cindy advised that each office will have the option for these services - spoke of leasing telephones versus purchasing. A motion was made by Judge Etheredge, seconded by Commissioner Barton to award contract to Century Telephone of San Marcos, Inc. for a centrex system for the Justice Center and authorize negotiations. All voting "Aye".

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**PUBLIC HEARING ON THE PROPOSED FY96 HAYS COUNTY BUDGET**

Judge Etheredge called the public hearing open regarding the proposed FY96 Hays County Budget. Hays County Resident Tom Ash appeared before the court and asked about juvenile services - he wants to be sure that the juveniles will be served and rehabilitated - would like to have the ability to oversee and assist in the operation. Judge Etheredge spoke of Mr. Ash being a great volunteer for the county - a tour of the juvenile facility will be forthcoming - using the jail facility will be a savings to the county - programming and community input will be provided. Commissioner Payne spoke of CCI (they will be operating the juvenile facility) being familiar with our community - they will utilize the local school systems (public schools and SWTSU). Mary E. Gonzales (candidate for Commissioner Pct. 1 position) spoke of our community experiencing frustration with youth problems and need to focus more on people instead of buildings, etc. - we seem to pass the buck as politicians and as parents - sometimes we need to take drastic measures and lock up children - we don't have to pay for all the services that are available. Commissioner Barton spoke of bond election - tax rate will be below what was expected - sacrifices were made by many departments - we are moving forward with some important programs and have reduced the number of county employees - actual increase is less than 1% - addresses the major needs of our county and trying to provide juvenile services, provide adequate law enforcement - spoke of lost revenues - made some very hard decisions. Sheriff Hastings addressed questions concerning animal control and patrol officers - if he had to choose one over the other he would support a Patrol Officer over an Animal Control Officer. Commissioner Molenaar spoke in support of adding a Patrol Officer and an Animal Control Officer. Commissioner Barton stated that he supports adding a Patrol Officer sometime during the next fiscal year but feels less strongly about an ACO. Judge Etheredge stated that as we make final determinations we must realize that any changes in the budget today will have to come out of debt retirement - you must then find the funding again next year - spoke of cuts that were made and are appreciated. Commissioner Barton spoke of budget requests (40 new positions were requested) - 10 current positions were cut and 5 were added in growth areas. No further input was received - Judge Etheredge closed the public hearing.

**14397 APPROVE PLAN FOR CASH PAYMENT TO JURORS [T1-1442]**

District Clerk Cecilia Adair presented her proposed plan for cash payment to Jurors - this plan would save tax dollars (between \$5,500 - \$7,500 annually) on expenses for envelopes, postage, check costs, and time signing, processing, and bookkeeping - a box would be provided for Jurors to place donations to Child Welfare. County Auditor Bill Herzog stated that he had not had a chance to look over the proposal. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to approve the Plan for Cash Payments to Jurors as proposed by the District Clerk and authorize the District Clerk to work out details with the County Auditor. Commissioner Rodriguez, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Barton was absent for this vote.

**14398 ADOPT HAYS COUNTY HEALTH DEPARTMENT REVISED FEE SCHEDULE [T1-1537]**

Director of Nursing Julie Hornberger presented a proposed revised fee schedule for services provided by the Health Department - indigent do not pay for services - if someone does not have the money to pay for immunization, it will still be provided - feels like those people who qualify for and refuse Medicaid services should pay the full fees adopted (the Court agreed). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to adopt Revised Fee Schedule for the Hays County Health Department effective October 1, 1995 with provision that people who qualify for and refuse Medicaid services will pay the full fees adopted. All voting "Aye". (see schedule in file)

**14399 NOMINATION OF LUANNE CARAWAY TO THE BOARD OF DIRECTORS OF THE HAYS COUNTY CENTRAL APPRAISAL DISTRICT [T1-1827]**

Judge Etheredge spoke of it being time to nominate members to the Hays County Central Appraisal District (CAD) Board of Directors - all five positions are up for appointment - in the past, the County has split up its votes and has given them to the four school districts - recommends the County cast its votes this time to nominate Luanne Caraway to the Board - the tax consultant working with Luanne has recommended that she be appointed to the Board since she collects taxes for some of the other entities. Luanne is willing to serve on the Board and is concerned about current issues at the CAD. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to nominate Luanne Caraway to the Board of Directors of the Hays County Central Appraisal District. All voting "Aye".



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## 14400 ADOPT THE FY96 HAYS COUNTY BUDGET AND SET THE TAX RATES [T1-1995]

Commissioner Payne asked about funding needed for Carney Lane improvements (at the new high school in Wimberley). Road Director Ron Bischoff advised that the State will be putting in a turn lane - grade improvements will cost approximately \$22,532.00 - we may be able to use some base material being created by the school construction - total improvements without base material will cost \$41,000.00 (with base could be \$63,000+). Commissioner Payne advised that the school district cannot afford to help the county fund this project - spoke of tax increase for debt service being figured into this budget (due in May 1997) and another increase next year. Commissioner Barton suggested taking \$21,000 off debt service and \$21,000 out of the Road Department budget to fund this project. Ron Bischoff spoke of need for more personnel to do the work - if the State Highway Dept. increases the elevation it may take more fill material. County Auditor Bill Herzog suggested taking the \$42,000.00 out of the General Fund as it is needed. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to put \$42,000.00 into the Road & Bridge Fund as a separate line item for the Carney Lane Improvement Project out of the General Fund as it is needed in FY96. All voting "Aye". County Auditor Bill Herzog presented a list of changes to FY96 Proposed Budget for consideration:

GENERAL FUND

1. Decreases San Marcos Economic Development Council funding by \$5,000 and give to libraries on prorated share (1,940 to San Marcos Library and 765 to each of the others).
2. Increase funding to Adult Probation for facilities, utilities and equipment by \$2,000.
3. Increase Committal expense by \$7,000.
4. Update all merit, allocate cost of living allowance, and update merit raises and retirement out of the cola and merit line item.
5. Reduce State funding revenue by amount of fringe benefits for 2 new probation officer positions.
6. Decrease budgeted Salary of department head in Extension Office and increase salaries of staff by \$428.00.
7. Add budget of \$123,085 for street signs from CAPCO grant and increase reserves.
8. Rollover \$8,000 for subdivision task force consultant expense and increase reserves.
9. Rollover GIS expense and increase reserves by \$30,000.

ROAD & BRIDGE GENERAL FUND

1. Change line item to read "Substandard Road Repair" for \$90,700 for repair of roads east of IH35 in Road and Bridge Pct. 2
2. Increase salaries in Road and Bridge to reflect merit raises and increase estimated reserves to offset.

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to decrease San Marcos Economic Development Council funding by \$5,000 and give to Libraries on prorated share (1940 to San Marcos Library and 765 to each of the others). Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge voting "No". A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve changes #2-#9 in the General Fund of the Proposed FY96 budget as recommended by the County Auditor. All voting "Aye". A motion was made by Commissioner Molenaar to approve hiring of an Animal Control Officer effective October 1, 1995 at a cost of \$33,000. Motion died for lack of a second. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve a part-time Animal Control Officer without a vehicle/equipment in the amount of \$10,000 for coverage on weekends/holidays/vacation effective October 1, 1995. Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez and Judge Etheredge voting "No". A motion was made by Commissioner Molenaar to approve a Fulltime Patrol Deputy (Grade 11) effective October 1, 1995. Motion died for lack of a second. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve a fulltime Patrol Deputy (Grade 11) effective January 1, 1996. Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez and Commissioner Payne voting "No". A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve items #1 & #2 in the Road and Bridge General Fund of the Proposed FY96 budget as recommended by the County Auditor. All voting "Aye". A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to add \$3,500 to Constable Pct. 2 budget and \$4,500 to Constable Pct. 1 budget for purchase of used DPS vehicles provided the current Constable Pct. 2 vehicle is taken to a mechanic to determine if it is repairable. After discussion these motions were withdrawn. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to add \$4,000 to Constable Pct. 2 budget and \$4,500 to Constable Pct. 1 budget for purchase of used DPS vehicles (which will provide \$6,000 for each vehicle when combined with funding already in place in vehicle mtc. & repair line items) - Constable Pct. 2 vehicle being replaced to be turned into the Court for disposal. Commissioner Molenaar, Commissioner Payne, Commissioner Barton, and Commissioner Rodriguez voting "Aye". Judge Etheredge voting "No".

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A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to adopt the FY96 Budget for Hays County with amendments made this date. All voting "Aye".

ITEMIZED TAX RATE  
FOR  
FY 96 PROPOSED BUDGET

| <u>VALUATION</u>                                 | <u>FUNDS</u>                     | <u>TAX RATE</u> | <u>ESTIMATED TAX COLLECTION</u> |
|--------------------------------------------------|----------------------------------|-----------------|---------------------------------|
| 2,445,159,898<br>(1¢ = 224,955 @ 92% Collection) | General M&O                      | 27.74¢          | \$6,240,252                     |
|                                                  | General Debt                     | 10.75¢          | \$2,418,266                     |
| 2,416,336,690<br>(1¢ = 222,303 @ 92% Collection) | Road & Bridge M&O                | 5.41¢           | \$1,203,267                     |
|                                                  | <b>TOTAL AD VALOREM TAX RATE</b> | <b>43.90¢</b>   | <b>\$9,861,785</b>              |
|                                                  | <b>ASSESSED TAXES</b>            |                 | <b>\$10,719,332</b>             |


|                                |        |                   |
|--------------------------------|--------|-------------------|
| Effective Tax Rate             | 38.90¢ |                   |
| New Debt For Fy 96 (Road Bond) | 5.00¢  |                   |
| Proposed Tax Rate              | 43.90¢ | = 12.85% increase |


TAX RATES SPECIAL ROAD DISTRICTS

|            |                    |        |          |
|------------|--------------------|--------|----------|
| 13,021,767 | Springlake Road    | 61.34¢ | \$76,588 |
| 1,157,860  | Pioneer Trail Road | 41.32¢ | \$4,401  |
| 7,827,004  | Burnett Ranch Road | 16.99¢ | \$12,725 |

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to set the Ad Valorem Tax Rate at 43.90¢, Springlake Road District Tax Rate at 61.34¢, Pioneer Trail Road District Tax Rate at 41.32¢, and Burnett Ranch Road Tax Rate at 16.99¢. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
HAYS COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 29TH DAY OF SEPTEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
LINDA C. FRITSCHÉ

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
DEPUTY/ACTING COUNTY CLERK

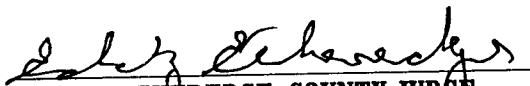
WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14401 ACCEPT RESIGNATION OF FRANK CORTEZ AND MAKE APPOINTMENT OF NEIL FRANKLIN TO THE NORTHEAST HAYS COUNTY EMS DISTRICT #2

Commissioner Barton spoke of need to set the Northeast Hays County EMS District #2 tax rate - the Board has been unable to achieve a quorum for the vote, therefore, they request that a new appointment be made as soon as possible. A motion was made by Commissioner Barton, seconded by Judge Etheredge to accept the resignation of Frank Cortez and appoint Neil Franklin to the Northeast Hays County EMS District #2. All present voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 23<sup>RD</sup> DAY OF OCTOBER, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
HAYS COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
HAYS COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 2ND DAY OF OCTOBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14402 APPROVE PAYMENT OF COUNTY INVOICES**

County Auditor Bill Herzog stated that charges for Juvenile Detention Center project need to be moved from Anticipation Notes '95 Project Fund to Juvenile Detention Center Funds. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 293,508.86 as proposed by the County Auditor. All voting "Aye".

|                   |             |                   |               |                    |              |
|-------------------|-------------|-------------------|---------------|--------------------|--------------|
| License/Permits   | \$ 18.25    | Fines             | \$ 70.00      | Auditors Ofc       | \$ 2,934.90  |
| Treasurers Ofc    | \$ 1,237.00 | Extension Ofc     | \$ 116.00     | Grants Admin       | \$ 70.00     |
| Election Admin    | \$ 20.00    | Comm & Soc Svcs   | \$ 130,860.25 | Indigent Care      | \$ 23,741.97 |
| Transfer Station  | \$ 693.71   | Bldg Mtc. Dept.   | \$ 733.01     | Environ Health     | \$ 3,435.80  |
| Civic Center      | \$ 503.50   | Countywide Oper   | \$ 48,658.45  | Tax A/C            | \$ 534.44    |
| District Clerk    | \$ 64.50    | County Clerk      | \$ 276.00     | Sheriffs Ofc       | \$ 5,598.51  |
| Jail Operations   | \$ 9,460.13 | County Judge      | \$ 20.00      | Human Resources    | \$ 403.32    |
| Dist Attorney     | \$ 31.85    | J.P. 1-1          | \$ 10.00      | J.P. 102           | \$ 9.47      |
| J.P. 3            | \$ 407.39   | J.P. 5            | \$ 347.75     | DPS/135 Substation | \$ 271.32    |
| Constable 1       | \$ 57.31    | Constable 3       | \$ 46.12      | Constable 5        | \$ 40.60     |
| Dist Crt Oper     | \$ 9,074.26 | Computer Svcs     | \$ 15,446.92  | *Gen Fund Credit*  | * \$12.31 *  |
| R&B Operations    | \$ 845.24   | Precinct 2        | \$ 443.40     | Precinct 3         | \$ 2,278.17  |
| Anticip Notes '95 | \$ 1,834.74 | Rec Mng/Co Clk    | \$ 2,581.00   | Health Svcs Grants | \$ 2,237.75  |
| Law Library       | \$ 75.00    | Road Construction | \$ 21,668.72  | Adult Prob Oper    | \$ 4,273.77  |
| Adult Prob Fac    | \$ 2,069.85 |                   |               |                    |              |

**14403 APPROVE COMMISSIONERS' COURT MINUTES FOR AUGUST 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the Commissioners' Court Minutes for August 1995 as presented by the County Clerk. All voting "Aye".

**14404 AUTHORIZE THE COUNTY JUDGE TO ACCEPT EXTENSIONS OF THE DISTRICT ATTORNEY'S DARE GRANT CONTRACT FROM THE TEXAS COMMISSION ON ALCOHOL & DRUG ABUSE AND TO EXECUTE A CONTRACT FOR \$16,347.00**

This is a extension of the DARE grant for \$45,511 funded by Texas Commission on Alcohol and Drug Abuse (TCADA) - this funds John Roppolo's position as the DARE officer under the District Attorney's Office - many of the TCADA grants statewide have been canceled due to financial irregularities, both on the part of the TCADA and grantees - we have had no problems and we're being renewed on a month-to-month basis until the end of September - this particular extension is for 4 months and when it expires TCADA will decide if we have to re-apply or get an automatic yearly extension - the total injection for this \$45,511 grant was \$2,572 - no administrative funds allowed in the original grant or this extension. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge to accept extensions of the District Attorney's DARE grant contract from the Texas Commission on Alcohol and Drug Abuse and to execute a contract for \$16,347.00. All voting "Aye".

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**14405 AWARD CONTRACT FOR METAL PIPE TO ALTERNATE LOW BIDDER AND TERMINATE CONTRACT WITH "METAL CULVERTS"**

Purchasing Agent Cindy Casparis advised the Court that she has been notified by Metal Culverts that they are beginning the process to shut down their Texas pipe plant and will no longer be able to serve us - she recommended that the Court award the remainder of the contract to the next low bidder "Wilson Culverts Inc." - Mr. Wilson has agreed to honor his bid. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to award contract for metal pipe to alternate low bidder "Wilson Culverts Inc." and terminate contract with "Metal Culverts". All voting "Aye".

**14406 EXTEND COURTHOUSE LAWN MAINTENANCE CONTRACT WITH SAN MARCOS DOWNTOWNERS ASSOCIATION THROUGH SEPT. 30, 1995**

The original contract with Downtown Assoc. was for six months (February - July) at \$250 per month - propose to extend for two months (Aug - Sept) which would require budgeting an additional \$250. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to extend the Courthouse lawn maintenance contract with the San Marcos Downtowners Assoc. through September 30, 1995. All voting "Aye".

**14407 APPROVE LEASE AGREEMENT WITH THE YOUTH SERVICES BUREAU OF SAN MARCOS FOR THE OLD VETERANS SERVICES/CARTS BUS**

The Youth Services Bureau is in need of a van and Judge Etheredge proposes that we lease the Veterans Services/CARTS bus to them for \$1.00 per year. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve lease agreement with the Youth Services Bureau of San Marcos for the old Veterans Services/CARTS bus. All voting "Aye".

THE STATE OF TEXAS \*

LEASE AGREEMENT

THE COUNTY OF HAYS \*

THIS LEASE AGREEMENT, made this day by and between Hays County, hereinafter referred to as "Lessor", and San Marcos Youth Service Bureau hereinafter referred to as "Lessee",

I.  
WITNESSETH:

Lessor is the owner of the following described property, to-wit: a motor vehicle described as a CARTS bus.

II.

Lessor has leased, and does hereby lease, unto said Lessee the above-described property for a period of one (1) year from September 30, 1995, to September 29, 1996, at a yearly rental of \$1.00 due and payable in advance.

III.

The above described real property is to be used by Lessee during the term of this lease as transportation to conduct the following Youth Service Bureau Activities:

1. After school/Summer Programming to Hays County Youth based on its current program to be implemented by its staff and peer assistants.
2. Community Service Projects, drug and alcohol education, recreational alternative activities, Life Skills Development, the ROPES Course Program, and academic enhancement as well as Friday night activity coordination with San Marcos Youth as components of the overall Youth Service Bureau Program.
3. Case management for all Hays County youth referred, beginning with an assessment of family services needs and including additional counseling referrals, support listings, Parenting Skills and other service.
4. Provide in-service or training as requested for personnel of Hays County.
5. Fuel and maintenance will be provided by Lessee.
6. All use of vehicle to be under Youth Service Bureau supervision.

Lessee binds himself to so use the said vehicle as to violate no federal, state or municipal law, rule or ordinance, and to protect, indemnify and hold harmless Lessor, his successors and assigns, from any liability of whatsoever nature and character, growing out of, arising from, or connected with, the use of the said vehicle by Lessee under this agreement. Lessee agrees not to subject or sublease the vehicle without express written consent of Lessor.

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IV.

Lessor agrees to communicate with Youth Service Bureau on any activities and/or programs appropriate for Youth Service Bureau client and families sponsored by Hays County.

V.

Upon the termination of this lease, whether such termination occurs by virtue of the expiration of the time limit, or otherwise, Lessee binds himself, his heirs and legal representatives to redeliver possession of such vehicle to said Lessor, his successors or assigns.

VI.

Subject to the prompt and full payment of the rental herein called for, in full compliance with all of the other terms and provisions hereof, Lessor binds himself, his successors, and assigns, during the term of this lease, that Lessee shall have the peaceable, full, free and uninterrupted use and enjoyment of said property.

VII.

At all times during the term of this lease, Lessee shall provide and keep in force during the term of this lease, liability insurance covering Lessor and Lessee for liability for property damage and personal injury. This insurance shall be carried by one or more insurance companies duly authorized to transact business in Texas, selected by Lessee and approved by Lessor, and shall be paid for by the Lessee.

VIII.

Lessee agrees not to assign or sublease the leased property, any part of or any right or privilege connected with the leased property or to allow any other person, except Lessee's visitors, agents, and employees, to occupy the leased premises or any part of the premises, without first obtaining lessor's written consent.

IX.

This contract expresses the entire agreement of and between the parties hereto and same shall not be altered, modified, or changed by any prior, contemporaneous or subsequent oral agreement, and shall in all its terms provisions, be binding upon and shall inure benefits to the parties hereto, their respective heirs, executors, administrators, legal representatives, and successors assigns.

X.

This contract is execute in duplicate, one copy being retained by Lessee and one copy retained by Lessor.

**14408 APPROVE OFFICIAL BOND OF HAYS COUNTY CLERK MARGIE T. VILLALPANDO**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the Official Bond of Hays County Clerk Margie T. Villalpando. All voting "Aye".

**14409 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR "SLOW SET COLD MIX LAY ASPHALT" [T1-76]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve specifications and authorize the County Auditor to advertise for bids for "slow set cold mix lay asphalt". All voting "Aye".

**14410 APPROVE PARTIAL PAYMENT OF INVOICE FROM FY94 FOR PLUMBING WORK PERFORMED AT LEC STORAGE FACILITY [T1-102]**

An invoice dated 12/20/93 was submitted by Leinneweber Plumbing in the amount of \$2,226.61 for work at the Law Enforcement Center storage facility - the work was not completed on time and sheetrock was installed before testing plumbing and it was necessary for county employees to be utilized to repair sheetrock damage from leaking pipes. Commissioner Payne suggested reducing the payment for work performed by county employees. Judge Etheredge suggested a 20% reduction in the bill. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve partial payment of Invoice - \$2,226.61 less \$420.00 reduction = \$ 1,806.61 - for plumbing work performed by Leinneweber Plumbing Company at the LEC Storage Facility and authorize Jail Personnel to sign off on it. All voting "Aye".

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**VARIANCE DISCUSSION - 42.098 ACRES ON CR184 (FOWLER PROPERTY) [T1-230]**

A request was received from James E. Garon (representing Nola & David Fowler, property owners) for a variance to the platting requirements for 42.098 acres - transfer of ownership is intended for residential and ranch use - this tract does have frontage on CR184 (Silver Creek) and does not contain any flood hazard area - property is located in the ETJ of Dripping Springs. Allen Walther, Environmental Health Director advised that he would recommend approval of the variance next week.

**14411 RIVER OAKS RANCH PHASE ONE RESUB OF LOTS 43 & 44 > FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING ON OCT. 16, 1995 [T1-320]**

Property Owner River Oaks Ranch Development Corp. propose to re-align the common line between Lots 43 & 44 - will create Lots 44A & 43A. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Oaks Ranch Phase One Resub of Lots 43 & 44" on first reading and call for a public hearing on October 16, 1995. All voting "Aye".

**14412 PLATTING VARIANCE GRANTED TO LANA & TONY MATHIS RE: 5.0003 ACRES ON W. HWY 290 [T1-343]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Lana & Tony Mathis for a 5.003 acre tract out of an original 82.4798 acres on West Hwy 290. All voting "Aye".

**14413 LANIER RANCH REPLAT OF LOTS 1E & 1H > THIRD READING APPROVAL [T1-365]**

Staff recommended approval of this subdivision. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lanier Ranch Replat of Lots 1E & 1H (Lots 1E-1, 1E-2 & 1H-1)" on third reading. All voting "Aye".

**14414 HILLS OF TEXAS ESTATES SECTION 2 > THIRD READING APPROVAL [T1-374]**

Staff recommended approval of this subdivision. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Hills of Texas Estates Section 2" on third reading. All voting "Aye".

**14415 MARLBORO COUNTRY REPLAT OF LOT 4 > PUBLIC HEARING AND THIRD READING APPROVAL [T1-404]**

Judge Etheredge called the public hearing open - no public input received - public hearing was closed. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Marlboro Country Replat of Lot 4" (Lots 4-A & 4-B) on third reading. All voting "Aye".

**14416 PLATTING VARIANCE GRANTED TO FRED BODE RE: 2.101 ACRES ON FITZHUGH RD [T1-426]**

Allen Walther, Environmental Health Director, recommended approval of this variance request. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Fred Bode for a 2.101 acre parcel of property located at 14909 Fitzhugh Road and being out of a 14.80 acre tract of land out of the John Barton Survey No. 80. All voting "Aye".

**DISCUSSION: ROAD DEPARTMENT EQUIPMENT REQUESTED FOR BID [T1-457]**

Road Director Ron Bischoff presented a list of equipment requested for bid from anticipation note funds:

| ITEM                | CONDITION | ESTIMATED AMOUNT |
|---------------------|-----------|------------------|
| Road Reclaimer      | New       | \$ 200,000.00    |
| 12-14 CY dump truck | New       | \$ 56,500.00     |
| 12-14 CY dump truck | New       | \$ 56,500.00     |
| Cab & Chassis       | Used      | \$ 19,000.00     |
| Cab & Chassis       | Used      | \$ 18,000.00     |
| Pad Drum Roller 66" | New       | \$ 45,000.00     |
|                     |           | =====            |
|                     |           | \$ 395,000.00    |

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County Auditor Bill Herzog stated that the request is over the amount that was budgeted for equipment - cuts will need to be made. Ron Bischoff spoke of reclaimer - passed out paperwork regarding bond improvement roads, roads for total reconstruction, roads for total seal coat, and roads for spot seal - total of 172.22 miles for total seal coat @ \$20,000.00 per mile (average figure) for materials/not labor - it will take five years to get through this list of roads. Commissioner Payne suggested holding a workshop to receive an update on bond roads and priority of other roads.

**14417 CONVERT A ROAD MAINTENANCE WORKER II GRADE 5 TO MECHANIC GRADE 8 [T1-642]**

Human Resources advised that the Commissioners' Court Minutes of June 19, 1995 Resolution # 14099 need to be corrected - intent was to convert a Grade 5 RMWII to a Mechanic Grade 8 (minutes show RMWIII Grade 7 to a Mechanic Grade 8). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to convert a Road Maintenance Worker II Grade 5 to a Mechanic Grade 8. All voting "Aye".

**14418 AUTHORIZE REFUND OF DEVELOPMENT PERMIT FEE (\$125.00) TO CARRIE & MARK BEATY [T1-663]**

Commissioner Payne spoke of request from Carrie & Mark Beaty for refund of development permit fee or transfer the fee to the Kennedy's who are purchasing the Beaty property. Allen Walther, Environmental Health Director, recommended refund of \$125 of the original \$145.00 permit fee - some of the money has already been sent into the State - it is no fault of the Beaty's that so much time has passed (over 2 years) since the permit was obtained - spoke of need to adopt a "No Refund" policy. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to authorize refund of \$ 125.00 of the Development Permit Fee to Carrie & Mark Beaty. All voting "Aye".

**REQUEST BY CAROLINE SCHINDLER FOR APPROVAL OF A SEPTIC TANK PERMIT [T1-734]**

Allen Walther, Environmental Health Director, spoke of Application for Site Development Permit pending since February 1995 - this property is unsuitable for a conventional septic system. Caroline Schindler appeared before the Court along with her Engineer Allen Thompson. Mrs. Schindler spoke of wanting to build a home for her son on two acres adjacent to her home - spoke of letter received from the Environmental Health Dept. and recommendation for her to hire an Engineer. Allen Thompson (Engineer who designed Mrs. Schindler's system) spoke of having followed the State standards and having responded to two letters from county staff - felt like the system he engineered meets the purpose intended and State standards - spoke of perk test and definitions of soil & rock. Allen Walther spoke of not using perk test solely for determination - spoke of fractured rock in this area and not having sufficient top soil - his recommendation is a pump system for shallow soil mantel - conventional system would be failing by allowing untreated water to get into the water table. Discussion was had regarding letter from TNRCC. Allen Thompson spoke of systems he has designed, State's regulations, and he felt like pump systems have more failures. Commissioner Barton spoke of concerns about conventional systems installed in rock layers and seeping of untreated water into our water table - spoke of problems in Hays County will thousands of new systems being installed - filtration through soil is needed. Mrs. Schindler spoke of the number of people that are living in her house using one septic system - two system would be better than one - stated that the County needs to provide drawings for standard, aerobic, etc. systems and not require an Engineer and then not accept that Engineer's recommendation. The Court agreed that more clear instructions are needed and they voiced their concerns about effluent seeping into the water table through fractured rock and the need for sufficient soil for treatment. No action taken.

**WORKSHOP DISCUSSION REGARDING SENATE BILL 10 (INTERGOVERNMENTAL INITIATIVE) [T1-1377]**

Julie Hornberger, Health Dept., spoke of deadline for submitting county's intention of forming an IGI (Intergovernmental Initiative) was Sept. 30, 1995 - this is a soft deadline - she has received a booklet on waivers - IGI would have liability and approximately a 5 year commitment - spoke of her concerns about hidden costs - the County is liable for 10% of indigent costs - larger counties are going to participate - we were awarded the Primary Health Care Grant (physician/preventative services) and Community Action also received a Primary Health Care Grant (serving the same clientele) - the



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State has advised that only one grant will be awarded in Hays County next year - suggested combining services as one - there has been a meeting to start putting issues on the table - big question is who will be administering the funds - feels like the county should administer the funds because it is ultimately responsible for those served. Judge Etheredge advised that this is the primary funding for the county physician and the clinic - the State needs to let us know who should receive the funding and let us work on that - the State appears to be leaning toward Community Action for their funding - State is directing local health departments to move more in the direction of community development rather than actual health care (hands on service) and they will use Community Action or non-profit organizations to provide hands on service - totally different from where they were a few years ago and diametrically opposed to where we have been taking our health services - we will have to go back and rethink our health dept. and funding programs - CCA and the county should not have a problem working this out if the State would say who will get the funding - we could wind up with no services in our county if we are the wrong agency for applying.

**DISCUSSION REGARDING SUBDIVISION DEVELOPMENT**

Commissioner Molenaar spoke of need for discussion regarding the division of land greater than five acres - spoke of Local Government Code Article 212.004 - key words are "and no public improvement is being dedicated" - to him public improvement means dedicated park/dedicated for public use - if its a private road/access/easement then not everyone is invited to use that road - family partition should not be penalized - they should be able to convey that property in the most economical way possible - the municipality/ETJ does not regulate this part of the law - has spoken with AG's office and they agree with him - spoke of Chapter 42 of LGC directing the County Clerk to not file a plat in an ETJ without municipality approval - Texas Property Code 41.0015 speaks to responsibility of municipality to provide the County Clerk with boundary changes/ETJ maps - he is willing to work with Dripping Springs regarding this issue - waiting for a written Attorney General's ruling. Commissioner Barton spoke of greater than five acres shall not be considered a subdivision for municipal purposes. District Attorney Marcos Hernandez spoke of questioned raised by Dripping Springs at the meeting - they want a clear interpretation of the statute - question is "access" - does it mean a county road or an easement - there is no definitive map (they have only a rough draft) - there are no updated maps available - it is there problem to wrestle with the interpretation - we do need to notify and communicate with them if property is in their ETJ - it creates a dilemma for the Clerk because of the statute - the Clerk can ask for an affidavit regarding the ETJ dilemma when filing a plat. Judge Etheredge spoke of City having to go through a civil action to undo a plat filing - we need to anticipate any problems that might come out and build in safeguards at the county level (review process) - Dripping Springs has problems with their ETJ if proper petitions were not filed. Commissioner Molenaar has a question about "access" - does this mean a recorded easement? - spoke of county services provided to property owners in ETJ's. Commissioner Barton spoke of requirement that city maps be filed with the County Clerk - need to notify cities that current maps be filed with the County Clerk. Marcos Hernandez spoke of conflict between statutes - the City would need to initiate legal action to prevent a developer from filing a plat approved by the Commissioners' Court which they feel should have come before them for approval - the burden is on the developer to notify the city of their development.

MINUTES APPROVED IN OPEN COURT ON THE 13TH DAY OF NOVEMBER, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 9TH DAY OF OCTOBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14419 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 398,892.96 as presented by the County Auditor. All voting "Aye".

|                     |                 |                     |              |                     |              |
|---------------------|-----------------|---------------------|--------------|---------------------|--------------|
| License/Permits     | \$ 156.95       | Fines               | \$ 425.00    | Auditors Ofc        | \$ 1,657.23  |
| Treasurers Ofc      | \$ 1,649.25     | Extension Ofc       | \$ 997.67    | Grants Admin        | \$ 759.90    |
| Juv Probation       | \$ 2,268.91     | Election Admin      | \$ 5,148.84  | Indigent Care       | \$ 3,298.54  |
| Transfer Station    | \$ 180.85       | Bldg. Maint.        | \$ 3,786.87  | Environ Health      | \$ 680.28    |
| Personal Health     | \$ 738.57       | Civic Center        | \$ 3,309.65  | Countywide Oper     | \$ 82,279.31 |
| Tax A/C             | \$ 3,104.11     | District Clerk      | \$ 235.78    | County Clerk        | \$ 827.19    |
| Sheriffs Ofc        | \$ 5,174.68     | Jail Operations     | \$ 14,421.40 | County Judge        | \$ 610.84    |
| Human Resources     | \$ 325.07       | Co Cr @ Law 1       | \$ 182.46    | District Attorney   | \$ 294.94    |
| J.P. 1-1            | \$ 40.09        | J.P. 1-2            | \$ 280.32    | J.P. 2              | \$ 162.57    |
| J.P. 4              | \$ 125.70       | J.P. 5              | \$ 241.80    | DPS                 | \$ 1,425.84  |
| Constable 1         | \$ 764.74       | Constable 2         | \$ 150.65    | Constable 5         | \$ 75.96     |
| Dist Cr Oper        | \$ 1,890.40     | Co & JP Cr Oper     | \$ 15.80     | Veterans Admin      | \$ 565.40    |
| Computer Svcs       | \$ 36,342.21    | Co Cr @ Law 2       | \$ 41.46     | Fire Marshal/EMC    | \$ 167.22    |
| TABC                | \$ 188.43       | Dist Cr Reporters   | \$ 52.95     | Legal Aid Ofc       | \$ 1,189.24  |
| DA DARE Grant       | \$ 48.70        | D.S. Triangle Grant | \$ 1,000.00  | Used Oil Sign Grant | \$ 875.00    |
| R&B Operations      | \$ 36,814.53    | Precinct 2          | \$ 929.02    | Precinct 3          | \$ 10.00     |
| *R&B Gen Credit*    | * \$ 7,486.16 * | Road Bond Constr    | \$ 11,633.00 | Anticip Notes '95   | \$ 85,188.34 |
| Rec Mng/Co Clk      | \$ 1,149.77     | Health Svcs Grant   | \$ 1,849.60  | Hot Check Fee       | \$ 264.40    |
| Law Library         | \$ 127.50       | Juv Det Facility    | \$ 4,093.86  | Road Construction   | \$ 75,851.14 |
| Courthouse Security | \$ 155.00       | Adult Prob Oper     | \$ 4,475.75  | Adult Prob Fac      | \$ 232.70    |
| D.A. Reimb Trust    | \$ 5,445.75     |                     |              |                     |              |

**14420 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR PORTABLE CLASSROOMS FOR JUVENILE DETENTION CENTER**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to approve specifications and furthermore authorize the County Auditor to advertise for bids for portable classrooms for the Juvenile Detention Center. All voting "Aye".

**14421 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A FENCE FOR THE JUVENILE DETENTION CENTER**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to approve specifications and furthermore authorize the County Auditor to advertise for bids for fence for the Juvenile Detention Center. All voting "Aye".

**14422 AUTHORIZE THE SHERIFF'S DEPT. TO INCLUDE A 1987 FORD LTD FROM CONSTABLE PCT. 2 IN THE SHERIFF'S SALE AND FURTHERMORE, AUTHORIZE THE COUNTY JUDGE TO PURCHASE A VEHICLE FROM DPS FOR CONSTABLE 2**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the Sheriff's Dept. to include a 1987 Ford LTD from Constable Pct. 2 in the Sheriff's sale and furthermore, authorize the County Judge to purchase a vehicle from DPS for Constable 2. All voting "Aye".

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**14423 RIVER MOUNTAIN RANCH SECTION 2 > SECOND READING APPROVAL [T1-54]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "River Mountain Ranch Section 2" subdivision on second reading. All voting "Aye".

**14424 RIVER OAKS RANCH SECTION 1 REPLAT LOTS 43-A & 44-A > SECOND READING APPROVAL [T1-68]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "River Oaks Ranch Section 1 Replat Lots 43-A & 44-A" subdivision on second reading. All voting "Aye".

**14425 RUBY RANCH SECTION 2 > THIRD READING APPROVAL [T1-88]**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Ruby Ranch Section 2" subdivision on third reading. All voting "Aye".

**14426 SUNSET CANYON SECTION I-C REPLAT OF LOTS 17 & 18 > FIRST READING AND CALL FOR A PUBLIC HEARING ON 10/23/95 [T1-108]**

Property owners are proposing a replat of Lots 17 & 18 in Sunset Canyon Section I-C subdivision - they will swap approx. 10,312.5 sq. ft on Lot 17 for the same amount of sq. ft. on Lot 18 - this change will give the owner of Lot 18 more highway frontage as it squares up Lot 17 making for an easier development. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Sunset Canyon Section I-C Replat of Lots 17 & 18" on first reading a call for a public hearing to be held Oct. 23, 1995 at 9:00 A.M. All voting "Aye".

**DISCUSSION REGARDING "OAK MEADOWS SECTION 2" [T1-133]**

David Williamson, Byrn & Assoc. presented this subdivision - spoke of Lot 35F in Section 1 located on a cul-de-sac - Oak Meadows Drive is a county maintained road - proposed Section 2 (Lots 1-19) actually touches the road in Rocky Ranch Acres III (private maintained road). Discussed need of public hearing - Court not agreeable to subdivision accessing through a private road.

**14427 MEADOW CREEK RANCH PHASE ONE REPLAT OF LOTS 12 & 13 > FIRST READING AND CALL FOR A PUBLIC HEARING ON 10/23/95 [T1-229]**

Proposal is to combine Lots 12 & 13 of Meadow Creek Ranch Phase One and make one lot (Lot 12A). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Meadow Creek Ranch Phase One Replat of Lots 12 & 13" on first reading and call for a public hearing to be held Oct. 23, 1995. All voting "Aye".

**14428 WYLEY HUGHES SURVEY (TRACTS B-1, B-2, & B-3) > FIRST READING APPROVAL [T1-245]**

A variance was granted on Tract A of this property owned by Steven Townsend - proposes a three lot division out of Tract B. Commissioner Payne spoke of this property being located at the end of a privately maintained road - suggested joining with adjacent property owners in a road maintenance agreement. Steven Townsend spoke of joining in Blanco River Rapids Property Owners Assoc. for road maintenance - this road recently had improvements made - will make it a requirement to join a property owners association. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Wyley Hughes Survey Tracts B-1, B-2 & B-3" on first reading. All voting "Aye".

**14429 DOUGLAS ESTATES REPLAT OF LOT D-37 > FIRST READING APPROVAL AND CALL FOR PUBLIC HEARING ON 10/23/95 [T1-317]**

Property owner proposes to create two lots (Lot 37-A & 37-B) out of one lot (Lot D-37) - staff recommends approval on first reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Douglas Estates Replat of Lot D-37" on first reading and call for a public hearing on Oct. 23, 1995 at 9:00 A.M. All voting "Aye".

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**14430 PLATTING VARIANCE GRANTED TO NOLA & DAVID FOWLER FOR A 42.098 ACRE TRACT ON CR184 (SILVER CREEK) [T1-335]**

This variance request was discussed on October 2, 1995 - staff recommended approval of platting variance. a motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Nola & David Fowler for a 42.098 acre tract out of the Charles Wilcox Survey No. 36 located on Silver Creek (CR184). All voting "Aye".

**14431 PLATTING VARIANCE GRANTED TO GRADY & JANICE MOORE FOR TWO 5.001 ACRE TRACTS ON FARRELL LANE [T1-356]**

This tract is located in the Dripping Springs ETJ - Judge Etheredge voiced his concerns about the ETJ issue. District Attorney Marcos Hernandez spoke of having requested an A.G.'s opinion. A motion as made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to Grady & Janice Moore for two 5.001 acre tracts out of the B. F. Hanna Survey and located on Farrell Lane. Commissioner Rodriguez abstained. Commissioner Barton, Judge Etheredge, Commissioner Payne, and Commissioner Molenaar voting "Aye".

**14432 FIELDSTONE REPLAT OF LOT 18 > FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING ON 10/23/95 [T1-365]**

Property owner Andrew J. Saldana proposes to divide Lot 18 into two lots (Lot 18A & 18B). Environmental Health Director Allen Walther spoke of concerns regarding floodplain. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Fieldstone Replat of Lot 18" on first reading and call for a public hearing on October 23, 1995 at 9:00 A.M. All voting "Aye".

**14433 VACATE PLAT OF HERITAGE COUNTRY PHASE I RECORD IN VOLUME 3 PAGES 204-206 [T1-383]**

Summary: Heritage Country Phase One subdivision was originally filed in 1984 as a 94 lot subdivision (59.29 acres) in Volume 3 Pages 204-206 of the Hays County Plat Records. In 1992 this subdivision and adjoining property was sold to Carroll Walker (Volume 929 Pg. 402 Official Public Records). Carroll Walker appeared before the Commissioners court on November 7, 1994 requesting vacation of the recorded plat so that he could refile a new subdivision plat containing additional acreage and creating only 53 lots - the new plat has subsequently been approved and filed without vacating the original plat. a motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve Vacating the Plat of Heritage Country Phase I recorded in Volume 3 Pages 204-206 of the Hays County Plat Records. All voting "Aye".

**14434 ACTION REGARDING OFFERS FOR DELINQUENT TAX PROPERTIES [T1-433]**

Tax Assessor-Collector Luanne Caraway appeared before the Court - a bid offer was made for Lot 37 of Timmeron Section 1 in the amount of \$1,543,00 - this would pay in full the taxes and court costs due - also received were two bid offers of \$500.00 each for two lots in Woodcreek Section 9A (lots 46 & 47) - this amount does not pay the taxes in full. Commissioner Payne spoke of Woodcreek Lots being located in the floodway which would mean they have no value to anyone except maybe the adjoining property owner. A motion was made by Judge Etheredge, seconded by Commissioner Payne to accept the bid offer of \$1,543,00 for Lot 37 of Timmeron Section 1. All voting "Aye". A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to reject the bid offer of \$500.00 each for Lots 46 & 47 of Woodcreek Section 9A. All voting "Aye".

**14435 ACTION TO JOIN THE CITY OF SAN MARCOS, NEW BRAUNFELS UTILITIES, AND GBRA IN A JOINT PETITION IN INTERVENTION SEEKING DECLARATORY RELIEF IN THE CASE OF EDWARDS UNDERGROUND WATER DISTRICT V. DANIEL ALLEN, ETAL [T1-481]**

Judge Etheredge spoke of Edwards Underground Water District - the legislature created the Edwards Aquifer Authority to take the place of the Edwards Underground Water District from Medina County up to Kyle - spoke of study regarding need for recharge dams - the Allen property and others are possible sites for recharge dams - access to property was denied by property owners

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and suit has been filed to authorize them access over objection of property owners - City of San Marcos, New Braunfels Utilities and GBRA have filed a suit against EUWD in defense of the property owners because it is their opinion that the EUWD should not continue to exist because the Legislature created the Edwards Aquifer Authority to take its place - we should sign on to this position to protect the property owners and help clarify the Legislatures intent when they created the authority. A motion was made by Judge Etheredge, seconded by Commissioner Barton to join the City of San Marcos, New Braunfels Utilities, and GBRA in a joint petition in Intervention Seeking Declaratory Relief in the case of Edwards Underground Water District vs. Daniel Allen, etal. District Attorney Marcos Hernandez spoke of old aquifer district not having any authority - legislature created a new aquifer authority to give it power to control the discharge area. Commissioner Barton spoke of standing up for the property owners and at the same time stand up for the authority. Judge Etheredge spoke of District and Authority both being in existence at the same time and problems this creates - concerned about our ground water being forgotten. Commissioner Payne asked if it is necessary for us to get involved in the suit. Judge Etheredge feels like we need to show an interest and be responsible in trying to establish a county direction for the future of the edwards aquifer - 35% of our land area is in the southern edwards area and 25% in the northern edwards area. Commissioner Payne spoke of supporting the land owners. Commissioner Molenaar spoke of need to decide if we are going to support the Edwards Underground Water District or the Edwards Aquifer Authority - we should support the property owners, however, there may come a time when we may not be in a position to do that. A motion was made by Judge Etheredge, seconded by Commissioner Barton to join with the City of San Marcos, New Braunfels Utilities, and GBRA in a joint petition in intervention seeking declaratory relief in the case of Edwards Underground Water District vs. Daniel Allen, etal. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No".

**14436 APPROVE AGREEMENT BETWEEN HAYS COUNTY AND THE WIMBERLEY WATER SUPPLY CORP. ON WATER LINE IMPROVEMENTS ON CYPRESS CREEK ACRES [11-702]**

Background: Hays County was approved for a \$250,000 grant from the Texas Dept. of Housing and Community Affairs to re-build most of the old Dan Roberts Water System on Cypress Creek Acres. The engineer and project manager have been selected by the County through the professional services procurement process and the engineer is working on the plans. Purpose of Agreement: After the new system is built, Hays County will transfer it to Wimberley Water Supply Corporation to provide service thereafter. This agreement approves that arrangement and has been reviewed by WWSC. They have no problem with it. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve Agreement between the County of Hays and the Wimberley Water Supply Corporation regarding water line improvements on Cypress Creek Acres - subject to approval from the State. All voting "Aye".

**AGREEMENT**

This agreement is made on the 9th day of October, 1995 between the County of Hays and the Wimberley Water Supply Corporation.

1. This agreement was authorized by the County at a properly scheduled meeting of the Commissioners' Court on October 9, 1995.
2. This agreement was placed on the agenda for approval by the Board of Directors of the Wimberley Water Supply Corporation on the next properly scheduled meeting on October 19, 1995.
3. The subject matter of this agreement is the Texas Department of Community Affairs - Community Development Grant to Hays County for \$250,000 to make water line improvements on Cypress Creek Acres.
4. Hays County, through a procurement process, has selected Judy Knox of Langford & Associates, Inc. as the project manager and Dan Hejl of Hejl & Associates, Inc. as the project engineer.
5. Hays County, through the bid process, will select a contractor to install 7,760 lf of 6" waterlines, 8-6" gate valves, 160 lf of road bore, 1 ton of fittings, 23 service connections, temporary and permanent erosion control, traffic control, project signs, capital recovery and membership fees for the water supply. Wimberley Water Supply Corporation will be informed of that selection.
6. At completion of the construction and acceptance by the Wimberley Water Supply Corporation, the Hays County Commissioners' Court will transfer ownership of this new system to the Wimberley Water Supply Corporation to provide service thereafter.
7. Hays County shall keep the Wimberley Water Supply Corporation informed in each step of the construction and upon completion of improvements, Hays County will provide a set of "as built" plans to the Wimberley Water Supply Corporation detailing the completed project.
8. This is the entire agreement of the parties signed below.

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**14437 ACTION REGARDING FUNDING FOR THE NORTH HAYS COUNTY EMERGENCY SERVICES [T1-738]**

The North Hays County EMS District #1 Board unanimously voted to NOT become the distributing agency for Hays County funds allocated to the North Hays County EMS and the Wimberley EMS. Commissioner Molenaar advised that these two EMS organizations have agreed to accept a 50/50 split of funds allocated. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to split allocated funds equally (50/50) between the North Hays County EMS and the Wimberley EMS. All voting "Aye".

**14438 INITIATE ACTION IN SUPPORT OF TRAVIS COUNTY IN THE LAWSUIT STYLED ELGIN BANK OF TEXAS V. TRAVIS COUNTY; AND CONFIRM HAYS COUNTY'S SUPPORT OF A BROAD AND INCLUSIVE INTERPRETATION OF SECTION 232.001 OF THE TEXAS LOCAL GOVERNMENT CODE, I.E. "COUNTY REGULATION OF SUBDIVISIONS: PLAT REQUIRED". [T1-874]**

**SUMMARY:** A failing of the Texas Local Govt. Code as it relates to county subdivision authority is the ambiguity surrounding section 232.001, the famous "and/or question". That section can be interpreted two ways:

1. That subdivision tracts are only subject to county authority when the land is divided and when streets and other public improvements are laid out; or
2. That all land is subject when it is divided into two or more parts, or whenever streets or public improvements are laid out. In other words, virtually any subdivision is subject to at least cursory county review.

Hays County has adopted the second interpretation; so has Travis County. That view of the law was challenged by the Elgin Bank in the court case referred to above. Initially, Travis County was successful in District Court, however, Elgin Bank won on appeal in August 1995.

Travis County is seeking a re-hearing and/or considering appealing to the Texas Supreme Court. If the case is resolved in favor of Elgin Bank it will seriously undermine the ability of counties to manage development in the public interest, and in the opinion of Commissioner Barton, will harm the public welfare in rapidly growing areas, such as Hays County.

Commissioner Barton has spoken to Jim Allison of the Commissioners and Judges Assoc., who says he is preparing a brief that TAC may endorse in support of Travis County. A number of other counties are planning to support Travis as well. In fact, a state-wide strategy session is tentatively scheduled for San Marcos October 15. Commissioner Barton hopes the Court will go on record in support of the broader interpretation and authorize preparation of a legal brief in support of that view.

District Attorney Marcos Hernandez spoke of counties involved being Blanco, Comal, Harris, Denton, and one other county are committed to this issue - important to read the court of appeals decision that reversed the lower courts ruling - is not the position of Hays County Commissioners' Court - need to let the Supreme Court know that this decision will affect everyone and is an important issue - the cost will be bore by Travis County - ours will be a piggyback brief - cost to Hays County will be minimal. Commissioner Molenaar stated that he would like the particulars of the original lawsuit. Marcos Hernandez spoke of confusion with the word "and" - in most instants of law this word means "or". Commissioner Barton spoke of Travis county arguing that "and" means "and/or" - we should have the right to review plats with or without new roads - would like to go on record in support of Travis County's position and authorize the District Attorney to prepare a court brief and authorize our subdivision counsel to spend NTE \$ 1,500.00 to work with D.A.'s office out of contingencies. Commissioner Payne suggested that funding come out of subdivision funds. Commissioner Barton spoke of need for funds remaining for subdivision issues. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to go on record in support of Travis County's interpretation of Section 232.001 of the Texas Local Government Code and authorize the District Attorney and Subdivision Counsel to prepare a brief in support. All voting "Aye". A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to authorize funding not to exceed \$750.00 out of funds allocated for subdivisions. Commissioner Barton spoke of need for expert advise related to subdivisions (Attorney & Engineer) - we have broken new ground on the way we look at subdivision rules and \$20,000 is not too much to spend - we may need to add additional money into current subdivision funding. Commissioner Payne and Commissioner Molenaar voting "Aye". Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "No". MOTION FAILED. A motion was made by Commissioner Payne, seconded by Commissioner Barton to fund \$750.00 out of contingencies. Judge Etheredge, Commissioner Barton, and Commissioner Rodriguez voting "Aye". MOTION PASSED.

MINUTES APPROVED IN OPEN COURT ON THE 13<sup>TH</sup> DAY OF NOVEMBER, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 16TH DAY OF OCTOBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14439 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve payment of invoices as presented by the County Auditor in the amount of \$155,427.11. All voting "Aye".

|                   |             |                   |              |                  |              |
|-------------------|-------------|-------------------|--------------|------------------|--------------|
| State Shared Rev  | \$ 216.88   | Fines             | \$ 48.00     | Auditors Office  | \$ 326.72    |
| Treasurers Ofc    | \$ 181.95   | Extension Office  | \$ 240.52    | Grants Admin     | \$ 71.61     |
| Juv Probation     | \$ 22.76    | Election Admin    | \$ 357.50    | Comm & Soc Svcs  | \$ 15,000.00 |
| Transfer Station  | \$ 4,336.00 | Bldg. Mtc. Dept.  | \$ 2,254.26  | Environ Health   | \$ 8,130.71  |
| Civic Center      | \$ 5,931.16 | Countywide Oper   | \$ 6,653.86  | Tax A/C          | \$ 354.51    |
| District Clerk    | \$ 451.78   | County Clerk      | \$ 1,384.40  | Sheriffs Ofc     | \$ 1,939.96  |
| Jail Operations   | \$ 9,121.31 | County Judge      | \$ 922.57    | Human Resources  | \$ 518.47    |
| District Attorney | \$ 965.97   | J.P. 1-2          | \$ 308.29    | J.P. 2           | \$ 65.28     |
| J.P. 3            | \$ 40.00    | J.P. 5            | \$ 313.44    | DPS              | \$ 158.21    |
| Constable 1       | \$ 159.67   | Constable 3       | \$ 192.65    | Constable 4      | \$ 111.93    |
| Constable 5       | \$ 464.53   | Dist Crt Oper     | \$ 1,553.02  | Co & JP Crt Oper | \$ 7,077.52  |
| Computer Svcs     | \$ 5,056.16 | Juv Svcs Grant    | \$ 520.00    | Fire Marshal/EMC | \$ 33.14     |
| TABC              | \$ 18.71    | Dist Crt Reprtr   | \$ 129.80    | TJPC CCAP Grant  | \$ 5,210.85  |
| Legal Aid Office  | \$ 425.00   | TJPC Emerg Div    | \$ 2,582.49  | R&B Operating    | \$ 20,305.83 |
| Precinct 2        | \$ 291.94   | Precinct 4        | \$ 232.39    | Anticip Notes    | \$ 10,747.72 |
| Co Clk/Rec Mng    | \$ 202.40   | Health Svcs Grant | \$ 352.24    | Law Library      | \$ 161.65    |
| Road Construction | \$ 2,283.88 | Courthouse Renov  | \$ 26,851.61 | Adult Prob Oper  | \$ 7,866.53  |
| Adult Prob Fac    | \$ 866.21   | New Canaan Grant  | \$ 1,323.07  |                  |              |

**14440 APPROVE BUDGET AMENDMENT NO. 95-048 - MERIT & GRADE/STEP ADJUSTMENTS**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve Budget Amendment No. 95-048 (Amend FY95 budget for Merit and Grade/Step adjustments from countywide salaries lines where budgeted to departments). All voting "Aye". (See budget amendment in file).

**14441 APPROVE USE OF COURTHOUSE LAWN ON OCTOBER 20TH FOR THE SAN MARCOS HIGH SCHOOL PEP RALLY**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve use of the Courthouse lawn on October 20, 1995 for the San Marcos High School Pep Rally. All voting "Aye".

**14442 AWARD ANNUAL CONTRACT ON PRESCRIPTION AND OVER-THE-COUNTER DRUGS FOR THE JAIL**

Purchasing Agent Cindy Casparis presented a bid tabulation for Prescription and OTC drugs for the Jail - bids were submitted by The Pharmacy and Thorpe Lane Pharmacy:

| VENDOR       | OTC Discount | Dispensing Fee | RX Discount | Dispensing Fee | Generic Discount | Dispensing Fee | Blister Pkg. Fee |
|--------------|--------------|----------------|-------------|----------------|------------------|----------------|------------------|
| The Pharmacy | 40%          | -0-            | 15%         | -0-            | 30%              | -0-            | -0-              |
| Thorpe Lane  | 30%          | -0-            | 15%         | 2.75           | 30%              | 2.00           | -0-              |

A motion was made by Commissioner Payne, seconded by Commissioner Barton to award annual contract on prescription and over-the-counter drugs for the Jail to The Pharmacy. All voting "Aye".

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**14443 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS DEPT. OF HOUSING AND COMMUNITY AFFAIRS FOR THE WIMBERLEY WATER SYSTEM AND EXECUTE A CONTRACT FOR \$250,000**

Matching funds of \$12,500.00 will be provided by the Property Owners. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the County Judge to accept grant award from the Texas Department of Housing and Community Affairs for the Wimberley Water System and execute a contract for \$250,000.00. All voting "Aye".

**14444 AWARD ANNUAL CONTRACT FOR OFFICE SUPPLIES**

Purchasing Agent Cindy Casparis presented bid tabulation on the annual office supply contract:

| <u>VENDOR</u>             | <u>PERCENTAGE DISCOUNT</u>                             |
|---------------------------|--------------------------------------------------------|
| Convenience Ofc Sply      | 46.5%                                                  |
| Advanced Business Systems | 46.4%                                                  |
| Corporate Express         | 45.0%                                                  |
| BT Office Products        | 50.0% off BT's catalog                                 |
|                           | 15.0% off other catalogs (no discount on OEM Supplies) |

A motion was made by Commissioner Payne, seconded by Commissioner Barton to award annual contract for office supplies to Convenience Office Supply as recommended by Purchasing Agent. All voting "Aye".

**14445 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR A ROAD MIXER/RECLAIMER, PADDED DRUM COMPACTOR, SINGLE AXLE DIESEL POWERED TRUCK/CAB/CHASSIS, AND TWO DUMP TRUCKS**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve bid specifications and authorize the County Auditor to advertise for bids for a Road Mixer/Reclaimer, Padded Drum Compactor, Single Axle Diesel Powered Truck(Cab) & Chassis, and two Dump Trucks. All voting "Aye".

**14446 APPROVE UTILITY PERMIT NO. 95-304 TO WOODCREEK UTILITIES INC.**

Woodcreek Utilities Inc. proposes to install a sewer line beginning at RM2325 & CR220 (Jacobs Well Rd) . A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve Utility Permit No. 95-304 to Woodcreek Utilities Inc. All voting "Aye".

**14447 APPROVE UTILITY PERMIT NO. 95-305 TO GTE (CR173/FLITE ACRES ROAD)**

GTE proposes to install a buried cable from CR173 @ 174. Commissioner Payne stated that he does not believe this is on a county maintained roadway. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve Utility Permit No. 95-305 to GTE. All voting "Aye".

**14448 AUTHORIZE UTILITY CUT ON CR 266 TO ALLOW HOMEOWNER ACCESS TO WATER SYSTEM**

Bruce Collins has requested a utility cut across CR266 to his 10 acre tract to access Crystal Clear Water Supply - Commissioner Rodriguez will coordinate details with the road department. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize utility cut on CR266 to allow homeowner Bruce Collins access to the Crystal Clear Water System. All voting "Aye".

**14449 APPROVE TRANSFER OF FUNDS FROM DATA PROCESSING LINE ITEM 456-5428 TO 456-5712**

\$3,532.00 will be used to purchase four (4) 8 channel multiplexors to allow Justices of the Peace to connect more than one terminal to the new justice system - will also allow the county to connect the law enforcement center's new substation to the system. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve transfer of funds from Data Processing Line Item #456-5428 to #456-5712. All voting "Aye".



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**14450 ACCEPT GRANT FOR PURCHASE OF JUVENILE JUSTICE ALTERNATIVE IN THE AMOUNT OF \$10,417.00**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to accept Grant from the Office of the Governor - Criminal Justice Division for Purchase of Juvenile Justice Alternatives in the amount of \$10,417.00. All voting "Aye".

**PLATTING VARIANCE REQUEST FROM DOUG DEVIDAL RE: 2 TRACTS OFF SUNSET CANYON DRIVE AND PARK COVE [T1-110]**

Douglas DeVidal appeared requesting a platting variance on two tracts (Tract A = 30 ac & Tract B = 38.48 ac) located just west of Meadow Creek Ranch subdivision - access is by an easement - advised that he bought this property last year and was not aware of the subdivision procedures required - a flood study was done on the property . property is divided into two tracts due to financial reasons (one tract has already been paid off) - A letter from the City of Dripping Springs City Engineer indicates that this property is exempt from their ordinance . Allen Walther, Environmental Health Director, spoke of his concerns about other parcels sold and being sold out of the original tract owned by Mr. Lowe without going through the subdivision process. Commissioner Molenaar spoke of Mr. Lowe's intentions to bring roads up to county standards. Commissioner Payne suggested that Mr. deVidal be allowed a septic permit subject to his property being a part of the Lowe Subdivision. A discussion was had regarding road maintenance - Mr. Brady Lowe is responsible for road maintenance at this time - Court advised that they prefer that a subdivision be filed so that road maintenance is taken care of in a proper manner. Mr. deVidal stated that he prefers not to be a part of a Homeowners Association or subject to restrictive covenants. Commissioner Molenaar stated that tracts already sold would not be bound to any future restrictions. No action taken this date.

**14451 RIVER OAKS RANCH PHASE I REPLAT LOTS 43-A & 44-A > PUBLIC HEARING AND THIRD READING APPROVAL [T1-533]**

Judge Etheredge called the public hearing open. Darlene Boltinghouse spoke in support of resubdivision - common lot line between Lots 43 & 44 is being realigned to correct encroachment of a mobile home on one of the lots. Public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Oaks Ranch Phase I Replat Lots 43-A & 44-A" on third reading. All voting "Aye".

**14452 ADOPT RESOLUTION IN SUPPORT OF PROPOSITION #5 [T1-708]**

A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to adopt resolution in support of Proposition #5. All voting "Aye".

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>RESOLUTION</b></p> <p><b>A RESOLUTION URGING VOTERS TO SUPPORT PROPOSITION 5 ON THE NOVEMBER 7, 1995 CONSTITUTIONAL AMENDMENT ELECTION BALLOT</b></p> <p><b>WHEREAS</b>, the Commissioners Court of Hays County, Texas desires to continue a significant and important commitment to Texas Veterans; and</p> <p><b>WHEREAS</b>, the Texas Veterans Land Board has fulfilled that commitment to Texas veterans since 1949 by providing low interest loans to eligible veterans for housing, land, and home improvements; and</p> <p><b>WHEREAS</b>, the program operates at no cost to taxpayers, and uses no tax money; and</p> <p><b>WHEREAS</b>, the program continues a Texas tradition originating from the war for Texas independence in 1836; and</p> <p><b>WHEREAS</b>, this successful program has benefited more than 140,000 Texas veterans since its inception; and</p> <p><b>WHEREAS</b>, the popularity of this program has resulted in the demand for low interest home loans soon to exceed the current authority of the Veterans Land Board to meet that demand; and</p> <p><b>WHEREAS</b>, dollars spent on each home loan approved help spur local economic development and help build the community;</p> <p><b>NOW THEREFORE BE IT RESOLVED</b> by the Commissioners' Court of Hays County, Texas that the Court urges voters to vote "yes" on Proposition 5, so that this worthy program may continue to build communities, spur local economic development, and repay veterans for their honorable service.</p> |
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**DISCUSSION REGARDING DISPOSAL OF HAZARDOUS WASTE [T1-734]**

Judge Etheredge spoke of request from Ron Knott, Maintenance Supervisor, regarding need to disposal of chemical containers (lead base paints, etc.) considered hazardous waste - need to contract out disposal services. Commissioner Payne suggested that Jerry Pinnix, Transfer Station Manager, be involved in this matter since he is very familiar with this type of issue.

**14453 APPROVE CONVERTING A GRADE 10 ENGINEERING TECHNICIAN TO A GRADE 7 ROAD MAINTENANCE WORKER [T1-781]**

The Grade 10 Engineering Technician position is currently vacant in the Road Dept - a Grade 7 Road Maintenance Worker IV position is needed to operate the new equipment (reclaimer). A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve converting a Grade 10 Engineering Technician to a Grade 7 Road Maintenance Worker in the Road Department. All voting "Aye".

**DISCUSSION REGARDING STATUS OF THE ROAD RECONSTRUCTION BOND PROJECT [T1-821]**

John Doucet & Rick Miller appeared before the court - a revised schedule was submitted - Purgatory Road (CR215) construction will begin within 4-6 weeks. John Doucet spoke of actual expenditures through September 1995 (\$1.3 million). A discussion was had regarding liability of trees located in the county right-of-way - the Engineers want the Court to make decisions regarding these trees. Commissioner Molenaar stated that he feels the r-o-w needs to be clear to reduce the county's liability. Other members of the Court felt like the Court should consider on a case by case basis. Discussion was had regarding the Paradise Valley and Hilliard Road projects. Commissioner Barton spoke of plotting out jobs with timetables to address possible traffic situations.

**EXECUTIVE SESSION - ACQUISITION OF REAL ESTATE**


The Court convened into closed executive session to discuss acquisition of real estate. Upon completion of the closed session, the court reconvened into open meeting.

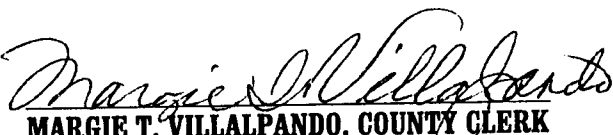
**WORKSHOP DISCUSSION REGARDING ROAD DEPARTMENT [T1-1388]**

Road Director Ron Bischoff spoke of county road miles - they are trying to evaluate all county roads - submitted a list of Roads for Total Reconstruction, Roads for Total Seal, and Roads for Spot Seal - roads in each list are not listed in priority order - they are in the process of obtaining traffic counts - data has been obtained from Doucet's matrix, input from Road Foremen, and Court commitments - Estimated costs: Total Reconstruction = \$ 33,000 per mile f/materials only Total Seal = \$ 14,000 per mile f/materials only Spot Seal = \$ 8,000 per mile f/materials only. Ron requested that the Commissioners' prioritize roads in their precincts. A discussion was had regarding gravel roads maintenance.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 13<sup>TH</sup> DAY OF NOVEMBER, 1995.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 23RD DAY OF OCTOBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Etheredge advised that the Juvenile Board met this morning and certified the new juvenile center and will start taking in juvenile tomorrow morning.

14454 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$256,445.95 as presented by the County Auditor. All voting "Aye".

|                    |              |                   |              |                     |               |
|--------------------|--------------|-------------------|--------------|---------------------|---------------|
| License&Permits    | \$ 270.10    | Fines             | \$ 90.00     | Auditors Ofc        | \$ 291.48     |
| Treasurers Ofc     | \$ 392.06    | Extension Office  | \$ 199.00    | Grants Admin        | \$ 530.50     |
| Juv Probation      | \$ 1,186.55  | Election Admin    | \$ 511.72    | Comm & Soc Svcs     | \$ 12,000.00  |
| Indigent Care      | \$ 1,449.93  | Transfer Station  | \$ 112.78    | Bldg. Maint.        | \$ 4,109.37   |
| Environ Health     | \$ 165.96    | Personal Health   | \$ 794.97    | Civic Center        | \$ 1,158.14   |
| Countywide Oper    | \$ 4,015.57  | Tax A/C           | \$ 1,505.77  | District Clerk      | \$ 385.96     |
| County Clerk       | \$ 196.72    | Sheriffs Ofc      | \$ 3,803.30  | Jail Operations     | \$ 20,743.66  |
| County Judge       | \$ 42.00     | Human Resources   | \$ 493.80    | District Attys Ofc  | \$ 515.79     |
| J.P. 1-1           | \$ 62.81     | J.P. 1-2          | \$ 30.00     | J.P. 2              | \$ 6.00       |
| J.P. 4             | \$ 32.00     | J.P. 5            | \$ 72.19     | D.P.S. Substation   | \$ 302.18     |
| Constable 1        | \$ 119.77    | Constable 5       | \$ 49.99     | District Court Oper | \$ 2,154.33   |
| Co & JP Crt Oper   | \$ 34.73     | Computer Svcs     | \$ 24,214.87 | Dist Crt Reportr    | \$ 270.00     |
| TJPC CCAP Grant    | \$ 4,390.40  | Legal Aid Ofc     | \$ 317.80    | DA DARE Grant       | \$ 91.16      |
| *Gen Fund Credit * | * \$ 29.85 * | R&B Operating     | \$ 26,075.25 | Precinct 2          | \$ 522.00     |
| Precinct 3         | \$ 262.86    | Precinct 4        | \$ 96.70     | Anticipation Notes  | \$ 102,098.72 |
| Health Svcs Grants | \$ 6,580.70  | Juv Detention Fac | \$ 1,102.69  | Road Constructin    | \$ 23,604.19  |
| Foster Care Fund   | \$ 8,035.95  | Adult Prob Oper   | \$ 983.38    |                     |               |

14455 APPROVE BUDGET AMENDMENT NO. 96-001

The following budget amendments were proposed:

Computer Services - Transfer \$3,532 as approved for JP3 & JP4 multiplexors from maintenance line item.

Election Administration - Transfer for replacement of elections modem from maintenance.

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Budget Amendment No. 96-001 as proposed by the County Auditor. All voting "Aye".

|                                                            |                                      |                                  |         |                                |                                                     |
|------------------------------------------------------------|--------------------------------------|----------------------------------|---------|--------------------------------|-----------------------------------------------------|
|                                                            |                                      |                                  |         |                                | AMENDMENT<br>NO. 96-001<br>FY 96 BUDGET<br>10/23/95 |
|                                                            |                                      |                                  |         |                                | FUND NO. 01                                         |
|                                                            |                                      |                                  |         |                                | FUND TITLE GENERAL                                  |
|                                                            | APPROPRIATION<br>BEFORE<br>AMENDMENT | AMENDMENT<br>INCREASES DECREASES |         | APPROPRIATION<br>AS<br>AMENDED |                                                     |
| <b>LINE ITEM - EXPENDITURES</b>                            |                                      |                                  |         |                                |                                                     |
| <b>COMPUTER SERVICES (456):</b>                            |                                      |                                  |         |                                |                                                     |
| 01-456-5712 DATA PROC EQUIP.                               | 25,000                               | 3,532                            |         | 28,532                         |                                                     |
| 01-456-5428 HARDWARE MAINT                                 | 25,000                               |                                  | (3,532) | 21,468                         |                                                     |
| TRANSFER TO FUND AUTHORIZED MULTIPLEXORS FOR JP-3 AND JP-4 |                                      |                                  |         |                                |                                                     |
| <b>ELECTION ADMINISTRATION (406):</b>                      |                                      |                                  |         |                                |                                                     |
| 01-406-5711 OFFICE EQUIP.                                  | -0-                                  | 230                              |         | 230                            |                                                     |
| 01-406-5411 OFFICE EQUIP MAINT                             | 2,700                                |                                  | (230)   | 2,470                          |                                                     |
| TRANSFER TO REPLACE MODEM                                  |                                      |                                  |         |                                |                                                     |

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**14456 APPROVE THE COMMISSIONERS' COURT MINUTES FOR SEPTEMBER 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve the Commissioners' Court Minutes for September 1995 as presented by the County Clerk. All voting "Aye".

**14457 AWARD CONTRACT FOR SLOW SET COLD MIX LAY ASPHALT**

Purchasing Agent Cindy Casparis advised that bids had been received on October 17, 1995 - only one bid was submitted and it was from Rogers Material Company - contract price is \$19.60 per ton - recommended awarded contract for slow set cold mix lay asphalt to Rogers Material Company. A motion was made by Commissioner Barton, seconded by Commissioner Payne to award contract for slow set cold mix lay asphalt to Rogers Material Company. All voting "Aye".

**14457 AWARD CONTRACT ON INDIGENT HEALTH CARE, SPECIAL ASSISTANCE AND HEALTH DEPT. PATIENTS PRESCRIPTION DRUGS IN SAN MARCOS AREA, WIMBERLEY/DRIPPING SPRINGS AREA, AND KYLE/BUDA AREA**

Purchasing Agent Cindy Casparis presented bid tabulations:

| Kyle/Buda Area             | Vendor             | IHC & SAP Discount | Patient Discount   |
|----------------------------|--------------------|--------------------|--------------------|
|                            | Medpark            | 10% + \$3.50 fee   | 10% + \$3.50 fee   |
| Wimberley/Dripping Springs | Vendor             | IHC & SAP Discount | Patient Discount   |
|                            | Wimberley Pharmacy | 10% + \$3.95 fee   | 10% + \$3.50 fee   |
| San Marcos                 | Vendor             | IHC & SAP Discount | Patient Discount   |
|                            | The Pharmacy       | 15% + \$2.25 fee   | 15% + \$2.25 fee   |
|                            | Medpark            | 15% + \$2.35 fee   | 15% + \$2.25 fee   |
|                            | Thorpe Lane        | 15% + \$2.35 fee   | 15% + \$2.35 fee   |
|                            | Randall's          | 15% + \$2.35 fee   | 15% + \$2.35 fee   |
|                            | B & J              | 12.5% + \$2.25 fee | 12.5% + \$2.25 fee |

Purchasing Agent recommends awarding contracts in each area to the following vendors: Medpark Pharmacy, Wimberley Pharmacy, and The Pharmacy #2.

A motion was made by Commissioner Barton, seconded by Commissioner Payne to award contracts on Indigent Health Care, Special Assistance & Health Department patients prescription drugs in the San Marcos area, Wimberley/Dripping Springs area, and Kyle/Buda area as recommended by the County Purchasing Agent. All voting "Aye".

**14459 APPROVE GRADE ADJUSTMENTS IN THE TAX ASSESSOR/COLLECTOR'S OFFICE**

Tax Assessor/Collector Luanne Caraway requested the following: The FY96 budget contains two positions, Grade 2, funded for a year - the Tax Dept. actually needs 2 employees to work on a seasonal basis for approximately 6 months - request that these 2 budgeted Grade 2 positions be changed to Grade 4 positions to work tax collection on a "seasonal basis" - there is actually a cost savings to the county in terms of total dollars. Human Resources Director George Aitken approves this request. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Grade adjustments in the Tax Assessor/Collector's office \* change two Grade 2 positions (fulltime) to two Grade 4 positions (part-time). All voting "Aye".

**14460 ACCEPT OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION D.A.R.E. GRANT FOR THE SHERIFF'S DEPARTMENT AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR \$13,766.**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to accept Office of the Governor - Criminal Justice Division D.A.R.E. Grant for the Sheriff's Department and authorize the County Judge to execute a contract for \$13,766.00. All voting "Aye".

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**14461 AUTHORIZE PURCHASE OF \$855 IN MOVING EQUIPMENT FOR JUSTICE CENTER MOVE OUT OF ANTICIPATION NOTES, SERIES 1995**

Maintenance Director Ron Knott requested authorization to purchase the following equipment to facilitate the move from the courthouse to the new justice center to save the expense of hiring a moving contractor: 1 Heavy duty Vending Machine Truck (\$291.25), 1 Desk Dolly (\$122.25), 1 Appliance Truck (\$216.50), 1 Hand Truck (\$143.95), and 1 Stair/Curb Climber (\$25.82) - Total cost of \$ 854.77. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize purchase of \$855.00 in moving equipment for the Justice Center move out of Anticipation Notes, Series 1995. All voting "Aye".

**14462 MEADOW CREEK RANCH REPLAT OF LOTS 12 & 13 (LOT 12A) \* PUBLIC HEARING AND SECOND READING APPROVAL [T1-45]**

Judge Etheredge called the public hearing open to consider "Meadow Creek Ranch Replat of Lots 12 & 13" (taking two lots and creating one). Patsy Greiner, Mapping/Planning Admin. Coord., advised that this subdivision is located in the Dripping Springs ETJ and will need their approval prior to third reading. No other input was received. Judge Etheredge closed the public hearing. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Meadow Creek Ranch Replat of Lots 12 & 13 (Lot 12-A) on second reading. All voting "Aye".

**14463 DOUGLAS ESTATES REPLAT OF LOT D-37 (LOTS 37-A & 37-B) \* PUBLIC HEARING AND SECOND READING APPROVAL [T1-64]**

Judge Etheredge called the public hearing open to consider "Douglas Estates Replat of Lot D-37 (creating two lots out of one). Patsy Greiner, Mapping/Planning Admin. Coord., advised that this subdivision is located in the Dripping Springs ETJ and will need their approval prior to third reading. No other input was received. Judge Etheredge closed the public hearing. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Douglas Estates Replat of Lot D-37 (Lots 37-A & 37-B) on second reading. All voting "Aye".

**14464 FIELDSTONE REPLAT OF LOT 18 (LOTS 18-A & 18-B) \* PUBLIC HEARING AND SECOND READING APPROVAL [T1-76]**

Judge Etheredge called the public hearing open to consider "Fieldstone Replat of Lot 18 (creating two lots out of one). Patsy Greiner, Mapping/Planning Admin. Coord., advised that this subdivision is located in the Dripping Springs ETJ and will need their approval prior to third reading - also needed prior to third reading is for the floodplain to be delineated on the plat. No other input was received. Judge Etheredge closed the public hearing. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Fieldstone Replat of Lot 18 (Lots 18-A & 28-B) on second reading with stipulation that floodplain be delineated on plat prior to it being submitting on third reading. All voting "Aye".

**14465 PRICE ADDITION SECTION TWO \* THIRD READING APPROVAL [T1-97]**

Texas Dept. of Transportation has signed off on driveway located on SH 3237 - there is no floodplain located on the property. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Price Addition Section Two" subdivision on third reading. All voting "Aye".

**14466 GRANT A PLATTING VARIANCE TO DOUG deVIDAL FOR TWO TRACTS OFF SUNSET CANYON DRIVE [T1-115]**

Doug deVidal appeared before the Court and stated that he had consulted with several Lawyers and they advised him that he could have potential problems if he joins in with the Lowe Subdivision - in the future when he decides to sell some of his property he would possibly have to have 100% consent from all property owners in the subdivision - he prefers not to be a part of the subdivision. Commissioner Molenaar stated that his Attorney said that Mr. deVidal would not be subject to the subdivision provisions. Commissioner Payne stated that a resub would not require 100% approval from property owners - only three votes of the Commissioners' Court. Commissioner Molenaar spoke

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of dilemma regarding the property owned by Brady Lowe - there is a recorded roadway easement - there are several people who have purchased property from Mr. Lowe and they need to know what to do - they bought their land in good faith and are now unable to put in a septic system. Mr. deVidal spoke of the Environmental Health Dept. being the final gate to the process and then he runs into problems with developing land he has purchased - the county recorder is required to file documents even if they are by metes and bounds description - I come to you as a property owner and not a subdivider - statutes address "Subdividers" and not "Property owners" - something needs to be done to address these situations before they get this far along - it should not be the responsibility of Environmental Health. Commissioner Barton spoke of State Laws not allowing county government enough authority - there may be additional problems for property owners if they don't have a road maintenance agreement. Commissioner Molenaar stated that there is an agreement for Brady Lowe to maintain the roadway. Commissioner Payne spoke of fact that surveyors have knowledge of our requirements. David Williamson, Surveyor for Byrn & Assoc., spoke of advising clients of the rules and they may not always want to follow them. Commissioner Molenaar spoke of mortgage companies requirements. David Williamson spoke of Title Companies responsibilities when issuing a title policy. Mr. deVidal stated that he felt he had done "due diligence" here - he had a Lawyer look over, a Title Company, a Real Estate Intermediator and had walked out on property with Environmental Health Personnel prior to his purchasing the property and no one ever mentioned subdivisions - was not thinking in terms of subdivisions with 68+ acres. Mrs. Gooding spoke of owning half of the road in question - Mr. Lowe now wants to buy the road back so that he can bring it up to county standards. Patsy Greiner, Mapping/Planning Coord., spoke of having met with Brady Lowe and he is planning a subdivision on remainder of property and willing to include sold properties into the subdivision - can understand why Mr. deVidal does not want to become a part of the subdivision that he did not buy into and does not want to be a part of the homeowners association. Commissioner Molenaar spoke of the existing easement (a gravel road) - Mr. Lowe plans to bring it up to county standards and have the county take over maintenance. Commissioner Barton advised Mr. de Vidal to be aware that there have been problems in the past where a developer disappears and no maintenance is done and property owners come to the court for assistance. Commissioner Payne spoke of additional properties that are being sold and more people will be using this easement - it is unfortunate that we end up catching these situations on the "back end". A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to grant a platting variance to Doug de Vidal for two tracts of land (Tract A = 30 acres & Tract B = 38.48 acres) out of the James Pier Survey & Richard Vaughn Survey located off Sunset Canyon Cove. All voting "Aye". Commissioner Barton spoke of meeting held to discuss issue regarding "Elgin Bank Case" - need to clarify "subdivisions".

**14467 RIVER MOUNTAIN RANCH SECTION ONE \* THIRD READING APPROVAL [T1-460]**

A Letter of Credit (90%) was filed with the County Clerk. Road Director Ron Bischoff spoke of his concerns about subgrade of road - not much he can do at this point - concerned about the future when this road may become county maintained (presented a Memo for the record). James Garon spoke of road eventually to be paved - 20 ft. of pavement - 40 ft. of cleared right-of-way. Ron Bischoff spoke of 60 ft. cleared r-o-w on public roads - his hands are tied because of different standards for private roads. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Mountain Ranch Section One" on third reading with Road Director Memo to be included in the record. All voting "Aye".

**HAYS COUNTY ROAD DEPARTMENT  
MEMO**

**To: Commissioner Molenaar & Court**  
**From: Ron Bischoff, Road Director**  
**Ref: River Mountain Ranch**  
**Date: October 19, 1995**

Per conversation and meeting on October 18, 1995 at Comm. Molenaar's office with Mr. Bob Mayo and Mr. James Garon: The roads that are being put in are to be privately maintained and built to gravel standards. After inspecting the subgrade, I have concerns that proper drainage cannot be maintained and that base thickness will be compromised to achieve desired flow lines on the uphill sides of the roadway. The width of roadways are also cleared too narrow and will be a maintenance problem in the future if left at these widths. Being they are to be private and maintained by the developer and homeowners, they will bear responsibility of the maintenance. If the County is ever asked to maintain these roads, I foresee problems down the road which could cost the County additional funds due to the method the roads are being constructed and not having the ability to test beyond the subgrade on a gravel road standard.

s/ Ron Bischoff  
 Ron Bischoff, Road Director

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Discussion was had regarding requiring road construction plans for subdivisions - they are now being required. David Williamson (Byrn & Assoc) spoke of cross-sections and engineering services required - not sure this is necessary.

**14468 PARADISE HILLS SUBDIVISION - AUTHORIZATION FOR SIGN PLACEMENT IN COUNTY  
RIGHT-OF-WAY [T1-646]**

Robert Kirkham, Property Owner & Architect, spoke of property owners in Paradise Hills Subdivision wanting a sign at the entrance to their subdivision - will be located on the triangular area at the entrance - spoke of Yield signs when approaching the "Y" - showed the Court a drawing of the sign - there will be no visual obstructions - setback at least 30 feet from the point of the intersection. Commissioner Payne stated that he sees no problems with this. Ron Bischoff, Road Director, spoke of State Highway Dept. future widening of roads - spoke of this not being an ideal intersection - problem might be solved with installation of a Stop sign in place of Yield. Commissioner Barton spoke of need to advise property owners that the county will not be responsible for maintenance of this area. Judge Etheredge spoke of need to eliminate forked intersections - spoke of county not being responsible for replacement if damage occurs to the sign. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize placement of a sign in county right-of-way at entrance to Paradise Hills Subdivision with stipulation that it be maintained by the subdivision and if at any time it is removed by the County it is understood that the County will not be responsible for reimbursement or replacement of the sign. All voting "Aye". Commissioner Payne spoke of Paradise Valley Bridge replacement project for this subdivision - bids came in over budget. Robert Kirkham spoke of 80 foot dropoff from the bridge - spoke of debris that lodges in pipes and causes water to backup - requested flood gauge at this location to let people know how deep the water is. Commissioner Payne spoke of placing guardrails on the downstream side of the bridge - should be able to use bond money for this drainage project and raise pipe.

**DISCUSSION REGARDING EAST LOOP ONE (FM 110) CONSTRUCTION/RAILROAD  
RELOCATION PROJECT [T1-899]**

A letter was received from the San Marcos City Council regarding the proposed East Loop One and Union Pacific Railroad relocation - the Union Pacific is to formulate their needs for such a project and we are to receive that information within 30-45 days - the San Marcos City Council firmly believes that this project has the best chance of moving forward if there is strong and unanimous support from Hays County and they are requesting that the Commissioners' Court pass a resolution of project priority and support for the East Loop construction/Railroad relocation Project. Commissioner Rodriguez spoke of people inside city want it and those outside do not. Judge Etheredge spoke of Minute Order passed in approximately 1983 where the Commissioners' Court supported the loop around San Marcos - over the years the Courts position has been unchanged and they would do whatever was necessary to proceed - within the last year the proposal is to relocate all the rail lines within the city of San Marcos and place those in the r-o-w of the easement - changes to complexion of the project considerably - many people who live in the path are opposed to this especially with the inclusion of the trains - plans were to put the tracks between the two vehicular lanes of traffic (much like MoPac in Austin) and when the City, TxDot, and Congressman Laughlin met with the Railroad, they wanted to be outside of the Loop which changes the complexion even more - it does go into Caldwell County and right square down the middle of Camino Real which will create archeological problems - Congressman Laughlin called a meeting several weeks ago on a Monday at 9:00 A.M. making it impossible for us to attend (a staff person was sent to obtain information only) - the ball is in the railroads court right now - spoke of cost for acquiring the r-o-w which will be ultimately the responsibility of the County (some will be Caldwell County) - spoke of cutting off acreage from a farmer - they will expect the county to pay for these parcels (out-parcels) since they will then be unproductive - may cost \$5-6 million for right-of-way just on the East Loop - where do we fit that into our priority matrix along with the other proposed road improvements? Commissioner Payne spoke of seeing the need to get the trains out of the downtown area - prefers the West Loop first - will be supportive of the project. Judge Etheredge spoke of another transportation infrastructure plan that is beginning to take on a great deal of support and that is the I35 alternate route which would take another leg of IH35 around Round Rock or Georgetown and carry it basically down Hwy. 183 and turn back west and tie into IH10 about Seguin - proposal calls for rerouting all freight traffic that direction so it would go into San Antonio on a Southern Pacific track and on to Mexico down IH35 to Laredo - the current rail route from San Antonio to Austin could be utilized for a commuter rail service (not a high speed bullet train). Commissioner Payne stated that he felt like the Loop is not far enough out. Commissioner Molenaar stated that he could not support this project if he doesn't have enough information. Judge Etheredge spoke of a bond issue that would have to include infrastructure needs in other areas of the county in order to get enough support to pass.

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**HAYS COUNTY CENTRAL APPRAISAL DISTRICT BUDGET \* DISCUSSION** [T1-1216]

Judge Etheredge spoke of taxing entities being required to approve the CAD budget - proposed budget is somewhat less than last years budget. Commissioner Barton spoke of CAD Board taking action on their budget at a public hearing, which is illegal - they had to then take action again at their regular meeting to make it legal - they cut the only person who is familiar with the law (Office Administrator) out of their budget (however they are paying her 10 weeks salary to the end of the year). Commissioner Payne stated that they should have left her position in and let the new board decide if that position is needed. Judge Etheredge spoke of concerns by the other taxing entities - nominations are reflecting some new individuals on the Board - concerned about adopting the proposed budget because it will not allow the new board to deal with some off the problems that they will find existing - recommends that the Court recommend that the CAD adopt a budget equal to last years budget rather than the proposed budget which is significantly reduced. Judge Etheredge explained that it is his understanding that the new personnel policy eliminates the position of Administrator and expands the responsibilities of the Chief Appraiser - he feels like appraisals need to be done on a more timely basis. Commissioner Payne spoke of writing a letter urging them to keep the position of Administrator - could be passed around to other taxing entities and let them be a part of it. Commissioner Barton spoke of exclusion of Administrator from Board meetings has resulted in a number of technically illegal actions that were contrary to law - they need to pay attention to personnel. Judge Etheredge spoke of need to increase the size of the Board from five to seven - they are having trouble with attendance and three people are ultimately making the decisions for all - there is no way any one taxing entity can take over the board because of the way Board Members are selected - each taxing entity receives a certain amount of points based on your tax levy - he will prepare something for next week - since their budget was changed as late as last Friday, we should have enough time to reconsider.

**14469 AUTHORIZE PAYMENT OF INVOICES RELATED TO TOWING FEES AND DIRECT PURCHASING AGENT TO PREPARE SPECIFICATIONS FOR TOWING SERVICES AND FENCING FOR STORAGE AREA AT LEC** [T1-1475]

County Auditor Bill Herzog spoke of need to figure out where in the budget we pay for towing fees for vehicles confiscated at the I35 Weigh Station. Judge Etheredge spoke of trucks being confiscated at the weigh station by DPS - if they are not claimed they become ours and can be sold at public auction. Commissioner Molenaar spoke of storing these vehicles at the Law Enforcement Center rather than pay storage fees. Road Director Ron Bischoff spoke of flatbed trailers that have been turned over to the Road Dept. but have storage fees due on them - we are unable to pay these fees from our budget and they already have more trailers than they need - some of these trailers are not worth the storage fees due. Commissioner Payne spoke of increasing the fencing bids for the juvenile services center to include additional fencing at the LEC for vehicle storage. Discussion was had regarding type of fencing needed for vehicle storage. Judge Etheredge spoke of need to bid out towing services - would rather see DPS give citations rather than taking away people's livelihood - the current method of towing needs to be addressed - we have no money budgeted for towing services. Discussion was had regarding disposition of items confiscated. Discussion was had regarding wrecker/towing services throughout the county. Commissioner Barton spoke of traffic coming out of Mexico - Mexican regulations are not as stringent as ours. Discussion was had regarding type of fencing that would be needed for the vehicle storage area. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to direct the County Purchasing Agent to prepare bid specifications for towing services from the IH35 Weigh Station and fencing for a vehicle storage area at the Law Enforcement Center. All voting "Aye". A motion was made by Commissioner Rodriguez, seconded by Commissioner Payne to authorize payment of current towing invoices out of contingency funds and direct the appropriate people (J.P. & DPS) to not authorize any more towing until we have bids put in place. All voting "Aye".

**14470 AUTHORIZE COUNTY JUDGE TO SEND LETTER OF CONCERN REGARDING MEDICAID/INTER-GOVERNMENTAL INITIATIVE (IGI)** [T1-1948]

Julie Hornberger, Director of Nursing for the Hays County Health Dept., appeared before the Court - recommended that the Court not take action regarding creation of an IGI at this time - it is too vague and financially committing a lot of money - not sure how it will be administered and what services will be provided - Hays County is ultimately responsible for indigent care anyway and also responsible for care of undocumented people in the county jail - there have been so many changes in the State personnel that she is not sure that this will all go through - letters are being written that request that this whole situation be looked at again. Judge Etheredge spoke of writing a letter that would indicate our interest in IGI however there is not sufficient information or rules written for us to feel comfortable in making a decision at this time. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Judge to send a letter on behalf of Hays County expressing our concerns about the programs structure and stating that we may chose to participate at a later time but are not ready to commit at this time. All voting "Aye".



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**EXECUTIVE SESSION - PERSONNEL MATTERS**

The Court convened into closed Executive Session to discuss personnel matters. Upon completion the Court reconvened into open meeting. No action was taken.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 13<sup>TH</sup> DAY OF NOVEMBER, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



**STATE OF TEXAS  
 COUNTY OF HAYS**

ON THIS THE 30TH DAY OF OCTOBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

**14471 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$ 190,021.16 as presented by the County Auditor. All voting "Aye".

|                   |              |                    |                 |                    |              |
|-------------------|--------------|--------------------|-----------------|--------------------|--------------|
| Public Safety Svc | \$ 75.00     | Auditor's Office   | \$ 236.71       | Treasurer's Office | \$ 235.62    |
| Extension Office  | \$ 335.52    | Grants Admin.      | \$ 81.53        | Juvenile Prob      | \$ 878.35    |
| Election Admin    | \$ 2,379.55  | Transfer Station   | \$ 333.47       | Bldg. Maint.       | \$ 12,107.32 |
| Environ Health    | \$ 1,012.33  | Personal Health    | \$ 245.09       | Civic Center       | \$ 3,180.58  |
| Countywide Oper   | \$ 87,939.42 | Tax A/C            | \$ 824.09       | District Clerk     | \$ 329.31    |
| County Clerk      | \$ 93.42     | Sheriff's Office   | \$ 6,352.72     | Jail Operations    | \$ 10,734.70 |
| County Judge      | \$ 121.96    | Human Resources    | \$ 284.01       | Co Crt @ Law 1     | \$ 167.34    |
| District Attorney | \$ 770.06    | J.P. 1-1           | \$ 44.79        | J.P. 1-2           | \$ 114.43    |
| J.P. 3            | \$ 82.74     | J.P. 4             | \$ 119.36       | J.P. 5             | \$ 72.02     |
| D.P.S.            | \$ 146.18    | Constable 1        | \$ 46.63        | Constable 2        | \$ 8,527.25  |
| Constable 3       | \$ 51.38     | Constable 4        | \$ 454.98       | Constable 5        | \$ 317.91    |
| District Cr Oper  | \$ 5,307.48  | Co & JP Cr. Oper   | \$ 385.00       | Veterans Admin     | \$ 75.10     |
| Computer Svcs     | \$ 4,224.14  | Co Crt @ Law 2     | \$ 7.14         | Fire Marshal/EMC   | \$ 482.20    |
| TABC              | \$ 63.82     | Dist Cr Reprtr     | \$ 25.21        | TJPC CCAP Grant    | \$ 5,545.30  |
| DA DARE Grant     | \$ 82.32     | *Gen Fund Credit*  | * \$ 3,995.13 * | R&B Operations     | \$ 3,269.08  |
| Precinct 1        | \$ 234.00    | Precinct 2         | \$ 187.45       | Precinct 3         | \$ 94.75     |
| Precinct 4        | \$ 179.02    | Anticip Notes Proj | \$ 4,729.11     | Anticip Notes I&S  | \$ 42.69     |
| Rec Mng/Co Clk    | \$ 2.67      | Health Svcs Grants | \$ 402.00       | Hot Check Fee      | \$ 63.24     |
| Law Library Fund  | \$ 147.15    | Road Construction  | \$ 14,102.64    | Crths Renov I&S    | \$ 38.20     |
| Anticip Notes I&S | \$ 75.70     | Road Constr I&S    | \$ 42.74        | Adult Prob Oper    | \$ 3,685.50  |
| Adult Prob Fac    | \$ 911.54    | Reimbursements     | \$ 10,076.02    | Anticip Notes 1994 | \$ 839.31    |

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**14472 APPROVE BUDGET AMENDMENT NO. 96-002**

The following budget amendments were proposed:

- District Clerk - \$525.00 - Eqpt line item is budgeted \$200 for typewriter - needs file marking stamp machine and requests budgeted and transfer of \$325 from eqpt maint. to allow purchase.
- District Clerk Office & Tax Office - Allow transfer of positions, Grade/Step of 5/12 from Tax Office in exchange for 5/2 from District Clerk's office (Employee transfer).
- District Clerk and Constables #1&#5 - Transfer \$300 to each Constables' line item from District Clerk's budget for process service costs.
- Veterans Officer - \$300 - Transfer from vehicle maintenance to office equipment to purchase mobile phone previously authorized.
- Computer Services - \$1,395 - Transfer cost of replacement computer for Sheriff's Office Personnel Officer from Maintenance.
- R&B Precinct #2 - Transfer unspecified \$150 from Misc. Equipment to Office Equipment for replacement telephone.
- Adult Probation/CSR Grant - Transfer per Agency to separate cost of Van operation from Travel.

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve budget amendment No. 96-002 as proposed by the County Auditor. All voting "Aye".

|                                                                                                                |           | AMENDMENT<br>NO. 96-002<br>FY 96 BUDGET<br>10/30/95 |           |               |  |
|----------------------------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------|-----------|---------------|--|
| FUND NO. 01                                                                                                    |           | GENERAL                                             |           |               |  |
| FUND TITLE                                                                                                     |           | AMENDMENT                                           |           | APPROPRIATION |  |
| BEFORE                                                                                                         |           |                                                     |           | AS            |  |
| LINE ITEM - EXPENDITURES                                                                                       | AMENDMENT | INCREASES                                           | DECREASES | AMENDED       |  |
| <b>DISTRICT CLERK OFFICE (416)1</b>                                                                            |           |                                                     |           |               |  |
| 01-416-5411 OFFICE EQPT MAINT.                                                                                 | 2,500     |                                                     | (325)     | 2,175         |  |
| 01-416-5711 OFFICE EQPT.                                                                                       | -0-       | 325                                                 |           | 325           |  |
| TRANSFER FOR BALANCE REQUESTED FILE MARK STAMPING MACHINE, IN PLACE<br>TYPewriter.                             |           |                                                     |           |               |  |
| 01-416-5021 STAFF                                                                                              | 178,655   | 4,408                                               |           | 183,063       |  |
| 01-416-5110 FICA                                                                                               | 16,604    | 337                                                 |           | 16,941        |  |
| 01-416-5121 RETIREMENT                                                                                         | 16,962    | 345                                                 |           | 17,307        |  |
| <b>TAX OFFICE (415)1</b>                                                                                       |           |                                                     |           |               |  |
| 01-415-5021 STAFF                                                                                              | 311,634   |                                                     | (4,408)   | 307,226       |  |
| 01-415-5110 FICA                                                                                               | 25,936    |                                                     | (337)     | 25,599        |  |
| 01-415-5121 RETIREMENT                                                                                         | 26,496    |                                                     | (345)     | 26,151        |  |
|                                                                                                                |           | 5,090                                               | (5,090)   |               |  |
| AMEND NET DIFFERENCE TO TRANSFER 5/14 AND 5/2 GRADE/STEP POSITIONS<br>BETWEEN DEPARTMENTS FOR BALANCE OF YEAR. |           |                                                     |           |               |  |
| <b>DISTRICT CLERK OFFICE (416)1</b>                                                                            |           |                                                     |           |               |  |
| 01-416-5212 POSTAGE                                                                                            | 7,100     |                                                     | (600)     | 6,500         |  |
| <b>CONSTABLE 1 (431)1</b>                                                                                      |           |                                                     |           |               |  |
| 01-431-5212 POSTAGE                                                                                            | 350       | 300                                                 |           | 650           |  |
| <b>CONSTABLE 5 (435)1</b>                                                                                      |           |                                                     |           |               |  |
| 01-435-5212 POSTAGE                                                                                            | -0-       | 350                                                 |           | 350           |  |
| 01-435-5211 OFFICE SUPPLY                                                                                      | 600       |                                                     | (50)      | 550           |  |
| TRANSFER PROCESS SERVICE COST FROM DISTRICT CLERK TO CONSTABLE #1 &<br>#5 OFFICES.                             |           |                                                     |           |               |  |
| <b>VETERANS OFFICER (455)1</b>                                                                                 |           |                                                     |           |               |  |
| 01-455-5711 OFFICE EQPT.                                                                                       | -0-       | 300                                                 |           | 300           |  |
| 01-455-5413 VEHICLE MAINT                                                                                      | 1,500     |                                                     | (300)     | 1,200         |  |
| TRANSFER FOR MOBILE PHONE.                                                                                     |           |                                                     |           |               |  |

|                                                             |           | AMENDMENT<br>NO. 96-002<br>FY 96 BUDGET<br>10/30/95 |           |               |  |
|-------------------------------------------------------------|-----------|-----------------------------------------------------|-----------|---------------|--|
| FUND NO. 01                                                 |           | GENERAL                                             |           |               |  |
| FUND TITLE                                                  |           | AMENDMENT                                           |           | APPROPRIATION |  |
| BEFORE                                                      |           |                                                     |           | AS            |  |
| LINE ITEM - EXPENDITURES                                    | AMENDMENT | INCREASES                                           | DECREASES | AMENDED       |  |
| <b>COMPUTER SERVICES (456)1</b>                             |           |                                                     |           |               |  |
| 01-456-5712 DATA PROC. EQPT                                 | 28,532    | 1,395                                               |           | 29,927        |  |
| 01-456-5421 EQPT. MAINT                                     | 10,000    |                                                     | (1,395)   | 8,605         |  |
| TO REPLACE ONE PC IN SHERIFF OFFICE                         |           |                                                     |           |               |  |
| FY 96 BUDGET<br>10/30/95                                    |           |                                                     |           |               |  |
| FUND NO. 01                                                 |           | ROAD & BRIDGE GENERAL                               |           |               |  |
| FUND TITLE                                                  |           | AMENDMENT                                           |           | APPROPRIATION |  |
| BEFORE                                                      |           |                                                     |           | AS            |  |
| LINE ITEM - EXPENDITURES                                    | AMENDMENT | INCREASES                                           | DECREASES | AMENDED       |  |
| <b>PRECINCT 2 (440)1</b>                                    |           |                                                     |           |               |  |
| 03-440-5711 OFF EQPT                                        | 420       | 150                                                 |           | 570           |  |
| 03-440-5719 MISC EQPT.                                      | 150       |                                                     | (150)     | -0-           |  |
| TRANSFER FOR TELEPHONE REPLACEMENT                          |           |                                                     |           |               |  |
| FY 96 BUDGET<br>10/30/95                                    |           |                                                     |           |               |  |
| FUND NO. 34                                                 |           | ADULT PROBATION                                     |           |               |  |
| FUND TITLE                                                  |           | AMENDMENT                                           |           | APPROPRIATION |  |
| BEFORE                                                      |           |                                                     |           | AS            |  |
| LINE ITEM - EXPENDITURES                                    | AMENDMENT | INCREASES                                           | DECREASES | AMENDED       |  |
| <b>GRANT FOR COMMUNITY SERVICE RESTITUTION (CSR) (488)1</b> |           |                                                     |           |               |  |
| 34-488-5413 FURN. TRANSPORT.                                | -0-       | 3,600                                               |           | 3,600         |  |
| 34-488-5311 TRAVEL                                          | 6,953     |                                                     | (3,600)   | 3,353         |  |
| TRANSFER TO SEPARATE VAN OPERATING COSTS.                   |           |                                                     |           |               |  |

**14473 APPROVE UTILITY PERMIT NO. 95-304 ISSUED BY THE ROAD DEPARTMENT**

GTE Telephone Co. proposes to bury a cable line on CR318 (Burnett Ranch Road) - Utility Permit No. 95-304 has been issued for this project. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Utility Permit No. 95-304 issued by the Road Department. All voting "Aye".

**14474 AUTHORIZE PURCHASE OF SINGLE LINE TELEPHONE FOR USE BY THE SHERIFF'S DEPT. IN THE PRECINCT 3 OFFICES**

The Sheriff's office in Pct. 3 has a 4-line telephone for their one phone line and J.P. 3 has a need for a multi-line telephone - proposal is to let the JP have the 4-line telephone and purchase the Sheriff's Office a single line phone - purchase to be made out of the countywide equipment line item. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize purchase of a single line telephone for use by the Sheriff's Dept. in the Precinct 3 office out of countywide equipment line item. All voting "Aye".

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**14475 AWARD CONTRACT FOR PRESCRIPTION DRUGS FOR INDIGENT HEALTH CARE, SPECIAL ASSISTANCE, AND HEALTH DEPT. CLIENTS IN DRIPPING SPRINGS AREA**

Cindy Casparis, Purchasing Agent, advised that last week in Commissioners' Court contracts were awarded on prescription drugs for all areas of the county for Indigent Health Care, Special Assistance Program and Health Department clients - she had overlooked a bid from the Dripping Springs Pharmacy and is asking the Court to award the Prescription Drug contract for this area to the Dripping Springs Pharmacy with a 12% discount and a \$3.00 per prescription dispensing fee. A motion was made by Commissioner Barton, seconded by Commissioner Payne to award contract for Prescription Drugs for Indigent Health Care, Special Assistance, and Health Dept. Clients in Dripping Springs area to the Dripping Springs Pharmacy as recommended by the County Purchasing Agent. All voting "Aye".

**14476 AWARD CONTRACT FOR FENCING AT THE LAW ENFORCEMENT CENTER**

The following bids were submitted for the fencing at the Juvenile Services Center (LEC):

| VENDOR                    | BID PRICE    | COMPLETION DAYS |
|---------------------------|--------------|-----------------|
| Anchor Post Products      | \$ 21,187.00 | 25 days         |
| Construction Rent a Fence | \$ 26,096.00 | 30 days         |
| Commercial Fence          | \$ 29,709.00 | 30 days         |
| Johnson's Construction    | \$ 42,390.00 | 50 days         |

Purchasing Agent Cindy Casparis recommended awarding the contract to Anchor Post Products, low bidder. A motion was made by Commissioner Barton, seconded by Commissioner Payne to award contract for fencing at the Law Enforcement Center (Juvenile Services Center) to Anchor Post Products in the amount of \$21,187.00. All voting "Aye".

**14477 QUAIL MEADOWS > SECOND READING APPROVAL [T1-51]**

Patsy Greiner, Mapping/Planning Coord., advised that this subdivision has previously been approved for second reading, but due to numerous amendments to the plat they are requesting an amended second reading. There was originally 97 lots and that has been reduced to 66 lots by increasing their size. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Quail Meadows" subdivision on second reading. All voting "Aye".

**14478 COLEMAN SUBDIVISION PHASE 1 > FIRST READING APPROVAL [T1-73]**

This subdivision is going through the Austin ETJ review process - the City of Kyle has advised that they will not review this plan since the majority of the tract lies in the City of Austin ETJ. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Coleman Subdivision Phase I" on first reading. All voting "Aye".

**14479 BLANCO RIVER RAPIDS SECTION 2 (AKA WILEY HUGHES SUBD) > SECOND READING APPROVAL [T1-90]**

Commissioner Payne spoke of this property being adjacent to Blanco River Rapids - it is not a part of the original subdivision (two different developers and two different pieces of property) - would need to get the original developers (Pud Rutledge) permission to designate this as Section 2 - they have been asked to join the property owners association for road maintenance purposes. Steven Townsend advised that he would like to leave it as "Wiley Hughes Subdivision". Discussion was had regarding the width of the right-of-way on the access easement - Commissioner Payne suggested dedicating additional r-o-w for the easement (current width is 30 ft) to make it at least 50 ft. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Wiley Hughes Subdivision" on second reading subject to additional right-of-way being dedicated on the final plat. All voting "Aye".

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**14479 POLO CLUB AT ROOSTER SPRINGS PHASE ONE > THIRD READING POSTPONED [T1-196]**

Dripping Springs City Attorney Jim Cain appeared before the Court - the City feels like they have jurisdiction over this subdivision (in their ETJ) - have met with members of the County to iron out the difficulty with developments in their ETJ and have made a lot of progress - we have some mutual problems - a memorandum of agreement has been developed. City Engineer Rick Coneway spoke of the memorandum. Cliff Wheeler (Representative for the Subdivision) spoke - feels like they have met all the requirements of the county and do not feel like they are in the ETJ of the City of Dripping Springs - in June 1995 they had requested proof from the City of Dripping Springs that they were in their ETJ - sometime in September the City advised that they had found a petition signed by the previous owners of this tract - deed references referred to 428 acres but this petition did not involve the property contained in this subdivision - the 428 acre tract is closer to Dripping Springs and not adjacent to the subdivision property. Dripping Springs City Attorney spoke of petitions filed in 1985 for annexation to avoid being in the City of Austin ETJ - there is a lawsuit and the Hays County District Court has declared this to be the ETJ - they feel like this property is in the ETJ. Commissioner Molenaar spoke of Cities requirement to file their ETJ maps with the County Clerk's office. John Doucet, Engineer for the Subdivision, spoke of research he did in the Dripping Springs City office - he looked at the petition for annexation filed in the City record which refers to 428 acres which is not part of this subdivision property and not contiguous to it - there was no other deed attached to the petition - deed references given were incorrect - there is no record that the subdivision property was ever petitioned for annexation - asked the County to approve the subdivision on third reading because it meets all county requirements. Judge Etheredge asked District Attorney Marcos Hernandez if it is his opinion that the County has an obligation to approve since it has met the County's requirements - what effect would this have on a city's jurisdiction to make sure their regulations are met. Marcos Hernandez spoke of there not being a particular sequence required by law - if the property lies in the jurisdiction of both entities, then both entities must approve - it doesn't matter which entity signs off first - the county clerk is assigned with the responsibility of recording the property pursuant to the law - when the plat is presented for filing the County Clerk can request an Affidavit on filing the plat stating that the property is not in the ETJ of any City - burden is on the County Clerk. Cliff Wheeler spoke of a 1/2 mile ETJ for a population the size of Dripping Springs - the only way for other properties to be a part of the ETJ, they must petition and must be contiguous to the existing ETJ - this particular piece of property was not petitioned - the petition found deals with a 428 acre tract. Judge Etheredge spoke of Austin annexation - had it not been for the D.S. City Council and others to see the need and file the lawsuit to prevent this annexation it would be in the City of Austin ETJ- not sure how this will all be resolved. Marcos Hernandez spoke of City of Dripping Springs filing an injunction to prevent the filing of this plat. Commissioner Molenaar stated that he feels like we do not have the right to solve this issue - the County Clerk is the only one to decide if the plat can be filed - the alternative is to let the District Court decide this issue. City Attorney Jim Cain spoke of county needing to recognize the city's opinion - we are charged with performing our duties just like the county is - county requires a plat note that states that the subdivision is or is not in the ETJ of a City. Commissioner Barton spoke of county's obligation to review whether property is in the ETJ or not - an ETJ is a shared jurisdiction - we are the primary regulatory body - we do have a interest of cooperation to make sure that cities have been notified of a new subdivision - these gentlemen insist that they are not in the ETJ. Commissioner Molenaar stated that he believes this subdivision is in the ETJ of the City of Dripping Springs - the first reading was held approximately three months ago and the City responded only last month - we have given plenty of time for the developer and the city to solve this issue - feels like the only solution will be through litigation - the City has the authority to stop this development through the Courts. Mr. Wheeler spoke of having advised the City of Dripping Springs that once they complete each phase of the subdivision they will petition it into the City ETJ and pay the fees. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to postpone third reading on "Polo Club at Rooster Springs Phase I" subdivision for one week. Commissioner Payne advised that a Letter of Credit is needed for the private roads before we can approve the subdivision for final approval. Commissioner Molenaar spoke of conversation with Leroy Busch, Surveyor - he will not sign off on ETJ note - John Doucet, Engineer, stated that he would sign off on that plat note. Commissioner Molenaar, Commissioner Payne, Judge Etheredge, and Commissioner Barton voting "Aye". Commissioner Rodriguez abstained.

**14480 MEADOW CREEK RANCH REPLAT OF LOTS 12 & 13 > THIRD READING APPROVAL [T1-937]**

Lots 12 & 13 of Meadow Creek Ranch are being combined into one lot (Lot 12-A) - Staff recommends approval on third reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Meadow Creek Ranch Replat of Lots 12 & 13 [Lot 12-A]" on third reading. All voting "Aye".

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**14481 FIELDSTONE REPLAT OF LOT 18 > THIRD READING APPROVAL** [T1-951]

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Fieldstone Replat of Lot 18 [Lots 18-A & 18-B]" on third reading. All voting "Aye".

**14482 ADOPT PRESENT PLAN AND OFFER THE BUY-BACK PLAN (7.86% EMPLOYER CONTRIBUTION RATE FOR 1996)** [T1-1004]

County Treasurer Michele Tuttle presented figures regarding retirement options for the Texas County & District Retirement System - present plan will have an employer contribution rate of 7.84% for 1996 - with optional buy-back plan it will go up to 7.86% - 24 employees are eligible for the buy-back plan. A motion was made by Judge Etheredge, seconded by Commissioner Payne to stay with the present plan and offer the buy-back plan (7.86% Employer Contribution Rate for 1996) for the Texas County & District Retirement System. All voting "Aye".

**14483 ACTION REGARDING ALLOWING UNITED WAY CONTRIBUTIONS THROUGH PAYROLL DEDUCTIONS** [T1-1222]

Ben Wayman, United Way President, appeared before the Court requesting authorization to allow county employees to make contributions through payroll deductions - feels like more would contribute if they could do it on a monthly basis rather than a lump sum payment - they will still be able to designate which programs they support. County Treasurer Michele Tuttle voiced her concerns about opening the door to other organizations wishing to have the same opportunity. Judge Etheredge spoke of need for a policy which would require that if participation falls below a certain percent we can disallow the deduction - spoke of limited slots on payroll check for deductions. Commissioner Payne suggested having a policy in place before taking action on this particular request. Commissioner Molenaar stated that he is not against this payroll deductions but we should have a policy in place first. A motion was made by Judge Etheredge, seconded by Commissioner Barton to allow payroll deductions for United Way Contributions. Judge Etheredge and Commissioner Barton voting "Aye". Commissioner Rodriguez, Commissioner Payne, and Commissioner Molenaar voting "No". MOTION FAILED.

**14484 AUTHORIZE ADDITIONAL FUNDS FOR USED VEHICLE FOR CONSTABLE PCT. 2** [T1-1458]

Commissioner Barton spoke of Court having agreed to purchase a used vehicle at \$6,000 for Pct. 2 - current selection of used vehicles is more costly than anticipated and will be \$8,500 - the old vehicle sold at auction brought in only \$1,200 which leaves a balance of \$1,300 needed. Commissioner Payne spoke of county having to pay for car to be painted last time. Commissioner Barton advised that the State will paint the car free of charge. Commissioner Payne spoke of adding money to the budget. County Auditor Bill Herzog spoke of the FY96 budget being tight - we need to specify at this time where the money will come from. Commissioner Molenaar spoke of other Constables will have problems purchasing used vehicles with only \$6,000 budgeted. Commissioner Barton stated that he was willing to fund \$300 out of the special project funds. Bill Herzog stated that there could be legal problems with moving R&B General funds into the General fund. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize an additional \$1,300.00 out of contingencies for purchase of used vehicle for Constable Pct. 2. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No".

**PRESENTATION BY BILL WEST WITH GBRA ON GUADALUPE-BLANCO RIVER AUTHORITY REGIONAL WATER SUPPLY STUDY** [T1-1682]

Commissioner Barton thanked GBRA for their assistance regarding the Five-Mile Dam issue and for their help with the Subdivision Task Force. Bill West presented results of the Regional Water Supply Study and The Texas Water Development Board - have been working on a management plan for the Edwards Aquifer - Plan should be in place when the new entity comes in - there are 18-19 different components to the plan ranging from re-use option to accelerated conservation plans - most difficult component is the additional supply of surface water to reduce the demand of the Edwards aquifer - we are looking at alternate supplies for small entities as well as large entities such as San Antonio - the small entities cannot afford to purchase water on their own - the plan we will talk about today is the plan for the San Marcos area. Kelly Kaatz, HDR Engineering Inc., spoke of study - study participants are City of San Marcos, City of Kyle, City of Lockhart, Crystal Clear Water Supply Corp., Martindale WSC, Elim WS, Maxwell WS, County Line WSC, Plum Creek WSC, Goforth WSC, and Creedmoor-Maha WSC - spoke of population projections (1995 = 83,862 2020 = 134,067) based on Texas Water Development Board figures - spoke of projected water demands (Pg. 4) - went over table giving figures for normal and drought supply from the various aquifers.

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| EDWARDS AQUIFER<br>NORMAL AND DROUGHT SUPPLY |                            |                               |                                |
|----------------------------------------------|----------------------------|-------------------------------|--------------------------------|
| Participant                                  | 1990<br>Usage<br>(acft/yr) | Normal<br>Supply<br>(acft/yr) | Drought<br>Supply<br>(acft/yr) |
| City of San Marcos                           | 6,810                      | 5,107                         | 2,588                          |
| City of Kyle                                 | 326                        | 245                           | 124                            |
| Crystal Clear WSC                            | 1,042                      | 782                           | 396                            |
| Elim WS                                      | 311                        | 233                           | 118                            |
| Maxwell WSC                                  | 407                        | 305                           | 155                            |
| County Line WSC                              | 99                         | 74                            | 38                             |
| AQUIFER TOTAL                                | 520,000                    | 400,000                       | 200,000                        |
| Portion of 1990 Usage                        | 100%                       | ≈ 75%                         | ≈ 38%                          |

| BARTON SPRINGS- EDWARDS AQUIFER<br>NORMAL AND DROUGHT SUPPLY |                            |                               |                                |
|--------------------------------------------------------------|----------------------------|-------------------------------|--------------------------------|
| Participant                                                  | 1990<br>Usage<br>(acft/yr) | Normal<br>Supply<br>(acft/yr) | Drought<br>Supply<br>(acft/yr) |
| Plum Creek WSC                                               | 269                        | 269                           | 269                            |
| Goforth WSC                                                  | 370                        | 370                           | 370                            |
| Creedmoor-Maha WSC                                           | 153                        | 153                           | 153                            |

| CARIZZO-WILCOX AQUIFER<br>NORMAL AND DROUGHT SUPPLY |                            |                               |                                |
|-----------------------------------------------------|----------------------------|-------------------------------|--------------------------------|
| Participant                                         | 1990<br>Usage<br>(acft/yr) | Normal<br>Supply<br>(acft/yr) | Drought<br>Supply<br>(acft/yr) |
| City of Lockhart                                    | 1,816                      | 1,816                         | 1,816                          |

| ALLUVIUM GROUNDWATER SOURCES<br>NORMAL AND DROUGHT SUPPLY |                            |                               |                                |
|-----------------------------------------------------------|----------------------------|-------------------------------|--------------------------------|
| Participant                                               | 1990<br>Usage<br>(acft/yr) | Normal<br>Supply<br>(acft/yr) | Drought<br>Supply<br>(acft/yr) |
| Martindale WSC                                            | 148                        | 148                           | 148                            |

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Commissioner Barton asked about individuals who are pumping water from private water wells which will affect the aquifer. Mr. Kaatz stated that this study was done to estimate cost for the entities - gave overview of alternatives:

| DESCRIPTION OF ALTERNATIVES |                                                                                                                                                                                          |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ALTERNATIVE 1</b>        | Evaluation of enlargement of facilities proposed by City of San Marcos to serve the City of San Marcos needs and the needs of ten study participants outside of San Marcos service area. |
|                             | Alternative 1A: Raw water supply from the San Marcos River<br>Alternative 1B: Raw water supply from the San Marcos River (50%) and Canyon Lake (50%)                                     |
| <b>ALTERNATIVE 2</b>        | Evaluation of regional water supply system to serve the needs of the study participants, except the City of San Marcos.                                                                  |
|                             | Alternative 2A: Raw water supply from the San Marcos River<br>Alternative 2B: Raw water supply from the San Marcos River (50%) and Canyon Lane (50%)                                     |

Mr. Kaatz gave Year 2000 figures for normal usage cost per thousand gallons using the various alternatives for San Marcos (closest to the system) and Lockhart (farthest location from the system):

|                       |                    |         |                  |         |
|-----------------------|--------------------|---------|------------------|---------|
| <b>ALTERNATIVE 1A</b> | City of San Marcos | \$ 1.58 | City of Lockhart | \$ 4.54 |
| <b>ALTERNATIVE 2A</b> | City of San Marcos | \$ 1.83 | City of Lockhart | \$ 4.79 |
| <b>ALTERNATIVE 2A</b> | Crystal Clear WSC  | \$ 2.58 | City of Lockhart | \$ 5.04 |
| <b>ALTERNATIVE 2B</b> | Crystal Clear WSC  | \$ 3.26 | City of Lockhart | \$ 5.72 |

Presented the following summary of 20-year cost savings by implementation of a regional water supply system:

**DRAFT**

| Summary of 20-Year Cost Savings by Implementation of Regional Water Supply System |                                             |                                                        |
|-----------------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------|
| Participant                                                                       | Raw Water Supply from San Marcos River Only | Raw Water Supply from San Marcos River and Canyon Lake |
| City of San Marcos                                                                | \$6,320,000                                 | \$7,670,000                                            |
| Crystal Clear WSC                                                                 | \$1,050,000                                 | \$1,950,000                                            |
| Martindale WSC                                                                    | \$1,100,000                                 | \$2,060,000                                            |
| City of Lockhart                                                                  | \$2,270,000                                 | \$4,240,000                                            |
| Elim WS                                                                           | \$1,580,000                                 | \$2,950,000                                            |
| Maxwell WSC                                                                       | \$1,250,000                                 | \$2,320,000                                            |
| City of Kyle                                                                      | \$930,000                                   | \$1,710,000                                            |
| County Line WSC                                                                   | \$390,000                                   | \$730,000                                              |
| Plum Creek WSC                                                                    | \$1,580,000                                 | \$2,960,000                                            |
| Goforth WSC                                                                       | \$1,930,000                                 | \$3,540,000                                            |
| Creedmoor-Maha WSC                                                                | \$880,000                                   | \$1,650,000                                            |
| <b>Total</b>                                                                      | <b>\$19,280,000</b>                         | <b>\$31,780,000</b>                                    |

Notes:  
 1) Based on average water use during the 20-year period of 2000-2020 and projected normal usage for each participant  
 2) Cost savings assume that the difference in costs for Alternative 1 and Alternative 2 remain consistent for the 20-year period.  
 3) Costs based on 1995 dollars and do not account for inflation.

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Entities will now need to decide if they want to participate in the regional water supply system - some of the entities will not want to participate due to high cost of the system (i.e. City of Lockhart, City of Dripping Springs, Wimberley, etc.) - these entities will have other alternatives from other areas (i.e. City of Austin, etc.). Commissioner Barton asked about areas not included in this study. Bill West stated that those entities could be invited to participate - Dripping Springs best options is out of Austin (will not be cheap but would be cheaper than coming out of San Marcos) - capital would come from revenue bonds - costs are figured at 8% bonds over a 20 year period - will be making this presentation to the City of San Marcos - the City of San Marcos is conducting their own study and they will go over both studies and move forward from there - we are working towards an overall plan to make sure the San Marcos and Comal Springs continue to flow.

**14485 AUTHORIZE COMPUTER EQUIPMENT PURCHASE IN SHERIFF'S OFFICE [T1-2518]**

Request was made by Sheriff's Dept. to authorize computer equipment purchase from unspecified misc. equipment budgeted - they need to replace 3 computers and purchase 1 additional computer (Dispatchers = 3 CID = 1). County Auditor Bill Herzog stated that the request indicates that there is \$6,700 budgeted for unspecified equipment, however, in fact \$4,400 was specified for bulletproof vests - he contacted the Sheriff's Dept. and they indicated that they needed both but their priority was computers - he would like to get a statement from them to that effect. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize computer equipment purchase from Misc. Equipment in the Sheriff's Department subject to statement being filed acknowledging that their priority is computer equipment over bulletproof vests. All voting "Aye".

**14486 AUTHORIZE ISSUANCE OF A SPECIAL PERMIT TO RUN TRUCKS IN EXCESS OF 28,800 LBS. ON CR 236 AND AUTHORIZE THE DISTRICT ATTORNEY AND COUNTY JUDGE TO EXECUTE A CONTRACT TO COMPENSATE THE COUNTY FOR RELATED ROAD DAMAGES/IMPROVEMENTS [11-2575]**

Commissioner Barton advised that Derek Timmons wishes to purchase an abandoned gravel pit north of Buda - his plan is to fill the pit with clean dirt and other clean fill and then to market the property - to fill the pit, he wants to run 80,000 pound trucks down approximately .15 mile of CR236 - CR236 has no weight limit sign posted, therefore, it defaults to a limit of 28,800 lbs - the rest of Mr. Timmons route out of town would be along State roads already rated for 80,000 lbs. - Mr. Timmons estimates that he will need 30 months or so to fill the pit - the Road Director believes the heavier trucks would do significant damage to the county's road over that time - reconstruction of .15 miles, and additional base to carry the heavier traffic, is estimated at \$8,000-\$10,000 - Mr. Timmons has agreed to pay the county \$10,000 for such a permit, with a 30-month expiration - he proposes to put up a \$10,000 bond for 90 days and to then issue a check for the full amount. The \$10,000 is non-refundable - permit is transferable if necessary - trucks must be in compliance with State regulations. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize issuance of a special contractual permit to run trucks in excess of 28,800 pounds (but in no case in excess of State legal maximums) on CR 236, north of Buda; and authorize the District Attorney and County Judge to execute a contract with the prospective permit holder to compensate the County for related and anticipated road damage and to pay for related road improvements on CR 236 in the amount of \$10,000 due in advance (may post a \$10,000 bond for 90 days and then issue a check for the full amount) for such permit with a 30-month expiration. All voting "Aye".

**EXECUTIVE SESSION**

The Court convened into closed Executive Session to discuss contemplated litigation. Upon completion of executive session the Court reconvened into open meeting.

**14487 AUTHORIZE ISSUANCE OF SITE DEVELOPMENT PERMIT FOR PROPERTY OWNED BY MR. & MRS. MARK HARDWICK [T1-2799]**

An Executive session was held regarding this matter - open session required action as follows. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a variance and authorize issuance of a site development permit and wastewater permit for property owned by Mr. & Mrs. Mark Hardwick. All voting "Aye".

Court was adjourned until 9:00 A.M. November 6, 1995.



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MINUTES APPROVED IN OPEN COURT ON THE 18<sup>TH</sup> DAY OF DECEMBER, 1995.

*Eddy Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS

STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 6TH DAY OF NOVEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14488 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 179,296.68 as presented by the County Auditor. All voting "Aye".

|                    |              |                    |              |                    |              |
|--------------------|--------------|--------------------|--------------|--------------------|--------------|
| License/Permits    | \$ 3,708.40  | Fines              | \$ 60.00     | Auditors Ofc       | \$ 350.19    |
| Treasurers Ofc     | \$ 312.15    | Extension Ofc      | \$ 135.08    | Grants Admin       | \$ 152.25    |
| Juv Probation      | \$ 12,243.66 | Election Admin     | \$ 491.60    | Transfer Station   | \$ 32.00     |
| Bldg. Maint.       | \$ 569.00    | Environ Health     | \$ 3,686.38  | Personal Health    | \$ 475.35    |
| Civic Center       | \$ 755.45    | Countywide Oper    | \$ 11,689.81 | Tax A/C            | \$ 548.17    |
| District Clerk     | \$ 1,718.81  | County Clerk       | \$ 476.70    | Sheriffs Ofc       | \$ 3,417.23  |
| Jail Operations    | \$ 11,610.11 | County Judge       | \$ 259.66    | Human Resources    | \$ 175.02    |
| Co Crt @ Law 1     | \$ 46.35     | District Attorney  | \$ 611.61    | J.P. 1-1           | \$ 55.01     |
| J.P. 1-2           | \$ 77.01     | J.P. 2             | \$ 284.57    | J.P. 5             | \$ 125.00    |
| D.P.S.             | \$ 476.26    | Constable 1        | \$ 103.13    | Constable 2        | \$ 237.24    |
| Constable 5        | \$ 47.16     | Dist Crt Oper      | \$ 3,494.44  | Veterans Admin     | \$ 78.17     |
| Computer Svcs      | \$ 1,426.36  | Co Crt @ Law 2     | \$ 22.20     | Fire Marshal/EMC   | \$ 39.43     |
| TABC               | \$ 20.35     | Dist Crt Reporters | \$ 75.61     | TJPC CCAP Grant    | \$ 7.00      |
| Legal Aid Ofc      | \$ 2.06      | DA DARE Grant      | \$ 48.70     | * Gen Fund Credit* | * \$ 50.00 * |
| R&B Operating      | \$ 13,512.16 | Precinct 1         | \$ 1,734.00  | Precinct 2         | \$ 219.53    |
| Precinct 4         | \$ 24.00     | Anticip Notes '95  | \$ 157.00    | Rec Mng/Co Clk     | \$ 4,717.47  |
| Health Svcs Grants | \$ 1,871.60  | Law Library Fund   | \$ 75.00     | Jail Construction  | \$ 2,504.73  |
| Road Construction  | \$ 65,614.55 | Courthouse Renov   | \$ 12,747.83 | Public Safety Svcs | \$ 180.00    |
| Adult Prob Oper    | \$ 14,784.93 | Adult Prob Fac     | \$ 1,239.20  |                    |              |

**14489 APPROVE BUDGET AMENDMENT NO. 96-003**

Proposed budget amendment is based on District Clerk's request for approximately \$20,000.00 to have old records preserved (\$10,000.00 from County Records Preservation Fund and \$10,000.00 from County Clerk's Records Management Funds). A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve Budget Amendment No. 96-003 as proposed by the County Auditor. All voting "Aye".

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| AMENDMENT NO. 96-003<br>FY 96 BUDGET                                                                         |           |           |
|--------------------------------------------------------------------------------------------------------------|-----------|-----------|
| LINE ITEM - EXPENDITURES                                                                                     | INCREASES | DECREASES |
| FUND NO. 08<br>FUND TITLE: RECORDS MANAGEMENT/COUNTY CLERK                                                   |           |           |
| <b>RECORDS MANAGEMENT (445):</b>                                                                             |           |           |
| 08-445-5215 Perm Record Supply                                                                               | \$ 5,000  |           |
| 08-445-5711 Office Eqpt.                                                                                     |           | \$ 5,000  |
| *To fund portion of District Clerk's request for preservation of old records*                                |           |           |
| FUND NO. 09<br>FUND TITLE: RECORDS PRESERVATION/COUNTYWIDE                                                   |           |           |
| <b>RECORDS PRESERVATION (444)</b>                                                                            |           |           |
| 09-444-5215 Perm Records Supply<br>and Service                                                               | \$ 5,000  |           |
| 09-444-5712 Data Proc Eqpt.                                                                                  |           | \$ 5,000  |
| *To allow District Clerk to have old Record Preserved by transferring amount budgeted for unspecified eqpt.* |           |           |

**14490 AWARD CONTRACT ON MODULAR BUILDINGS FOR JUVENILE SERVICES CENTER**

Bids were submitted as follows:

| Vendor                | Price         | # days to complete |
|-----------------------|---------------|--------------------|
| ILCOR                 | \$ 81,938.00  | 45 Days            |
| Amtex                 | \$ 95,458.00  | 49 Days            |
| Ramtech Bldg. Systems | \$ 99,748.00  | 60 Days            |
| Morgan Bldgs.         | \$ 106,626.00 | 60-90 Days         |

Purchasing Agent Cindy Casparis recommended that contract be awarded to ILCOR (low bidder) - she has called their references and it appears that they are capable and qualified to do this project - all proper insurance and bid bond was in place at the time of the opening. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to award contract on Modular Buildings for the Juvenile Services Center to ILCOR in the amount of \$81,0938.00 as recommended by the County Purchasing Agent. All voting "Aye".

**14491 APPROVE ESTIMATED MOVING EXPENSES FROM COURTHOUSE TO JUSTICE CENTER**

Maintenance Supervisor Ron Knott advised that in addition to previously approved moving equipment authorized the following expenses are necessary:

|                                                                    |             |
|--------------------------------------------------------------------|-------------|
| Truck Rental (7 business days) to include<br>furniture pads & fuel | \$ 1,900.00 |
| Crane Rental                                                       | \$ 1,000.00 |
| Boxing Tape                                                        | \$ 125.00   |
| 1/4" Tie-down rope                                                 | \$ 15.00    |
|                                                                    | =====       |
| TOTAL PROPOSED.....                                                | \$ 3,040.00 |

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve estimated moving expenses from Courthouse to Justice Center as proposed by the County Maintenance Supervisor in the amount of \$ 3,040.00. All voting "Aye".

**14492 APPROVE SPECIFICATIONS FOR RECORDS MANAGEMENT AND IMAGING COMPUTER SYSTEM FOR COUNTY CLERK'S OFFICE AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR REQUESTS FOR PROPOSALS**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve the specifications for Records Management and Imaging Computer System for the County Clerk's office and authorize the County Auditor to advertise for requests for proposals. All voting "Aye".

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**14493 AUTHORIZE TRANSFER OF DUTIES RELATED TO FILING CANDIDATE/OFFICE HOLDERS FINANCIAL REPORTS FROM THE COUNTY CLERK'S OFFICE TO THE ELECTION ADMINISTRATOR'S OFFICE**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve the transfer of duties related to filing Candidate/Office Holders Financial Reports from the County Clerk's Office to the Election Administrator's Office. All voting "Aye".

**14494 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT AWARD FROM THE TEXAS HISTORICAL COMMISSION AND TO EXECUTE A CONTRACT FOR \$13,570**

Richard Salmon & Lila Knight advised that Grant funds from the Texas Historical Commission will be used to complete the historic resources survey of precinct 2 and to complete the publication "History of the Hispanic Community in Hays County". Once the survey is complete, Hays County will be one of only two counties in the state to be completely surveyed. No funds are included in the grant for administration fees, but Lila Knight general does most of the reporting. The County will provide \$4,000 in cash which was provided by the Court on September 24, 1995 for fiscal year 95-96. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize the County Judge to accept grant award from the Texas Historical Commission and to execute a contract for \$13,570.00. All voting "Aye".

**14495 AUTHORIZE USE OF THE COMMISSIONERS' COURTROOM FOR THE PHI ALPHA DELTA (PRE-LAW FRATERNITY) INITIATION CEREMONY AT 7:00 P.M. FRIDAY, NOVEMBER 10, 1995**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize use of the Commissioners' Courtroom for the Phi Alpha Delta (Pre-Law Fraternity) initiation ceremony at 7:00 P.M. Friday, November 10, 1995. All voting "Aye".

**14496 APPROVE CONTRACT WITH KENT J. CHATAGNIER FOR ROOF CONSULTING SERVICES ON HAYS COUNTY JUSTICE CENTER AND AUTHORIZE COUNTY JUDGE TO SIGN AGREEMENT**

Commissioner Molenaar asked why we need a consultant to tell us about our roof leaks? Judge Etheredge advised that the Roof Consultant does more than that - he draws up specifications for repair work and handles the bid levy and they have saved us lots of money over the last several years - our maintenance department did put together some specifications but he feels like they would prohibit competitive bidding because they were actually prepared by a manufacturer. Commissioner Molenaar asked if we are required by law to have a consultant to consult us on whether we need our roofs repaired. County Auditor Bill Herzog stated that we need an Engineer on major construction projects. Commissioner Barton stated that the consultant designs and oversees the repairs. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve contract with Kent J. Chatagnier for roof consulting services on the Hays County Justice Center and authorize the County Judge to sign agreement as recommended by the Purchasing Agent. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Judge Etheredge voting "Aye". Commissioner Molenaar voting "No".

**14497 COLEMAN SUBDIVISION PHASE 1 > SECOND READING APPROVAL [T1-121]**

Allen Walther, Environmental Health Director, requested a letter from the City of Kyle waiving their review of this subdivision. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Coleman Subdivision Phase 1" on second reading. All voting "Aye".

**14498 HILLS OF TEXAS ESTATES REPLAT OF LOT 58 > FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING ON NOVEMBER 20, 1995 [T1-140]**

Allen Walther, Environmental Health Director, advised that the property owner is amending the dimension of Lot 58 to change alignment of the road to match the new section and avoid the floodplain. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Hills of Texas Estates Replat of Lot 58 (Lot 58-A)" on first reading and call for a public hearing to be held November 20, 1995 at 9:00 A.M. All voting "Aye".

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**14499 LADERA SUBDIVISION > FIRST READING APPROVAL** [T1-158]

Robert B. Wesson proposes to develop a seven lot residential subdivision on U.S. Highway 290 west of Dripping Springs (91.42 acres) - will require seven driveways onto US290 - will need Texas Dept. of Public Transportation approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Ladera" subdivision on first reading. All voting "Aye".

**14500 WHISPERING OAKS SECTION 2 (Lots 3-24) > THIRD READING APPROVAL** [T1-189]

Tom Weissman appeared before the Court - spoke of road bond (\$1.50 per foot) - he would rather put up a cash bond in lieu of the maintenance bond or letter of credit. Road Director Ron Bischoff spoke of possible road failures would require a draw-down on this money. Tom Weissman requested that roads in Phase 3 be included in this bond and that they be accepted at the same time as Phase 1 even though he has not received approval on the Phase 3 plat - he would like to sell lots in Phase 2 prior to proceeding with Phase 3 - he would like for the Phase 3 roads to have the same construction standards as Phase 2 roads. Commissioner Molenaar spoke of possible road deterioration due to not being used. Tom Weissman spoke of his concerns about road standards changing in the future - confident that this road meets existing standards. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Whispering Oaks Section 2 (Lots 3-24)" on third reading subject to posting a cash bond (\$1.50 per foot for roads in Phases 2 & 3) in lieu of a maintenance bond or letter of credit and furthermore approve that the existing roads in Phase 3 (not yet subdivided) will fall under the current road construction standards with stipulation that if there is road deterioration when Phase 3 is being considered in the future, the developer will be required to bring the roads up to road standards in existence today (Nov. 1995). All voting "Aye".

**14501 POLO CLUB AT ROOSTER SPRINGS PHASE 1 > THIRD READING APPROVAL** [T1-356]

Commissioner Molenaar stated that he had spoken with the Mayor of Dripping Springs and they are in agreement - recommends approval on third reading. Road Director Ron Bischoff spoke of recent change on right-of-way width widening a narrow section. A performance bond has been filed. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Polo Club at Rooster Springs Phase I" on third reading. All voting "Aye".

**WYLEY HUGHES SUBDIVISION** [T1-385]

Commissioner Payne requested postponement of third reading - the additional r-o-w requested is not shown on the plat and no document has been presented in which property owner is joining an existing property owners association to insure proper road maintenance.

**14502 THE POINT, REPLAT OF LOTS 5, 6 & 7 > CALL FOR A PUBLIC HEARING TO CONSIDER AMENDING THE COMMISSIONERS' COURT MINUTES OF SEPTEMBER 1995 REGARDING THE REPLAT OF LOMA VISTA REPLAT OF LOTS 5-7** [T1-410]

Commissioner Payne had a question regarding the public hearing held in September - was it published as "Loma Vista" or "The Point"? [T1-1218] It was determined that public notice was published as "Loma Vista", therefore, Commissioner Payne suggested holding a new public hearing to insure proper public notice before taking final action. A motion was made by Commissioner Payne, seconded by Commissioner Barton to call for a public hearing to be held November 20, 1995 at 9:00 A.M. and consider amending the Commissioners' Court Minutes of September 1995 regarding the replat of "Loma Vista Replat of Lots 5-7". All voting "Aye".

**PLATTING VARIANCE - EIGHT ACRES ON EL CAMINO WAY (HAGEMAN PROPERTY)** [T1-460]

Allen Walther, Environmental Health Director, spoke of a request for a variance for an eight acre parcel that did not get on the agenda - located off El Camino Way - because of acreage the City of San Marcos is not requiring review - he will recommend approval for a platting variance. Judge Etheredge stated that the request for variance from Mr. Hageman was received in his office last week but did not make it to the right place in time to be placed on the agenda.

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**14503 AUTHORIZE THE HIRING OF TEMPORARY HELP FOR JUSTICE OF THE PEACE PCT. 2 FOR ONE WEEK [T1-496]**

Judge Etheredge spoke of JP2 Albert Busse's request for temporary help in his office while his staff person is on vacation - there are funds available in his salary line item. Commissioner Barton advised that he has encouraged the JP's in Pct. 2 & 5 to share staff whenever possible. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the hiring of temporary help for Justice of the Peace Pct. 2 for one week. All voting "Aye".

**14504 ESTABLISH TRAFFIC REGULATION - 3-WAY STOPS - ON STREETS IN THE MEADOW WOODS SUBDIVISION AND CALL FOR A PUBLIC HEARING TO ESTABLISH SPEED LIMITS [T1-522]**

Commissioner Barton spoke of public hearing that was held in January 1995 - the Homeowners Association appeared before the Court requesting 3-Way Stops at various locations - Road Director Darrel Brown was to come back to the Court for a recommendation. Current Road Director Ron Bischoff has reviewed their request and spoke of need for traffic control. Commissioner Barton feels like their request is appropriate. A motion was made by Commissioner Barton, seconded by Commissioner Payne to call for a public hearing to be held November 20, 1995 at 9:00 A.M. to consider reducing speed limit from 30MPH to 25MPH throughout the Meadow Woods Subdivision in Precinct 2. All voting "Aye". A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize and direct the Road Department to establish 3-Way Stops at Primrose and Meadow Woods Drive (at north/west intersection), Primrose and Blue Sage, Meadow Woods Drive and Blue Sage, and Meadow Woods Drive and Verbena. All voting "Aye".

**14505 APPROVE CHANGE OF ROAD NAME FROM "WAGON TONGUE HOLLOW" TO "TURTLE HILL" IN THE ROLLING OAKS SUBDIVISION [T1-604]**

A request in writing was received from residents on CR378 - for the past 16 years this street has been called "Turtle Hill" - they are requesting that the county change the records to reflect the road name of Turtle Hill rather than Wagon Tongue Hollow. Patsy Greiner, Mapping/Planning Coord., spoke of normally holding a public hearing when a road name is changed. Commissioner Molenaar stated that he felt like no public hearing needs to be held since the residents have been receiving their mail using the name of Turtle Hill for a number of years. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve change of road name in Rolling Oaks Subdivision from "Wagon Tongue Hollow" to "Turtle Hill" - no public hearing was held. All voting "Aye".

**14506 AUTHORIZE NEGOTIATIONS WITH SAN MARCOS CISD FOR EDUCATIONAL EQUIPMENT FOR THE JUVENILE SERVICES CENTER [T1-678]**

Judge Etheredge spoke of working with San Marcos ISD, who will be providing the educational requirements for the juvenile detention facility - they have requested assistance in purchasing the equipment - some will be needed immediately - they have requested a total of \$35,225 from the county - Dr. Anderson and most Board members are aware that it is the school districts responsibility to provide the education for kids incarcerated in the facility, however, they did not budget funds for this program. Judge Etheredge recommends that the county purchase some equipment that the school district believes is necessary for a good positive program at the juvenile detention center, and furthermore do it only as a first time investment on our part - in the future, as that equipment needs replaced it will be the responsibility of the school district to keep the equipment updated and maintained as they feel necessary - CCI will be equipping the classrooms with the necessary desks, chairs, blackboards, etc. and the school has requested copy machines, file cabinets, computer hardware & software - recommends utilizing some funds from the bond money used to equip the facility - recommends providing funding in the amount of \$20,000 - CCI is required to furnish anything that would be the parents responsibility which would reduce some items on the school district's list. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the County Judge and JPO Ed Cooper, on behalf of Hays County and the Juvenile Board, to enter into negotiations with the San Marcos CISD for providing education equipment not to exceed \$20,000.00 for the Juvenile Services Center - to be ratified at a later date by the Commissioners' Court. All voting "Aye".

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**WORKSHOP - ROAD DEPARTMENT** [T1-939]

Ron Bischoff spoke of employee (Stanley "Cherokee" Larson) currently working 32 hours per work - would like to increase his hours to 40 per week - will use funds available. County Auditor Bill Herzog stated that he knows of no positions that are less than 40 hours per week. Employees are paid by the hour, and he is currently working only 32 hours per week - he will work 40 hours during the good months and less when not needed. Commissioner Barton asked about traffic counts in Precinct 2. Ron Bischoff provided Pct. 2 with partial traffic counts. Judge Etheredge spoke of telephone call from TxDot - they want to accelerate improvements on FM1626 from SH967 to the Travis County line and they want some commitment regarding r-o-w acquisition - will bring up the road standards. Commissioner Barton spoke of traffic conditions and accidents on this roadway (an accident occurred last week and a PEC Engineer was killed). Judge Etheredge spoke of need for another bond issue to address other traffic situations requiring additional right-of-way - a workshop needs to be held with the State Highway Dept. to discuss other state highways that need improvements - there is a plan to widen Hunter Road out to the schools and the Highway Dept. would also like for us to consider purchasing right-of-way for that project. Commissioner Barton spoke of Infrastructure Committee and decisions that need to be made regarding future development.

**WORKSHOP REGARDING MEMORANDUM OF AGREEMENT WITH THE CITY OF DRIPPING SPRINGS** [T1-1259]

The following Memorandum of Agreement was submitted by the City of Dripping Springs:

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| <p><b>MEMORANDUM OF AGREEMENT<br/>ON<br/>CITY OF DRIPPING SPRINGS/HAYS COUNTY<br/>SUBDIVISION REVIEW PROCESS</b></p> <p><b>IT IS UNDERSTOOD AND AGREED</b> that the City of Dripping (CODS) and Hays County (COUNTY) desire to assist property owners in the review of subdivision proposals and to enforce State and local requirements and regulations to the extent that their respective community standards are met and upheld. To this end, CODS and County further agree to practice the following policies and procedures:</p> <ol style="list-style-type: none"> <li>1. All subdivisions, resubdivisions (i.e. replats), amendments, and vacations of property within the CODS ETJ shall be submitted for review to both the CODS and COUNTY. The CODS will provide a boundary map of the city's ETJ to the COUNTY Staff and Commissioner's Office for reference purposes.</li> <li>2. The CODS will accept for review only those plats which have all CODS and COUNTY signature blocks.</li> <li>3. COUNTY staff will refer all individuals with subdivision, replat, amendment, and vacation proposals within the CODS ETJ to the City and will schedule second readings before the Commissioners' Court only when the City has either signed the plat or provided a letter exempting the subdivision from review.</li> <li>4. When the City Council or Planning and Zoning Commission approves a proposed plat with changes from the original submittal, the COUNTY will be notified in writing of those changes.</li> <li>5. To facilitate the review of subdivisions in which all lots are greater than five acres, have access, and no public improvements are being dedicated, the CODS will develop administrative procedures to expedite the review of those requests for exemption and to convey this determination to the COUNTY.</li> <li>6. The CODS and COUNTY recognize that while hot mix asphalt generally provides a road surface superior to two course chip seal, the COUNTY currently lacks adequate equipment and budget resources to maintain asphalt surfaces. The CODS agrees to schedule a meeting between the CODS Council and Planning and Zoning Commission, the Director of the COUNTY Road Department, and the Commissioners' of Precincts 2 &amp; 4 to establish compatible road standards within the CODS ETJ.</li> <li>7. The CODS and COUNTY will each strive to achieve compatibility in the development process within the CODS ETJ to the extent that these developments reflect the community standards within each jurisdiction.</li> </ol> |
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District Attorney Marcos Hernandez spoke of Attorney General's opinion regarding the duties the County Clerk has to record documents presented for filing - the Clerk cannot challenge the document itself - the issue is whether or not the Clerk ought to record the plat that claims to be in the ETJ of a municipality - the Affidavit protects the Clerk from violating Texas Property Code 12.002(a). Environmental Health Director Allen Walther spoke of need to go through the Memorandum of Agreement item by item: #1. Do we accept that everything inside their ETJ boundary map is in fact subject to their review - not all property was petitioned for inclusion. Discussion was had regarding ETJ maps being filed - County Clerk only has the City of Woodcreek and City of Austin. Allen Walther asked if it is not the city's responsibility to prove that it is in their ETJ. Judge Etheredge stated that if that is disputed by the property owner, we are still obligated to proceed with final reading. Marcos Hernandez stated that the county does not have to be the last to approve a subdivision - the Clerk must establish whether or not it is subject to an ETJ - the Clerk could notify the property owner to get with the city for determination. Commissioner Barton asked if the County Clerk would request a map from the Cities. Marcos Hernandez spoke of their obligation to supply the Clerk with a map every time they annex property - any citizen of the city may demand and receive a copy of their boundaries. Allen Walther asked if a signature block on the plat would be needed rather than just a plat note. Discussion was had regarding lots larger than 5 acres - do we require the city to submit something that states that it is not subject to their regulations - what do you consider a public improvement? Allen Walther continued going through Memorandum: #2 OK, #3 needs a time limit. Commissioner Molenaar spoke of backlogging the process in cases where there is a dispute on whether property is or is not in an ETJ. Allen Walther stated that they could advise the developer that he/she must contact the City if it appears to be in an ETJ. #4 add "within two weeks" to the end of that sentence. #5 strike this item. #6 Ron Bischoff spoke of differences in road surfaces mentioned - if subgrade is put in right, either method will give you many years of life. Judge Etheredge spoke of discussion had regarding different criteria for roads 1/2 mile vs. 5 mile ETJ. Commissioner Payne voices his concerns with leaving out the Commissioners' Court in the process of establishing road standards(memo states that the Commissioners of Precinct 2 & 4 to establish compatible road standards within the CODS ETJ). Commissioner Barton suggested adding "those standards will then be submitted to the Commissioners' Court and City Council for approval". Commissioner Molenaar wanted the record to reflect that he and Commissioner Barton did not have this put in the memo (the Commissioners of Precinct 2 & 4 to establish compatible road standards within the CODS ETJ). #7 leave as is.

#### MISC. INFORMATION

Commissioner Barton spoke of proposed ABC Batch Patch east of IH35 near an Elementary school and residential area - the owners have now withdrawn their application. Judge Etheredge spoke of issue in the Wimberley area regarding a Cellular Tower (GTE) - Cellular One has also contacted him to let us know that they are setting a tower in the Wimberley area - they have also contacted the Mayor of Woodcreek - their proposal is to erect a small tower on top of the Woodcreek water tower - they are going through all the right steps - it is not within our jurisdiction, only the City of Woodcreek

#### WORKSHOP REGARDING HEALTH DEPT. FAMILY PRACTICE CLINIC [T1-2050]

Dr. Larry Birdwell spoke of Community Oriented Primary Care grant funding cuts - they are trying to make adjustment at the local level - there will be a \$60-70,000 cut for this current year - we are unable to make up these funds in program income - alternate funding mechanism is needed - we could change the patient mix being seen - now we see whoever wants to come in - the grant is funded for a specific type of patient (26-150% of poverty) - does not cover medicare, medicaid, indigent, or private pay patients - qualifying patients only constitute approximately 11% of the patient mix - if we only see qualifying patients we could get 100% grant funding - we would see less patients but receive more money - Medicaid and Medicare don't pay their share of the bill. Commissioner Barton spoke of need to go higher up in the government to get the funding we need. Dr. Birdwell feels like the thought is that people with alternative funding (medicaid,etc)that this ought to pay for their care, however, it doesn't pay enough. Judge Etheredge spoke of Community Action also having Primary Health Care at the same time as us - the State then felt like we were double-dipping on the grant and they have now told us that we will not be getting a Primary Health Care Grant - Community Action will be receiving the grant - they want county health agencies to be less and less involved in direct care and they want that to go to the non-profit agencies and they want county's to be more involved in community development. Julie Horneberger, Director of Nursing, spoke of community development being overseeing broad and general issues (immunization initiative, disease surveillance, teen violence solutions, etc.) - would also oversee health care services throughout the county - county would not provide any services. Judge Etheredge stated that we are being asked to

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quit doing one thing and taking over what the State Health Dept. has been doing (Oversight Agency) and will be taking away what we are now doing well - our local hospital is concerned about seeing a growing demand of services for indigents and others unable to pay for services that would otherwise qualify for our services - concerned about having budgeted for grant revenues that may not be coming. Commissioner Barton spoke of big picture during the budget process - we knew that we would not be as well funded - now, in addition to cuts already announced, the State is making additional cuts after we have adopted our budget. Julie Hornberger spoke of IGI letter of intent that was sent - she received a letter from State advising that even the big seven medical centers haven't agreed to join the program. Judge Etheredge spoke of discussions during the Legislative session that presented IGI (Intergovernmental Initiatives) as a way to make our money go further and not exposing ourselves to additional liability - what in fact has happened is that the State wants us to take what we are currently spending on indigent care, commit it to them, and they will attempt to get federal money which we may or may not get - you are still obligated for indigent services and it could cost as much as twice what it is currently costing. Commissioner Barton spoke of State wanting us to join an IGI - spoke of restructuring grants - we were not providing duplicate service, we were only providing housing and cooperating closely with Community Action. Dr. Birdwell spoke of providing services to a very specific group. Julie Hornberger stated that she felt like they did not look at the programs or the number of clients seen. Judge Etheredge spoke of need to address the serious problem of revenues and the long term problem in deciding where we want to go with our health department services - we have more and more people whose health insurance is not a part of their benefits. Julie Hornberger presented a breakdown of actual client count, percentage of clients seen and total visits seen in 94-95 family practice.

| <u>Breakdown</u> | <u>Actual Client Count</u> | <u>Percentage of Clients</u> | <u>Total Visits 94-95 Family Practice</u> |
|------------------|----------------------------|------------------------------|-------------------------------------------|
| Medicaid         | 340                        | 30%                          | 684                                       |
| Medicare         | 95                         | 4%                           | 111                                       |
| PHC              | 118                        | 11%                          | 274                                       |
| Private          | 589                        | 38%                          | 944                                       |
| IHC              | 108                        | 16%                          | 411                                       |
| Co. Phy          | 7                          | 1%                           | 66                                        |
|                  | <hr/>                      |                              |                                           |
|                  | 1,257                      | 100%                         | 2,506                                     |

In 1994-95 for every dollar Family Practice cost: Grants = 75% Program Income = 13% County = 11% - Actual spending Family Practice: COPC Grant = 47% MCH Grant = 29% Program Income = 13% and County = 11% - 1995-96 funding available: Grant = 15% County = 15% Program Income = 37% ? funding = 33%. Judge Etheredge spoke of there being not enough people involved in the decision making process when it comes to health care issues as they relate to our whole society - the school district will have an increase in absenteeism related to health care, nutrition, etc. which we have attempted to put into place - CTMC is offering a clinic in Dripping Springs and we could perhaps shut ours down - not sure what to do - you can bring the budget into line but it does not solve the problem of providing services. Judge Etheredge spoke of the Blue Cross Children's Health Care program - we need to get together with local health care providers and come up with an approach before we attempt to get State funding. Commissioner Barton spoke of not willing to accept these cuts - we need to go to our Legislators. Judge Etheredge stated that we need to schedule a workshop with Central Texas Medical Center, Community Action Agency, representation from the medical community and really look at where all this is going - there are concerns and we need a community discussion to get an idea of what is expected from the county. Commissioner Molenaar asked if we could amend what we have allocated to EMS and Fire z(\$40,000 is not going to be used right now) and perhaps the dollars funded for legal aid (\$42,000) or other areas - it is more important to keep our health care going rather than starting a new program. Judge Etheredge stated that legal aid affects the same people in need. Commissioner Molenaar felt like the children's health care is more important than a divorce. Court agreed that more discussion is needed and that we do need to contact our Legislators regarding this issue.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 18<sup>TH</sup> DAY OF DECEMBER, 1995.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S COUNTY, TEXAS**

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 9TH DAY OF NOVEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN WORKSHOP MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**JOINT WORKSHOP WITH THE SAN MARCOS CITY COUNCIL AND THE SAN MARCOS CISD BOARD OF TRUSTEES**

BROADWAY STREET - Brief discussion was had regarding the Broadway Street reconstruction project - it has been completed.

LOOP/RAILROAD RELOCATION - Mayor Cathy Morris spoke of meeting with Congressman Laughlin, TxDot, County, and City of San Marcos - many people favor this project - spoke of letter put out by the City Council. Judge Etheredge spoke of discussion in Commissioners' Court - Commissioner Payne prefers west side of project first - Commissioner Rodriguez feels like his constituents are opposed to it. Commissioner Barton spoke of Austin Loop - will support the project. Judge Etheredge spoke of Minute Order signed in 1983 - no other action has been taken since that time and Court has not changed their position - county will be responsible for funding right-of-way. Billy Moore spoke of RR lines through town being used for commuter trains - spoke of construction through the Camino Real area. Mayor Morris spoke of need to move railroad traffic from downtown - commuter traffic will require re-doing the rails. Judge Etheredge spoke of Camino Real - need to relocate proposed route - county will not have funding for purchase of right of way - we will be required to go out for a bond issue - in order for a bond issue to pass in today's market we will have to look at countywide infrastructure (RR12, FM1626, US290, I45 Loop, etc ) which require r-o-w acquisition over a short period of time - the Loop is one thing and the railroad relocation is another issue - current proposal is driving the price of r-o-w up - we will be expected to purchase out tracts of property owned by farmers - in 1983 the issue was an outer loop and there was no consideration of relocating the railroad lines. Mayor Morris spoke of movement of freight traffic onto the bypass highway would be more reasonable - suggested moving forward with Loop construction as proposed in 1983. Judge Etheredge spoke of those people opposed to the Loop (they live outside the City of San Marcos) - we have to represent the interest of these people who are concerned about the Loop and have no other means of representation. Commissioner Barton stated that there is an understanding of the problems affecting the City of San Marcos and that the County should play a constructive role in the project. Judge Etheredge spoke of all agreeing that we are trying to solve the traffic problems and not just necessarily building a loop, then we can move forward. Mayor Morris spoke of abandoning the railroad lines. Billy Moore spoke of environment issues on the west side of the loop. Judge Etheredge spoke of master plan addressing development and environmental concerns - how will this all affect the flood control dams and the recharge areas. Billy Moore spoke of having east portion not going through any densely populated area. Judge Etheredge stated that progress is being made through our infrastructure meetings - committee is meeting regularly (2nd Thursday of each month in the Hays School Administration Bldg.).

USE OF A PORTION OF 61.23 ACRE TRACT OF PROPERTY LOCATED ADJACENT TO THE HAYS COUNTY CIVIC CENTER BY THE SMCISD FOR A BUS BARN - Judge Etheredge

spoke of county being Trustee of 61.23 acre tract adjacent to the Civic Center running north to almost Wonder World Drive and then east almost to McCoy's Lumber Company (delinquent tax property) - was on tax roll as agricultural property - have attempted to sell it several times. School Board President Ruben Garza spoke of action by the Board regarding use of this property for a bus barn site - would like to acquire all 61.23 acres to allow for expansion. Billy Moore advised that the City of San Marcos owns 15+ acres next to this property with access on Wonderworld Drive. Judge Etheredge spoke of standing offer. Ruben Garza stated that the SMCISD has not accepted that offer at this time - spoke of taxes due on this property.

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DISCUSSION OF HAYS COUNTY APPRAISAL DISTRICT - Judge Etheredge spoke of letter he sent out to the taxing entities - asking that other entities support expanding the Board from 5 to 7 members and proposing that taxing entities reject the proposed budget based on the fact that they have deleted an administrative position and the budget is reduced by \$40,0000 (equal to budget of 1982). Billy Moore spoke of budget being 30 days late being delivered, staff had little or no input, and no public hearings were held prior to adoption of the budget - they say that this is a legal budget and a savings budget. Judge Etheredge stated that there were public hearings held, they were late in providing the budget (should have been mid July). Billy Moore spoke of school district having the most votes and could dominate the board - if we have a larger board you will not have to do the political jockeying (giving votes to smaller entities). Ruben Garza stated that the work of the Appraisal District should not be hindered by the selection process - expansion to seven members is fair - the new board could come in and amend the budget - we all have already budgeted the same funding as last year. Judge Etheredge stated that the county will vote to reject the CAD budget and support last years budget - there will be at least two new members to that board effective January 1, 1996 - let the new board take the money and decide how to use it - makes no difference to him whether they hire the administrator back or not, just have the money available. Judge Etheredge spoke of county having never had a representative on the board - we have allocated our votes to the school districts nominees - this time we will be casting our votes for our nominee and this will create some problems for some other entities - you can expand the board up to 13 members. Robert Mooney, Board Member, spoke of management study (done by an Intern - no cost) and computer system evaluation - feels like things are progressing as they should - Chief Appraiser is in charge of day to day activities. Discussion was had regarding time period for expanding membership to the Appraisal Board - the Board can expand itself or the Entities can expand the Board (through interlocal agreement) - Mayor Morris recommended that the County move forward with documentation for other entities to consider expansion of the Board - requested that the SMCISD make sure their two representatives be from inside the city limits and outside the city limits.

GBRA REGIONAL WATER PLAN - GBRA made a presentation to the Commissioners' Court of the regional water plan. Mayor Cathy Morris spoke of brief presentation by GBRA to the City Council - they have very little knowledge of the plan - have asked City Staff to review - Council has discussed expanding services - need time to study. Judge Etheredge spoke of regional plan addressing many communities in Hays County and Caldwell County. Billy Moore spoke of proposed regional system - folks are shocked by cost of surface water. Jack Fairchild, President of the San Marcos River Foundation, spoke of voter approved bond issue (\$8.5) to build a water treatment plant to treat water from Canyon Lake to reduce dependence on Edwards Aquifer and provide for future water supply - that was the intent of the citizens of San Marcos - plans now are to take water from the San Marcos River - that will not reduce dependence on the aquifer - spoke of amount of water that would be taken out of the river according to current plan. Mayor Morris advised Mr. Fairchild that the Council was not aware that GBRA plan was complete and did not receive their plan until today - spoke of bond election in 1990 to build a treatment plant with the idea of transferring water rights - we will be using Canyon Lake water - we are pursuing transfer water rights - ultimately transmission lines will be built - not all council members agree that drawing from the river is first priority - reality is that we will try to make the best decision we can to meet the water needs of the citizens of San Marcos - HDR study clearly defines both methods will be necessary (using river water and Canyon Lake water). Luckey Tomblin (lives along the San Marcos River) spoke of railroad relocation - supports this project - it is important that the County, City, and School District would continue discussing a regional transportation system - landowners would cooperate if this loop was not just recommended for 18-wheeler traffic - if there is going to be a plan for regional water system we suggest that you allow the voters to vote on the issues. Mayor Morris stated that the elected entity is responsible to make sure that the water supply is there - they are elected by the voters to make these decisions. Lucky Tomblin spoke of letting the people instruct the council. Billy Moore stated that no decision has been made hard and fast - dialogue is still ongoing - permit has been applied for.

Meeting adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 18<sup>TH</sup> DAY OF DECEMBER, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S C O U N T Y, T E X A S**

  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
**H A Y S C O U N T Y, T E X A S**



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 13TH DAY OF NOVEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14507 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices as presented by the County Auditor in the amount of \$ 275,579.36. All voting "Aye".

|                    |              |                    |               |                     |              |
|--------------------|--------------|--------------------|---------------|---------------------|--------------|
| State Shared Rev   | \$ 556.80    | Fines              | \$ 251.00     | Auditors Office     | \$ 215.55    |
| Treasurers Ofc     | \$ 342.94    | Extension Office   | \$ 107.30     | Grants Admin        | \$ 1,173.26  |
| Juvenile Probation | \$ 229.64    | Election Admin     | \$ 53.09      | Indigent Care       | \$ 3,786.40  |
| Transfer Station   | \$ 4,357.82  | Bldg. Maint. Dept. | \$ 2,652.90   | Environ Health      | \$ 3,032.91  |
| Personal Health    | \$ 2,295.63  | Civic Center       | \$ 683.15     | Countywide Oper     | \$ 9,157.53  |
| Tax A/C            | \$ 1,416.10  | District Clerk     | \$ 235.84     | County Clerk        | \$ 2,473.41  |
| Sheriff's Office   | \$ 6,059.38  | Jail Operations    | \$ 1,098.59   | County Judge        | \$ 111.35    |
| Human Resources    | \$ 12.00     | Co Crt @ Law 1     | \$ 137.31     | District Attorney   | \$ 1,257.30  |
| J.P. 1-2           | \$ 43.20     | J.P. 2             | \$ 236.83     | J.P. 3              | \$ 172.69    |
| J.P. 4             | \$ 241.89    | J.P. 5             | \$ 96.54      | D.P.S./Substation   | \$ 606.63    |
| Constable 1        | \$ 46.54     | Constable 5        | \$ 196.00     | Dist Crt Operations | \$ 8,367.07  |
| Co & J.P. Crt Oper | \$ 9,491.97  | Veterans Admin     | \$ 355.66     | Computer Svcs       | \$ 676.81    |
| VA Van Grant       | \$ 110.00    | TABC               | \$ 20.23      | TJPC CCAP Grant     | \$ 10.00     |
| Comm Crt Exp       | \$ 288.00    | *Gen Fund Credit*  | * \$ 241.62 * | R&B Operations      | \$ 49,803.96 |
| Precinct 1         | \$ 540.80    | Precinct 2         | \$ 1,085.75   | Precinct 4          | \$ 55.83     |
| Anticip Notes '95  | \$ 89,188.35 | Health Svcs Grants | \$ 4,187.26   | Hot Check fee       | \$ 451.25    |
| Law Library        | \$ 319.60    | Jail Construction  | \$ 477.25     | Hays Co I&S Fund    | \$ 17,133.45 |
| Road Construction  | \$ 39,305.16 | Courthouse Renov   | \$ 5,426.72   | Adult Prob Oper     | \$ 3,436.49  |
| Adult Prob Fac     | \$ 430.16    | Ne Canaan Grant    | \$ 1,321.69   |                     |              |

**14508 APPROVE BUDGET AMENDMENT NO. 96-004**

The following budget amendments were proposed:

Constable Pct. 2 & Countywide Operations - transfer \$1,295 as approved from contingencies for purchase of used DPS car for Constable Pct. 2 and budget sale of 1987 Ford. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendment for the Constable Pct. 2 & Countywide Operations budget as proposed. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No".

Juvenile Probation Grant - Grant requires the two new juvenile probation officers salaries to be budgeted separately from existing budget.

Anticipation Note Series 95 Projects - transfer \$41,106 for authorized GIS computer equipment from previously budgeted juvenile detention line.

TDHCA/Wimberley Water System Grant - budget expenses and revenues for new grant.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendment for Juvenile Probation Grant, Anticipation Note Services 95 Projects, and the TDHCA/Wimberley Water System Grant as proposed by the County Auditor. All voting "Aye".

NOVEMBER 13, 1995

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AMENDMENT  
NO. 96-004  
FY 96 BUDGET  
11/13/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES             | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------------------|---------------|-----------|-----------|---------------|
|                                      | BEFORE        | INCREASES | DECREASES | AS AMENDED    |
| <u>CONSTABLE PCT. 2 (432):</u>       |               |           |           |               |
| 01-432-5713 VEHICLE                  | 6,000         | 2,500     |           | 8,500         |
| <u>COUNTY WIDE OPERATIONS (414):</u> |               |           |           |               |
| 01-414-5399 CONTINGENCIES            | 80,000        |           | (1,295)   |               |
| <u>REVENUES:</u>                     |               |           |           |               |
| DECREASES INCREASES                  |               |           |           |               |
| 01-363-3633 AUCTION SALES            | -0-           |           | 1,205     | 1,205         |
|                                      |               | 2,500     | 2,500     |               |

TRANSFER AS APPROVED FROM CONTINGENCIES FOR BALANCE OF PURCHASE AUTHORIZED VEHICLE

TJPC/JUVENILE PROBATION OFFICERS SALARY (2) GRANT (735):

|                        |     |        |  |        |
|------------------------|-----|--------|--|--------|
| 01-735-5021 STAFF      | -0- | 44,358 |  | 44,358 |
| 01-735-5110 FICA       | -0- | 3,394  |  | 3,394  |
| 01-735-5121 RETIREMENT | -0- | 3,467  |  | 3,467  |
| 01-735-5160 INSURANCE  | -0- | 4,125  |  | 4,125  |

TJPC/SALARIES GRANT (463):

|                        |         |        |          |        |
|------------------------|---------|--------|----------|--------|
| 01-463-5021 STAFF      | 132,914 |        | (44,358) | 88,556 |
| 01-463-5110 FICA       | 13,166  |        | (3,394)  | 9,972  |
| 01-463-5121 RETIREMENT | 13,450  |        | (3,467)  | 9,983  |
| 01-463-5160 INSURANCE  | 15,918  |        | (4,125)  | 11,793 |
|                        |         | 55,344 | (55,344) |        |

TO SEPARATE NEW GRANT TJPC WILL FUND SALARY ONLY, BALANCE IS HAYS COUNTY MATCH.

| REVENUES:                                                   | DECREASES |        | INCREASES |        |
|-------------------------------------------------------------|-----------|--------|-----------|--------|
|                                                             | AMOUNT    | AMOUNT | AMOUNT    | AMOUNT |
| 01-384-2735 TJPC/(2) JUVENILE PROBATION OFFICE SALARY GRANT | -0-       |        | 44,358    | 44,358 |
| 01-384-2463 TJPC SALARIES GRANT                             | 144,583   | 53,475 |           | 91,108 |
| NET HAYS COUNTY MATCH (PREVIOUSLY BUDGETED)                 |           |        | 2,117     |        |
|                                                             |           | 53,475 | 53,475    |        |

AMENDMENT  
NO. 96-004  
FY 96 BUDGET  
11/13/95

FUND NO. 06

FUND TITLE ANTICIPATION NOTES '95 PROJECTS FUND

| LINE ITEM - EXPENDITURES                      | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|-----------------------------------------------|---------------|-----------|-----------|---------------|
|                                               | BEFORE        | INCREASES | DECREASES | AS AMENDED    |
| <u>ANTICIPATION NOTES '95 PROJECTS (610):</u> |               |           |           |               |
| 06-610-5711 GIS COMPUTER EQPT                 | -0-           | 41,106    |           | 41,106        |
| 06-610-5729 JUVENILE DETENTION                | 80,000        |           | (41,106)  | 38,894        |

BUDGET GIS COMPUTER AS AUTHORIZED NOT TO EXCEED 45,000

AMENDMENT  
NO. 96-004  
FY 96 BUDGET  
11/13/95

FUND NO. 45

FUND TITLE TDHCA/WIMBERLEY WATER SYSTEM

| LINE ITEM - EXPENDITURES                   | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------------------------|---------------|-----------|-----------|---------------|
|                                            | BEFORE        | INCREASES | DECREASES | AS AMENDED    |
| <u>TDHCA/WIMBERLEY WATER SYSTEM (612):</u> |               |           |           |               |
| 45-612-5499 GEN ADMIN SVS                  | -0-           | 30,000    |           | 30,000        |
| 45-612-5613 WATER UTILITY CONST            | -0-           | 202,700   |           | 202,700       |
| 45-612-5621 ENGINEERING SVS                | -0-           | 29,800    |           | 29,800        |
| <u>REVENUES:</u>                           |               |           |           |               |
| DECREASES INCREASES                        |               |           |           |               |
| 45-367-6612 CONNECTION FEES                | -0-           |           | 12,500    | 12,500        |
| 45-381-2612 TDHCA/WIMBERLEY WATER GRANT    | -0-           |           | 250,000   | 250,000       |
|                                            |               | 262,500   | 262,500   |               |

TO BUDGET AUTHORIZED NEW GRANT

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**14509 AMEND THE MINUTES OF SEPTEMBER 1995 REGARDING THE REPLAT OF LOMA VISTA  
LOTS 5-7: RECORD SHOULD REFLECT "THE POINT REPLAT OF LOTS 5-7"**

Summary: Loma Vista Replat of Lots 5-7 went through three reading in September 1995, however, the correct name for that subdivision is "The Point" (which was a resubdivision of Lots 16-24 of the Loma Vista Subdivision - filed in 1965). The Minutes of September have already been approved by the Court, therefore, an amendment is necessary to allow proper filing of this plat. Commissioner Payne advised that at last week's meeting he was concerned about the improper publishing of the Notice of Replat from September - he has spoken with the Title Company and they have no problem with the public notice, therefore, he recommends approving the amendment. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve amending the Minutes of September 1995 regarding the replat of Loma Vista Lots 5-7: record should reflect "The Point Replat of Lots 5-7". All voting "Aye".

**14510 APPROVE THE COMMISSIONERS' COURT MINUTES OF OCTOBER 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez, to approve the Commissioners' Court Minutes of October 1995 as presented by the County Clerk. All voting "Aye".

**14511 AUTHORIZE PURCHASE OF TWO DESK CHAIRS FOR NEW EMPLOYEES IN THE JUVENILE  
PROBATION OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez, to authorize purchase of two desk chairs for new employees in the Juvenile Probation Office - \$264.00 out of countywide equipment line item. All voting "Aye".

**14512 AUTHORIZE PURCHASE OF SECRETARIAL CHAIRS FOR NEW COUNTERS BEING  
INSTALLED IN THE TAX OFFICE**

The new counters being built for the Tax Office are desk height, therefore, eight new secretarial chairs are needed to replace the current stools. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez, to authorize purchase of secretarial chairs for new counters being installed in the Tax Office - \$1,056.00 out of countywide equipment line item. All voting "Aye".

**14513 AWARD CONTRACT ON ROAD DEPARTMENT EQUIPMENT [T1-47]**

Cindy Casparis presented bid tabulations:

|                                                      |               |                                                    |
|------------------------------------------------------|---------------|----------------------------------------------------|
| <b>SINGLE AXLE, DIESEL POWERED CAB &amp; CHASSIS</b> |               |                                                    |
| Crosstown Truck Center                               | \$ 30,733.00  |                                                    |
| San Antonio Peterbilt/GMC Inc.                       | \$ 32,702.00  |                                                    |
| <b>12-14 CUBIC YARD DUMP BODY</b>                    |               |                                                    |
| San Antonio Peterbilt/GMC Inc.                       | \$ 50,305.43  | *did not meet specs on Engine & Transmission       |
| Crosstown Ford Sales, Inc.                           | \$ 56,024.00  |                                                    |
| Longhorn Intl Equip                                  | \$ 57,900.00  |                                                    |
| Lonestar White GMC                                   | \$ 59,788.00  |                                                    |
| <b>VIBRATORY PADDED DRUM COMPACTOR</b>               |               |                                                    |
| Holt Co of Tx                                        | \$ 73,113.00  | + 1,992.00 Warranty<br>-35,000.00 Repurchase Price |
| Closner Equip                                        | \$ 67,033.00  | + 2,855.00 Warranty<br>-17,750.00 Repurchase Price |
| Cooper Equip                                         | \$ 59,800.00  | + 6,000.00 Warranty<br>-32,000.00 Repurchase Price |
| Waukesha Pearce                                      | No Bid        |                                                    |
| <b>ROAD MIXER/RECLAIMER</b>                          |               |                                                    |
| Holt Co of Tx                                        | \$ 162,981.00 | + 3,900.00 Warranty<br>-77,137.00 Repurchase Price |
| Nichols                                              | No Bid        |                                                    |

Purchasing Agent Cindy Casparis and Road Director Ron Bischoff spoke of bids received - recommended rejecting both bids on Single Axle Diesel Powered Cab & Chassis - Ron will be attending an auction this week in hopes of getting a better price - in the event that he cannot get better pricing, they ask that the Court authorize Purchasing to prepare new specifications and rebid. Ron Bischoff spoke of bids for 12-14 cubic yard dump body - the low bidder did not meet county specs on the engine or the transmission. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to reject the bids submitted on the single axle, diesel powered cab & chassis and award contracts on 12-14 cy dump body to Crosstown Ford Sales, Inc. in the amount of \$ 56,024.00, vibratory padded drum compactor to Cooper Equipment in the amount of \$59,800.00, and road mixer/reclaimer to Holt Co of Texas in the amount of \$162,981.00. All voting "Aye".

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14514 AMEND THE RULES FOR OUTDOOR BURNING [T1-82]

Fire Marshal A.D. Carroll spoke of amendments proposed to the Hays County Rules for Outdoor Burning: Item #4 has the word "supervised" added which means someone has to be present while doing the burning and Item #8 adds a minimum fine of \$25.00 - spoke of problems with contractors leaving fires going when they close for the day and during the night the wind will come up and start a fire. Commissioner Payne spoke of Item #3 specifying hours of 9AM to 5PM - spoke of people working being unable to burn in the evenings. A.D. Carroll stated that the Air Board Rules specify 9AM to 5PM for burning and Item #2 is also an Air Board Rule. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the Amended Rules For Outdoor Burning. All voting "Aye".

HAYS COUNTY EMERGENCY MANAGEMENT  
FIRE MARSHAL'S OFFICE

A. D. Carroll  
Fire Marshal  
Emergency Management Coordinator

**RULES FOR OUTDOOR BURNING**

OUTDOOR BURNING IS ALLOWED ONLY UNDER THE FOLLOWING CIRCUMSTANCES

1. Burning must be outside corporate limits and at least 300 feet from occupied structures, except when necessary to eliminate a naturally occurring fire hazard and shall not create nuisance conditions or impair traffic.
2. Burning shall not begin when the wind speed is less than 6 mph or greater than 23 mph.
3. Burning shall be conducted between the hours of 9 a.m. and must be completed by 5 p.m.
4. All outdoor burning shall be supervised and under controlled conditions. Citizen's responsible for controlled burns shall have the means to control/extinguish the burn.
5. For campfires and other recreational and ceremonial purposes, the non-commercial preparation of food and for supplying warmth in cold weather.
6. To destroy diseased animals when necessary to prevent the spread of disease.
7. Outdoor burning of trees, brush, and other dry vegetation is allowed in rural areas for right-of-way maintenance and land clearing, forest crop and range management purpose only if no practical alternative exists.
8. Violations of this Order shall be punishable as a Class C misdemeanor with a minimum fine of \$25.00.

PROHIBITED BURN ITEMS

- \*Treated construction waste\*household garbage\*tires\*rubber/plastic products\*
- \*Heavy oils\*materials producing excessive amounts of smoke\*fiberglass products\*
- \*Oil based materials\*any burning during countywide burn bans\*

*The authority to conduct outdoor burning under the above circumstances does not excuse the responsible person from any consequences, damages, or injuries resulting from the burning and does not excuse anyone from complying with all ordinances of other governmental agencies.*

YOUR COOPERATION IS APPRECIATED IN THIS MATTER

The above rules shall be enforced by the Hays County Fire Marshal's Office

\*\*Prior to all outdoor burning the Hays County Fire Marshal's Office shall be notified\*\*

A.D. Carroll  
Hays County Fire Marshal  
(512)396-0821 - P.O.Box 103 - San Marcos, Texas 78667

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**PLATTING VARIANCE - REQUEST FROM LEE BLOCKER ON A 100 ACRE TRACT OF MADRONE RANCH** [T1-137]

Environmental Health Director Allen Walther spoke of the 100 acres being taken out of the Madrone Ranch - Court has approved two previous sections - spoke of unstudied but regulated floodplain on this parcel. Judge Etheredge spoke of access through the subdivision and will be by easement because he is not sure how he wants to divide up the remaining acres - we have two problems: it crosses the floodplain area and does not comply with our subdivision regulations for access (not a dedicated road). Lee Blocker spoke of cost to build a county road (\$245,000) to this 100 acres - spoke of topography of the property - the proposed easement is acceptable to the prospective buyer. Commissioner Molenaar spoke of his concerns with continually breaking off pieces without subdividing - recommends making this a subdivision now (2 separate pieces) and resubdivide as additional tracts are sold off rather than continuing to ask for platting variances - agrees with the concept of allowing people to pick out the acreage they want, however, he recommends subdividing the property now and dedicate a 60 foot r-o-w - we will not require that easement be built do county standards at this time and a road variance could be granted if future tracts are large - we may require that road be built to county standards in the future. Lee Blocker stated that he plans to clear the roadway and put in needed drainage pipes and have an easement road rather than a dedicated road (will be passable by a passenger automobile) because its difficult to determine where the road positively needs to be to meet future development plans - property owner will maintain his roadway per agreement - any future property owners will assist in road maintenance. Judge Etheredge asked what will trigger the road construction? Commissioner Molenaar spoke of once 50/75% of the land is developed, we will require road construction. Patsy Greiner, Mapping/Planning Coord., spoke of need to review this property as a master plan and go from there - go through phases and as the next phase is developed the county could require road construction . Commissioner Molenaar spoke of need to meet with Developer and Environmental Health to work out problems before this item comes back before the Court for action. Allen Walther spoke of floodplain in the 100 acre parcel - he is concerned about road crossing and impact of drainage structure on the floodplain - need a no rise certification on the crossing or a flood study.

**14515 HILLS OF TEXAS ESTATES REPLAT LOT 58A > SECOND READING APPROVAL** [T1-455]

Lots 58 is being replated to dedicate additional right-of-way on Kemp Hills Drive to avoid 100-year floodplain - staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Estates Replat Lot 58A" on second reading. All voting "Aye".

**14516 LADERA SUBDIVISION > SECOND READING APPROVAL** [T1-468]

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Ladera" subdivision on second reading. All voting "Aye".

**PLATTING VARIANCE REQUEST > GOODING PROPERTY (11.92 AC) OFF FOOTHILLS DRIVE**

[T1-484]

A request for platting variance was submitted by Pat Gooding, Floyd Gooding, Sr., and Floyd Gooding, Jr. on an 11.92 acre tract west of Meadow Creek Ranch subdivision - they have a roadway maintenance agreement for maintenance of the easement to their property - a letter of determination was received from the City of Dripping Springs (not subject to the City's Ordinance 30E). Commissioner Molenaar spoke of this being one of the tracts previously sold by Grady Lowe - Mr. Lowe has executed a road maintenance agreement with property owners. Commissioner Barton urged property owners to work with Mr. Lowe for long term joint ownership property owners association for road maintenance. No action taken this date.

**14517 COLEMAN SUBDIVISION PHASE 1 > THIRD READING APPROVAL** [T1-609]

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Coleman Subdivision Phase 1" on third reading. All voting "Aye".

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**14518 WYLEY HUGHES SUBDIVISION > THIRD READING APPROVAL** [T1-622]

Commissioner Payne spoke of this subdivision previously being heard as Blanco River Rapids Section 2 subdivision - it was not a part of the original subdivision, therefore, it will be known as "Wyley Hughes Survey" - an agreement has been executed for property owner to join in the Blanco River Rapids Property Owners Association for road maintenance - adequate r-o-w is provided. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Wyley Hughes Subdivision (Lots B-1, B-2, & B-3)" on third reading. All voting "Aye".

**14519 DOUGLAS ESTATES REPLAT OF LOT 37 > THIRD READING APPROVAL** [T1-643]

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Douglas Estates Replat of Lot 37 (Blots 37-A & 37-B) on third and final reading. All voting "Aye".

**14520 PLATTING VARIANCE GRANTED TO CURTIS BRIGGS FOR 8.00 ACRE TRACT ON EL CAMINO WAY** [T1-654]

A request for variance was submitted for an 8.00 acre tract located on El Camino Way - this tract is being cut out of an original 147.53 acres and will be used for residential and agricultural use. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to grant a platting variance to Curtis Briggs for an 8.00 acre tract out of the Rebecca Brown Survey and located on El Camino Way. All voting "Aye".

**14521 APPROVE/CANVAS ELECTION RESULTS OF THE NOVEMBER 7, 1995 CONSTITUTIONAL AMENDMENT ELECTION** [T1-674]

Election Administrator Joyce Cowan presented the election results of the November 7, 1995 Constitutional Amendment Election - the election went smooth and turn out was approximately 10%. Commissioner Barton spoke of need to coordinate as much as possible with other entities (Cities and Schools) for uniform polling places. Joyce Cowan spoke of meetings with the Cities and Schools - boundaries do not conform with voting precincts. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve/canvas Election Results of the November 7, 1995 Constitutional Amendment Election as presented by the Election Administrator. All voting "Aye".

| CONSTITUTIONAL AMENDMENT | FOR   | AGAINST | OVERVOTES/UNDERVOTES |
|--------------------------|-------|---------|----------------------|
| PROPOSITION NO. 1        | 2,476 | 1,382   | 17/O 100/U           |
| PROPOSITION NO. 2        | 1,272 | 2,494   | 10/O 199/U           |
| PROPOSITION NO. 3        | 1,975 | 1,830   | 32/O 138/U           |
| PROPOSITION NO. 4        | 1,933 | 1,817   | 15/O 210/U           |
| PROPOSITION NO. 5        | 2,165 | 1,699   | 10/O 101/U           |
| PROPOSITION NO. 6        | 3,140 | 721     | 5/O 109/U            |
| PROPOSITION NO. 7        | 3,207 | 634     | 6/O 128/U            |
| PROPOSITION NO. 8        | 2,461 | 853     | 7/O 654/U            |
| PROPOSITION NO. 9        | 2,045 | 1,771   | 6/O 153/U            |
| PROPOSITION NO. 10       | 2,628 | 1,226   | 2/O 119/U            |
| PROPOSITION NO. 11       | 2,466 | 1,370   | 7/O 132/U            |
| PROPOSITION NO. 12       | 2,648 | 1,149   | 3/O 175/U            |
| PROPOSITION NO. 13       | 1,250 | 2,505   | 8/O 212/U            |
| PROPOSITION NO. 14       | 2,532 | 1,266   | 2/O 175/U            |

**14523 ADOPT COUNTY HOLIDAYS FOR 1996** [T1-785]

Two proposed calendars for Holidays were proposed (one has 12 and the other has 14 days) - Court agreed to select the 12 days for this coming year and emphasized that there is no guarantee that 12 days will be adopted every year. Discussion was had regarding New Year's Eve holiday. Commissioner Molenaar spoke of "personal day". Court advised that personal days are addressed in the personnel policy. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to adopt the County Holidays for 1996 (12 days). All voting "Aye".



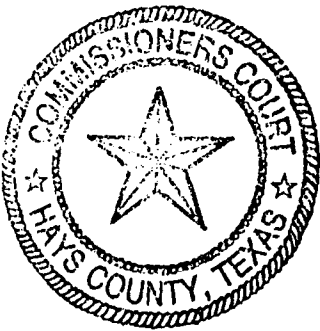
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### HAYS COUNTY HOLIDAYS FOR 1996

|                                    |           |    |           |
|------------------------------------|-----------|----|-----------|
| NEW YEARS DAY.....                 | JAN       | 1  | Monday    |
| MARTIN LUTHER KING'S BIRTHDAY..... | JAN       | 15 | Monday    |
| PRESIDENT'S DAY.....               | FEB       | 19 | Monday    |
| GOOD FRIDAY.....                   | APR       | 5  | Friday    |
| MEMORIAL DAY.....                  | MAY       | 27 | Monday    |
| INDEPENDENCE DAY.....              | JUL       | 4  | Thursday  |
| LABOR DAY.....                     | SEP       | 2  | Monday    |
| VETERAN'S DAY.....                 | NOV       | 11 | Monday    |
| THANKSGIVING.....                  | NOV       | 28 | Thursday  |
|                                    | NOV       | 29 | Friday    |
| CHRISTMAS.....(Eve)                | DEC       | 24 | Tuesday   |
|                                    | (Day) DEC | 25 | Wednesday |

PASSED AND ADOPTED THIS THE 13th DAY OF NOVEMBER, 1995.

### HAYS COUNTY COMMISSIONERS' COURT



*John G. Salas*  
 COUNTY JUDGE

*Pete Rodriguez*  
 COMMISSIONER PCT. 1

*Jim [Signature]*  
 COMMISSIONER PCT. 2

*[Signature]*  
 COMMISSIONER PCT. 3

*[Signature]*  
 COMMISSIONER PCT. 4

ATTEST:

*Margie Villafuerte*  
 HAYS COUNTY CLERK

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**14523 ADOPT RESOLUTION DISAPPROVING THE PROPOSED BUDGET OF THE HAYS COUNTY APPRAISAL DISTRICT AND DIRECTING THE CAD BOARD OF DIRECTORS TO PREPARE AN ALTERNATE BUDGET [T1-904]**

County Judge Eddy Etheredge and Tax Assessor-Collector Luanne Caraway recommended that the county adopt a resolution which disapproves the CAD's proposed budget and directs the Board to prepare a new budget with an additional \$40,848 to a contingency line item for use by the new Board if they so choose - this amount is the difference between 1995 and 1995 budgets. Commissioner Payne spoke of CAD not getting the credit they deserve - they have an outstanding staff. Judge Etheredge agreed with Commissioner Payne, however, they need some leadership. Commissioner Barton stated that the Court is not critical of the staff. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to adopt resolution disapproving the proposed budget of the Hays County Appraisal District and directing the CAD Board of Directors to prepare an alternate budget. All voting "Aye".

**Resolution  
of  
the  
Hays County Commissioners' Court**

**WHEREAS**, the Hays County Commissioners' Court disapproves of the proposed budget of the Hays County Central Appraisal District for fiscal year 1996; and

**WHEREAS**, the Hays County Commissioners' Court hereby directs the Board of Directors of the Hays County Central Appraisal District to create a budget similar to the proposed budget but with an additional \$40,848 in the contingency line item.

**NOW, THEREFORE, BE IT RESOLVED**, that the Hays County Commissioners' Court hereby disapproves of the proposed fiscal year 1996 budget for the Hays County Central Appraisal District and directs the Appraisal District to create a new budget.

Adopted on this, the 13th day of November, 1995

*Eddy A. Etheredge*  
Eddy A. Etheredge  
Hays County Judge

*Jeff Barton*  
Jeff Barton  
Commissioner Pct. 2

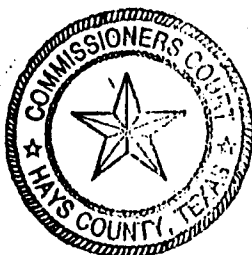
*Russ Molenaar*  
Russ Molenaar  
Commissioner Pct. 4

*Pete Rodriguez*  
Pete Rodriguez  
Commissioner Pct. 1

*Craig Payne*  
Craig Payne  
Commissioner Pct. 3

Attest:

*Margie Villalpando*  
Margie Villalpando  
Hays County Clerk



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**14524 CAST VOTES FOR MEMBERS TO THE HAYS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS** [T1-938]

The Central Appraisal District has provided a list of nominees for the five member Board of Directors (Frank Arredondo, Bernard Callender, Luanne Caraway, Paul Garnett, Calvin Kirkham, Will Marasek, and Robert Mooney) - Hays County has a total of 999 votes to cast. Commissioner Payne stated that it is important to him to get someone on the Board from Wimberley - suggested casting some of our votes for Will Marasek. Judge Etheredge spoke of expanding the Board of Directors in the near future (can be up to 13 members) - this must be done during the months of June through August 1996 - increasing membership seems to be supported by the majority of taxing entities. Commissioner Molenaar spoke of Dripping Springs possibly not having a representative on the Board. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to cast Hays County's votes for membership to the Hays County Appraisal District Board of Directors as follows: 950 votes for Luanne Caraway and 49 votes to Will Marasek. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Molenaar voting "No".

**14525 ACCEPT BID OFFER FOR DELINQUENT TAX PROPERTY (LOTS IN ALLEGRE MONANTIAL SUBDIVISION)** [T1-1086]

Tax Assessor-Collector Luanne Caraway spoke of bids received on two tracts that are owned by the Hays CISD and Hays County - a bid of \$4,500.00 was received for Lots 2 & 3 Block A Allegre Monantial (45% recovery) and \$2,500.00 for Lot 4 Block B Allegre Monantial (55% recovery) - we have had several previous bids on this property which have been rejected - this bid is subject to approval by the Hays CISD School Board. This property lies in the floodplain and floodway, however, it will be possible to develop on them according to Environmental Health Director Allen Walther. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to accept bid offer for delinquent tax property as proposed by the Tax Assessor-Collector - \$4,500 for Lots 2&3 Block A of Allegre Monantial and \$2,500 for Lot 4 Block B of Allegre Monantial - subject to approval by the Hays CISD. All voting "Aye".

**14526 AUTHORIZE PURCHASE OF A MAILING MACHINE AND ACCOUNTING SYSTEM** [T11-1165]

The existing postage/mail machine for the county is approximately 15 years old - we are not able to process 1st class presort mail which is going to save the county about \$2,000.00 per year on just the one major mailing that the tax office does annually - the proposed new machine can handle the accounting for the various departments mail instead of the way we are now manually handling the accounting. Purchasing Agent Cindy Casparis spoke of Vendor Friden currently providing us with a loaner machine - they have state contract on postage machines - we have outgrown our current machine and it will keep up with the accounting. County Auditor Bill Herzog concerned about funding this purchase - will need to figure out where money is available. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to authorize purchase of Mailing Machine/Mail Accounting System in the amount of \$7,895.00. All voting "Aye".

**WORKSHOP - ROAD PRIORITIES** [T11-1259]

Road Director Ron Bischoff spoke of setting out traffic counters on high priority roads which will then be worked into the budget as funds are available - the road department has received a software program to rate the roads from A&M University - the current list of prioritized roads reflects input from Doucets matrix, caller input, and road foreman input - gravel roads are not on the list - we are evaluating roads based on recommendations - some roads are deteriorating quickly - some are in very bad shape and may need to be turned back into gravel and put on a reconstruction schedule - population, bus traffic, and Commissioner input are a consideration in prioritizing. Commissioner Molenaar spoke of work being done in the Dripping Springs area - the Road Dept. has addressed many of the needs (Saddletree, Big Country, Bear Creek Estates) - spoke of need to also address tree trimming - we may need to consider contracting out with professional tree trimmers - trees in the right-of-way are creating problems for school buses and other vehicles (causing them to drive in the center of the roadway). Commissioner Barton spoke of prioritizing roads - he would like to see traffic counts before making decisions - asked how we allocate dollars between precincts - he has two separate list (prioritized by reconstruction and spot seal). Ron Bischoff stated that it is obvious that Precinct 1 has less roads in dire need of repair and Precinct 4 has the most in need of repair - some of these roads may need extensive repair upon further evaluation - some roads may be visually good but on inspection it is deteriorating rapidly - you may want to bring roads up to a standard to last five or seven years. Court will continue to be involved in prioritizing roads on a regular basis and decide which ones will be repaired. Commissioner Barton spoke of attending meetings with neighborhood associations to explain our plans. Ron Bischoff spoke of sign program - primary focus is on 9-1-1 street signs - there are problems using round posts vs. T-post. Commissioner Payne recommended a small crew to go out and inspect and repair/maintain existing signs.

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**EMPLOYEE RECOGNITION PROGRAM**

The following employees were recognized as Outstanding Employees for the period of April - September 1995:


- Category I - Grade 1-8: Cindy Schuetz has been a county employee since 1992 (Purchasing Dept.)
- Category II - Grade 9-14: Margie Rodriguez has been a county employee 11 years (Health Dept./Indigent Health Care Program)
- Category III - Grade 15-21: Nancy Shelton has been a county employee for 4 years (Health Dept. RN/Nurse Practitioner)
- Special At Large Category: Linda Fritsche has been a county employee since 1969 (County Clerk's Office Chief Deputy)

Ten Year Pin was presented to Joyce Cowan (Elections Administrator) and Allen Walther (Director of Environmental Health).

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 18<sup>TH</sup> DAY OF DECEMBER, 1995.

  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
**H A Y S C O U N T Y, T E X A S**

  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
**H A Y S C O U N T Y, T E X A S**



**STATE OF TEXAS**  
**COUNTY OF HAYS**

**ON THIS THE 20th DAY OF November A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

- |                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

**INTRODUCTION OF NEW EMPLOYEES:** The following new employees appeared before the Court: Daniel Villegas (Bldg. Maint.), Pat Broan & Deborah Espinoza (Tax Office) - new employees that did not appear: Lewis Garrcis, James Young, and David Burns (Jail).

**14527 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 181,785.55 as presented by the County Auditor. All voting "Aye".

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|                   |              |                   |              |                     |              |
|-------------------|--------------|-------------------|--------------|---------------------|--------------|
| Fines             | \$ 36.00     | Auditors Office   | \$ 197.92    | Treasurers Office   | \$ 656.70    |
| Extension Office  | \$ 405.93    | Grants Admin      | \$ 70.30     | Juvenile Probation  | \$ 1,350.43  |
| Election Admin    | \$ 6,943.11  | Indigent Care     | \$ 11,931.40 | Environ Health      | \$ 413.34    |
| Personal Health   | \$ 661.51    | Civic Center      | \$ 593.36    | Countywide Oper     | \$ 10,141.33 |
| Tax A/C           | \$ 255.20    | District Clerk    | \$ 26.40     | County Clerk        | \$ 1,470.66  |
| Sheriffs Ofc      | \$ 2,055.86  | Jail Operations   | \$ 24,343.40 | County Judge        | \$ 197.85    |
| Human Resources   | \$ 944.45    | Co Cr @ Law 1     | \$ 58.97     | District Attorney   | \$ 377.18    |
| J.P. 1-1          | \$ 58.92     | J.P. 1-2          | \$43.06      | J.P. 3              | \$ 40.00     |
| J.P. 4            | \$ 5.45      | J.P. 5            | \$ 52.50     | DPS                 | \$ 231.24    |
| Constable 1       | \$ 117.17    | Constable 4       | \$ 279.93    | Constable 5         | \$ 901.57    |
| District Cr Oper  | \$ 3,932.38  | Veterans Admin    | \$ 34.92     | Computer Svcs       | \$ 3,871.00  |
| Co Cr @ Law 2     | \$ 2.30      | DPS/Lic & Wgts    | 137.15       | Fire Marshal/EMC    | \$ 7.54      |
| TABC              | \$ 65.42     | Dist Cr Reporter  | \$ 18.11     | TJPC CCAP Grant     | \$ 1,727.10  |
| Legal Aid Ofc     | \$ 1.85      | DA DARE Grant     | \$ 409.86    | Used Oil Sign Grant | \$ 550.00    |
| R&B General       | \$ 6,355.73  | Precinct 1        | \$ 204.00    | Precinct 2          | \$ 92.68     |
| Precinct 3        | \$ 93.69     | Precinct 4        | \$ 50.98     | R&B Gen Credit      | * \$2.50 *   |
| Anticip Notes '95 | \$ 1,029.03  | Rec Mng/Co Clk    | \$ 5.34      | Health Svcs Grants  | \$ 2,340.86  |
| Hays Co I&S       | \$ 12,460.00 | Road Construction | \$ 17,661.95 | Courthouse Renov    | \$ 33,291.14 |
| Foster Care Fund  | \$ 8,115.20  | Adult Prob Oper   | \$ 9,114.54  | D.A. Reimb Trust    | \$ 13,589.60 |

**14528 APPROVE BUDGET AMENDMENT NO. 95-005 (TCADA/DARE [DA] OFFICER GRANT)**

District Attorney Marcos Hernandez spokoe of D.A.R.E. Officer grant being terminated effective January 1, 1996 due to cuts in State funding - budget amendment is needed to reflect the termination of the grant. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-005 (TCADA/DARE [DA] Officer Grant). All voting "Aye".

AMENDMENT  
NO. 96-005  
FY 96 BUDGET  
11/20/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

**TCADA/DARE (DA) OFFICER GRANT (723):**

|                         |        |     |          |       |
|-------------------------|--------|-----|----------|-------|
| 01-723-5021 STAFF       | 25,314 |     | (15,885) | 9,429 |
| 01-723-5110 FICA        | 1,970  |     | (1,249)  | 721   |
| 01-423-5121 RETIREMENT  | 2,012  |     | (1,282)  | 730   |
| 01-723-5160 INSURANCE   | 2,263  |     | (1,513)  | 750   |
| 01-723-5219 SUPPLIES    | 2,775  | 288 |          | 3,063 |
| 01-723-5311 TRAVEL      | 3,708  |     | (2,957)  | 751   |
| 01-723-5346 WORKER COMP | 700    |     | (520)    | 180   |
| 01-723-5391 OTHER       | 2,115  |     | (1,575)  | 540   |
| 01-723-5448 CONTRACTUAL | 1,651  |     | (651)    | 1,000 |
|                         |        | 288 | (25,632) |       |

**REVENUES:**

**DECREASES INCREASES**

|                                                              |         |        |        |         |
|--------------------------------------------------------------|---------|--------|--------|---------|
| 01-381-2723 FED/TCADA DARE (DA)<br>OFFICER GRANT             | 42,012  | 25,665 |        | 16,347  |
|                                                              |         |        | 25,632 |         |
| 01-414-5340 INS./WORKER COMP<br>BALANCE OF HAYS COUNTY MATCH | 550,000 |        | 321    | 546,679 |
|                                                              |         | 25,953 | 25,953 |         |

AMEND GRANT BUDGET FOR REVENUE & EXPENDITURE REDUCTION TO REVISE GRANT PERIOD FOR 10/01/95 TO 01/01/96; REVISE 5% MATCH AS PREVIOUSLY BUDGETED.

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**14529 APPROVE UTILITY PERMITS # 95-416 & # 95-306**

The Road Dept. requested approval on two Utility Permits as follows:

#95-306 to Pedernales Electric for installation of pole and two guys at the intersection of CR246 and CR218

#95-416 to Pedernales Electric for installation of guy on existing pole at the intersection of CR164 and Meadow Creek Drive

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permits #95-306 and #95-416 as presented by the Road Director. All voting "Aye".

**14530 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN THE RIVER OAKS SUBDIVISION**

The Proposed speed limits are: 30MPH signs from the north entrance to Bell Springs Road to Lost Creek Road and 30MPH signs on South Oak Forest Drive from CR101 to Bell Springs Road. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held December 4, 1995 to consider establishing traffic regulations in the River Oaks Subdivision. All voting "Aye".

**14531 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN THE FRIENDSHIP RANCH SUBDIVISION**

Proposed speed limit is 30MPH on Friendwood Lane. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held December 4, 1995 to consider establishing traffic regulations in the Friendship Ranch Subdivision. All voting "Aye".

**14532 AUTHORIZE PURCHASE OF FAX MACHINE, FIRE PROOF SAFE, MAIL CART, AND PLAT VIEWER SOFTWARE OUT OF COUNTY CLERK'S RECORDS MANAGEMENT FUNDS**

The County Clerk's Court Division is in need of the following for use in the Justice Center: Fax Machine ( \$550), Mail Cart for transporting files (\$209), and a Fire Proof Safe (\$300). During budget workshop sessions, the Court approved funding for plat viewer software (Subdivision plats on CD-ROM) at a cost of \$750.00. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize purchase of a fax machine, fire proof safe, mail cart, and plat viewer software out of the County Clerk's Records Management Funds. All voting "Aye".

**14533 AUTHORIZE THE PURCHASING AGENT TO FINALIZE CONTRACT WITH CENTRAL TEXAS MEDICAL CENTER FOR DRUG & ALCOHOL TESTING AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE CONTRACT**

Ron Bischoff, Road Director, advised that effective January 1, 1996 the Law mandates drug & alcohol testing for persons with a Class A Drivers License. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the Purchasing Agent to finalize a contract with Central Texas Medical Center for drug & alcohol testing and authorize the County Judge to execute the contract. All voting "Aye".

**14534 MADRONE CANYON RANCH REPLAT OF LOTS 2 & 3 - FIRST READING AND CALL FOR A PUBLIC HEARING [T1-168]**

Replat creates two lots out of Lot 3 and re-aligns lot line between Lots 2 & 3. Commissioner Molenaar advised that he has not seen this replat prior to today and he would like more time to review. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve on first reading and call for a public hearing to be held December 4, 1995. All voting "Aye".

**REQUEST FOR PLATTING VARIANCE - 4 TRACTS (79.9781 AC.) ON SAWYER RANCH ROAD [T1-233]**

A platting variance was requested by Marilyn Rhodes for 79.9781 acres located on CR164 (Sawyer Ranch Road) - the division of property is to facilitate homes and is for residential use. Environmental Health Director Allen Walther advised that this division of property looks like a subdivision to him and he recommends platting. Surveyor Cotton Johnson spoke of 30 ft. that will be dedicated for additional r-o-w on CR164 - advised that this will be a family partition. Commissioner Molenaar advised that he had not seen this request prior to today's meeting and without further investigation he will not recommend granting a variance.

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**REQUEST FOR PLATTING VARIANCE - 6 ACRES ON DARDEN HILL ROAD [T1-308]**

B. C. Burba is requesting a platting variance on a 6.00 acre tract out of a 78.962 acre tract in the Fannie A.D. Darden Survey - a letter of exemption was presented from the City of Dripping Springs. Staff recommends approval of the variance next week.

**REQUEST FOR PLATTING VARIANCE - 3.5 & 7.5 ACRES ON FM 3237 [T1-321]**

Everett Bryant submitted a request for a platting variance for two parcels - one of which is approximately 3.5 acres (with a house) and the other approximately 7.5 acres on which he plans to build at a later date - the division of the property is to facilitate sale of the front portion with the house and is for residential use. Patsy Greiner, Mapping/Planning Coord., stated that a better survey drawing is needed prior to approval.

**14535 GATEWAY (PARK PLACE) SUBDIVISION - FIRST READING APPROVAL [T1-343]**

Property Owners Mark & Steve McManus are proposing a four lot subdivision (flag lots with access on to Hays Country Acres Road - this will be rental property (mobile home park) with 36 mobile homes on each lot - 3 combined flags equal a 45 foot access easement. Allen Walther, Environmental Health Director, spoke of additional 1+ acres that was not included in the subdivision plat - plat needs to reflect the 150' sanitary easement that affects this property - the proposed wastewater system for this property has already been approved (individual septic tanks with shared drain fields). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Gateway Subdivision" on first reading subject to clarifying status of additional out parcel, identifying the sanitary easement on plat, and providing a 60 foot roadway easement. All voting "Aye".

**PLATTING VARIANCE REQUEST FOR 14 ACRES ON EL CAMINO WAY [T1-517]**

Commissioner Rodriguez requested postponement of this request - he needs more information prior to placement back on the agenda.

**PLATTING VARIANCE REQUEST FOR 12 ACRES (OUT OF THE W. R. SAUNDERS RANCH) ON OAK TERRACE ROAD [T1-533]**

Jim Henderson, Representative for Gordon Hutmacher, appeared before the Court - a single 12 acre parcel is being carved from a 148.64 acre parent tracts known as the Saunders Ranch - tract will front on Oak Terrace Road (a private road) and will be for residential use - plans no further resubdivision.

**14536 QUAIL MEADOWS - THIRD READING APPROVAL AND ESTABLISH 25MPH SPEED LIMIT [T1-589]**

Commissioner Barton spoke of this subdivision originally containing 97 lots - lot sizes have now been reduced and there are only 66 lots in the subdivision. Staff recommends approval - Letter of Credit was filed. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Quail Meadows" subdivision on third reading. All voting "Aye". [T1-907] A motion was made by Commissioner Barton, seconded by Judge Etheredge to establish 25MPH speed limit for all roads in the Quail Meadows Subdivision. All voting "Aye".

**14537 RIVER MOUNTAIN RANCH SECTION 2 - THIRD READING APPROVAL [T1-647]**

James Garon requested variance to road construction standards for road leading to the lake/homeowners park - substitute the 26' wide typical section of crushed flexible base required with a 24' width - will have 20' of 1.5" asphalt pavement - Letter of Credit was filed - these are private roads. Commissioner Molenaar wants to see signage detail and drainage pipes changed out - has no problem with granting a road variance. Road Director Ron Bischoff spoke of drainage concerns - need signage detail and asphalt information - even though they are private we need to have cross sections for future reference if roads become public. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Mountain Ranch" on third reading and deny road variance at this time. Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Barton voting "No".

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**14538 HILLS OF TEXAS ESTATES REPLAT LOT 58-A > HOLD PUBLIC HEARING AND APPROVE ON THIRD READING [T1-946]**

Judge Etheredge called the public hearing open to consider replat of Hills of Texas Estates Lot 58 - no input was received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Hills of Texas Estates Replat Lot 58-A" on third reading. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne was not present for this item.

**14539 PLATTING VARIANCE GRANTED TO PAT GOODING, FLOYD GOODING, SR. & FLOYD GOODING, JR. FOR AN 11.92 ACRE TRACT OUT OF THE JAMES PIER SURVEY & R. VAUGHN SURVEY LOCATED OFF FOOTHILLS DRIVE IN PCT. 4**

The original request for a platting variance was heard on November 13, 1995 - access to property is by roadway easement (roadway maintenance agreement is provided for maintenance of the easement) - Deed recorded in Volume 1133 Page 384 of the Official Public Records of Hays County, Texas. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to grant a platting variance to Pat Gooding, Floyd Gooding, Sr. and Floyd Gooding Jr. for an 11.92 acre tract out of the James Peir Survey & R. Vaughn Survey located off Foothills Drive in Precinct 4. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne was not present for voting.

**DISCUSSION REGARDING INCREASED TRAFFIC DUE TO NAFTA AND RELATED WEIGH STATION OPERATIONS**

Commissioner Barton spoke of greatly increased truck traffic due to NAFTA - Mexican truck regulations are not as tough as Americas - need to discuss how we are going to deal with this situation. DPS Trooper Mike Holmes and DPS Sgt. Maurecio Cantu appeared - Trooper Holmes spoke of increased manpower in Hays County - NAFTA will increase truck traffic - changes will impact Hays County to a certain extent - gave history of weigh stations in Hays County - majority of traffic will go through Hays County in route from Mexico to Canada - will bring a lot of benefit to Hays County - we are going to be in charge of assuring safe trucks for the entire United States - revenues from citations will go to Hays County - the current two DPS L&W Troopers will increase to eight - there will be an increase in number of hours worked at the stations - we will need office space since there is no space available at the San Marcos DPS office and budget items (small increase) - there will be a gradual increase in cost to the JP Courts - spoke of training period for Troopers (they will be using the Hays County station for field training L&W Troopers throughout the State). Commissioner Molenaar spoke of his concerns about vehicle storage and wrecker service - considerable cost to the County. Sgt. Cantu spoke of vehicles being confiscated all along IH35 (stolen vehicles) - once paperwork is completed they can be sold at auction (normally takes about three days to complete research to determine status of vehicle). Judge Etheredge spoke of having identified property in Kyle (a small location) on Center Street (Jesse Hauptrief property) - rental space is currently high - nothing available in San Marcos that would be suitable for their office space. Trooper Holmes spoke of out-of-service criteria and violations by drivers - would not involve impoundment (only stolen vehicles or questionable vehicles) - weigh station will have sporadic hours (unpredictable hours). J.P. 5 Lamont Ramage spoke of L&W tickets being primarily filed in JP2 precinct - have been trying to figure out ways to handle the workload by utilizing more than one court - suggesting that Court consider having JP2 & JP5 designated as dual jurisdiction for northbound and southbound weigh stations (if legal) to help balance the workload - could also consider changing JP boundary line - JP 1-1 is aware of this suggestion and agrees with the proposal (the southbound weigh station is located in JP1 precinct) - because most Trooper work out of Austin and San Marcos would be out of their way is the reason JP1-1 office has not been proposed to help with workload. District Attorney Marcos Hernandez spoke of J.P.'s having more and more business and they are not getting as much assistance out of his office - there is a Code that allows the Defendant to waive Court of hearing (could add an additional phrase to citation for checkoff by Defendant) J.P. 2 Albert Busse spoke of current increase in his workload - JP1-1 has had an increase in workload as well - spoke of overtime being performed by his Clerks (cannot expect this to continue) - an additional Clerk is needed to answer the telephone to allow other Clerks more time to enter tickets into the computer as quickly as possible - may need to make a J.P. Precinct 2 Place 2 position due to increase in number of L&W Troopers and increased hours at the weigh stations - spoke of postage required for mailing out courtesy letters to defendants. Sgt. Cantu spoke of Troopers working L&W - hard for them to make it to all the JP offices, therefore, they try to limit the number of JP's they file their tickets with. J.P. 5 Ramage spoke of more and more defendants are wanting trials and difficulties in getting Asst. D.A. for JP court - spoke of holding Saturday trials before the Court which do not involve Clerks & DA's office (school cases). Judge Etheredge spoke of need to consider similar increase in rail traffic - need to become more familiar with alternate I35 project.



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**EXECUTIVE SESSION - PENDING LITIGATION**

The Court convened into closed executive session to discuss pending litigation - upon completion they reconvened into open meeting - no action was taken.

**14540 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS: 25MPH SPEED LIMIT IN MEADOW WOODS SUBDIVISION (PCT. 2) [T1-1764]**

Judge Etheredge called the public hearing open - no public input - public hearing was closed. Commissioner Barton spoke of request from Homeowners Association requesting reduced speed limit - currently 30MPH. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to establish traffic regulations: 25MPH speed limit in Meadow Woods Subdivision (Primrose, Meadows Woods Drive, Blue Sage, and Verbena Street). All voting "Aye".

**14541 PUBLIC HEARING AND ACTION TO CHANGE ROAD NAME DESIGNATION FROM "WAGON TONGUE HOLLOW ROAD" TO "TURTLE HILL ROAD" IN THE ROLLING OAKS SUBD [T1-1796]**

Judge Etheredge called the public hearing open - no public input - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve road name designation change from "Wagon Tongue Hollow Road" to "Turtle Hill Road" in the Rolling Oaks Subdivision. All voting "Aye".

**14542 APPOINT NEW MEMBERS TO THE HAYS COUNTY CHILD WELFARE BOARD [T1-1813]**

Commissioner Barton spoke of recent resignations and recommendations from the Child Welfare Board. Proposed new members are Catalina Lara (San Marcos), Bethany Rosebrock (Dripping Springs), John Gibson (San Marcos), and Rita Powell (Buda). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to appoint Catalina Lara, Bethany Rosebrock, John Gibson, and Rita Powell to the Hays County Child Welfare Board. All voting "Aye". Judge Etheredge spoke of new law passed where the county will be required by 3/16/96 to put in place a child protective services board (greater than an advisory board).

**14543 ADOPT PAYROLL DEDUCTION POLICY FOR HAYS COUNTY [T1-1862]**

County Treasurer Michele Tuttle presented the proposed Payroll Deduction Policy for consideration by the Court - policy sets out percentages and defines eligible deductions. A motion was made by Judge Etheredge, seconded by Commissioner Barton to adopt the Hays County Payroll Deduction Policy. All voting "Aye".

**HAYS COUNTY PAYROLL DEDUCTION POLICY**

**Objectives and Priorities**

The purpose of this policy is to provide Hays County employees with convenience and availability while setting guidelines for the agencies participating in payroll deductions. These guidelines apply to all organizations aspiring to have Hays County employees contribute to their organization through payroll deduction.

**Exceptions**

- ◆ Payroll deductions for Texas County and District Retirement System employee contributions as specified under separate Commissioners' Court actions are exempt from this policy.
- ◆ Payroll deductions for dependent coverage through the approved major medical and dental carrier as specified under separate Commissioners' Court actions are exempt from this policy.
- ◆ Payroll deductions mandated by court order are exempt from this policy.
- ◆ Any payroll deduction for a debt owed to Hays County is exempt from this policy.
- ◆ Payroll deductions for PEBSCO deferred compensation plan as specified under separate Commissioners' Court action are exempt from this policy.
- ◆ There will be no payroll deductions for personal debt payments such as loans, mortgage or other contributions made on an individual basis.

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Agency Requirements

- ◆ Each organization may participate if no less than fifteen percent of the current Hays County employees will agree to contribute to the organization through payroll deductions. A countywide survey conducted annually by the Hays County Treasurer will analyze the employees' interest in new organizations wanting to participate.
- ◆ An organization may petition the court once a year during open enrollment (Open enrollment is usually in September of each year).
- ◆ Charitable organizations must prove their tax exempt status to the Commissioners' Court by submitting legal documentation supporting that they are a nonprofit organization.
- ◆ Each organization must submit an annual financial statement showing the allocation of contributions.
- ◆ Organizations considered as an "umbrella" for other organizations must submit a list of all entities that participate in the organization.
- ◆ Organizations already under an accepted "umbrella" organization (i.e. United Way) may not petition the Hays County Commissioners' Court.
- ◆ Approved organizations may only approach county employees during business hours at times which department heads have agreed upon in advance.

Designation of Responsibilities

- ◆ Agencies are responsible for all petitions to the Hays County Commissioners' Court within the requirements of this policy. Agencies will also be responsible for abiding by all guidelines set forth in this policy.
- ◆ The Hays County Commissioners' Court will be responsible for adopting the policy and approving all organizations participating in payroll deductions. It is also responsible for all amendments made to this policy.
- ◆ Hays County employees will be responsible for submitting a written request for all payroll deductions and changes concerning these deductions to the Hays County Treasurer. No more than two changes will be permitted per calendar year.
- ◆ The Hays County Treasurer will be responsible for the implementation, administration, and supervision of all payroll deductions. Payment to the agencies is submitted once or twice a month by the County Treasurer.

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**14544 AUTHORIZE TEMPORARY PART-TIME EMPLOYEE FOR TREASURER'S OFFICE (NTE 80 HRS)**  
[T1-1908]

County Treasurer Michele Tuttle requested authorization to hire a part-time(not to exceed 80 hours) temporary employee to assist in her office while one of her employees is out on non-paid maternity leave - temporary help would be paid at Grade 1 Step Minimum (\$5.29 per hour) with no benefits. A discussion was had regarding whether the Court wanted this type of request to come before them if funds are available in the department and if the Human Resources Director approved the request - it was agreed that a policy is needed. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve temporary part-time employee (NTE 80 hours) at Grade 1 Step Minimum in the Treasurer's office. All voting "Aye".

**14545 APPROVE CREATION OF A NEW JUVENILE PROBATION OFFICER POSITION TO BE FUNDED BY THE STATE** [T1-1984]

Chief Juvenile Probation Officer Ed Cooper appeared before the Court and presented letter from the Texas Juvenile Probation Commission (TJPC) - letter advises that the TJPC Board has voted to extend its offer of Progressive Sanctions funding to all department which had earlier accepted all available funding - funding is available in two categories: (1) you may elect to accept funding for one or more additional juvenile probation officers (at the rate of \$22,179 annual salary), (2) you may elect to accept funding for one or more additional Intensive Services Probation (ISP) Officers (at the rate of \$26,502 annual salary). Ed Cooper spoke of funding bases on juvenile populations and number of juveniles adjudicated - we have already received funding for two new positions. Discussion was had on whether fringe benefits can be paid with State funds - paperwork submitted is contradictory. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve creation of a new Juvenile Probation Officer position to be funded by the State. All voting "Aye".

**NOMINATIONS TO THE APPRAISAL REVIEW BOARD** [T1-2184]

Judge Etheredge advised the Court that they have until December 7th to make a nomination to the Appraisal Review Board - the Central Appraisal District Board makes the appointments - County employees are not eligible to serve on the ARB.

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**14546 DESIGNATE COUNTY RECORDS BUILDING AS THE OFFICIAL SITE TO POST FORECLOSURES, AUCTIONS, AND OTHER PUBLIC NOTICES DURING COURTHOUSE RENOVATION [T1-2203]**

Judge Etheredge advised that a temporary location is needed to post public notices during the courthouse renovation (Courthouse will be vacated beginning December 15, 1995 - proposed site for postings is the Hays County Records Building (137 North Guadalupe Street, San Marcos, Texas). District Attorney Marcos Hernandez advised that the notices must be accessible to the handicapped. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to designate the Hays County Records Building (137 North Guadalupe Street, San Marcos, Texas 78666) as the official site to post foreclosures, auctions, and all other public notices during the renovation of the Courthouse. All voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 18<sup>th</sup> DAY OF December, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 27th DAY OF NOVEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Note: Commissioner Payne was not present at the beginning of this meeting.

**14547 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 151,175.13 as presented by the County Auditor. All present voting "Aye".

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|                |              |                |              |                |                 |
|----------------|--------------|----------------|--------------|----------------|-----------------|
| AUDITOR        | \$ 27.30     | EXTENSION OFC  | \$ 187.75    | JUV PROB       | \$ 162.49       |
| ELECTION ADM   | \$ 118.87    | TRANSFER STA   | \$ 85.08     | BLDG MAINT     | \$ 21,577.04    |
| ENVIRON HEALTH | \$ 11,865.62 | PERSONAL HLTH  | \$ 36.00     | CIVIC CENTER   | \$ 2,307.73     |
| COUNTYWIDE OP  | \$ 4,938.60  | TAX A/C        | \$ 7,147.23  | DIST CLERK     | \$ 290.62       |
| COUNTY CLERK   | \$ 491.18    | SHERIFFS OFC   | \$ 464.04    | JAIL OPERATING | \$ 6,089.68     |
| CO JUDGE       | \$ 154.34    | CO CRT @ LAW 1 | \$ 147.28    | J.P. 3         | \$ 60.71        |
| J.P. 4         | \$ 182.07    | J.P. 5         | \$ 66.56     | CONSTABLE 2    | \$ 75.83        |
| CONSTABLE 3    | \$ 44.40     | CONSTABLE 5    | \$ 132.72    | DIST CRT OPER  | \$ 1,072.60     |
| VETERANS ADM   | \$ 68.98     | R&B OPER       | \$ 63,552.85 | PRECINCT 2     | \$ 114.00       |
| PRECINCT 3     | \$ 78.15     | PRECINCT 4     | \$ 5,124.09  | R&B GEN CREDIT | * \$ 3,161.60 * |
| LAW LIBRARY    | \$ 483.50    | HAYS CO I&S    | \$ 4,673.45  | ROAD CONSTR    | \$ 18,082.38    |
| ADULT PROB OP  | \$ 2,275.61  | ADULT PROB FAC | \$ 736.29    | NEW CANAAN     | \$ 1,321.69     |

**14548 AUTHORIZE CHANGE ORDER FOR FENCING AT THE LAW ENFORCEMENT CENTER**

Purchasing Agent Cindy Casparis submitted price quotes from the fence contractor (Juvenile Services Center project) on adding a gate and raising part of the existing 10 foot fence to 12 feet - these items are requested by CCI - would increase the current contract by \$4,869.00. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize Change Order for fencing at the Law Enforcement Center in the amount of \$4,869.00. All present voting "Aye".

**14549 AUTHORIZE THE PURCHASING AGENT TO SEEK QUALIFICATIONS AND SET UP INTERVIEWS WITH REPRESENTATIVES FROM DELINQUENT TAX COLLECTION FIRMS**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize the Purchasing Agent to seek qualifications and set up interviews with Representatives from delinquent tax collection firms. All present voting "Aye".

**14550 AUTHORIZE PURCHASING AGENT TO ADVERTISE TO SELL A WOOD FRAME HOME BOUGHT BY THE COUNTY'S R-O-W AGENT ON CR179 (WAYSIDE)**

Commissioner Payne spoke of house the county bought rather than moving it - house can be re-sold (sealed bids or auction) with purchaser having to move it within 30 days. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to authorize Purchasing Agent to advertise to sell a wood frame home bought by the County's Right-of-Way Agent on CR 179 (Wayside Drive). All present voting "Aye".

**14551 MADRONE CANYON RANCH REPLAT LOTS 2 & 3 \* SECOND READING APPROVAL. [T1-24]**

Allen Walther, Environmental Health Director, recommended approval on second reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Madrone Canyon Ranch Replat of Lots 2 & 3" on second reading. All present voting "Aye".

**\*Note: Commissioner Payne came to the meeting at this time\***

**14552 SETTLERS RANCH > FIRST READING APPROVAL [T1-44]**

Allen Walther, Environmental Health Director, advised that this property was previously denied a platting variance - to this date a recordable plat has not been submitted for review - recommends approval on first reading only. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Settlers Ranch" subdivision on first reading. All voting "Aye".

**14553 LARVIN GARDENS > FIRST READING APPROVAL [T1-71]**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Larvin Gardens" subdivision on first reading. All voting "Aye".

**PARK MEADOW (GATEWAY SUBD) [T1-80]**

Environmental Health Director Allen Walther advised that he had not received the information he had requested on the previous reading. Commissioner Molenaar spoke of concerns regarding the road entrance (pole re-location). No action this date.

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**PLATTING VARIANCE REQUEST FROM JONNIE STANSBURY FOR 35.5 ACRES ON RR12 [T1-115]**

Jim Henderson appeared representing property owner Jonnie Stansbury - proposes to buy approximately 35.5 acres out of an 83.28 acre tract located on Ranch Road 12 for a single family residence - property has access through three 50' easements (privately maintained.).

**14554 LADERA SUBDIVISION > THIRD READING APPROVAL [T1-162]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Ladera" subdivision on third reading. All voting "Aye".

**14555 PLATTING VARIANCE GRANTED TO B. C. BURBA FOR 6 ACRE TRACT ON DARDEN HILL RD.**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a platting variance to B. C. Burba for a six acre tract located on Darden Hill Road. All voting "Aye".

**14556 PLATTING VARIANCE GRANTED TO GORDON HUTMACHER FOR A 12 ACRE TRACT LOCATED ON OAK TERRACE ROAD [T1-185]**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a platting variance to Gordon Hutmacher for a 12 acre tract located on Oak Terrace Road. All voting "Aye".

**14557 PLATTING VARIANCE GRANTED TO CAROLYN SUE BRIGGS FOR 14 ACRE TRACT ON EL CAMINO WAY [T1-185]**

Environmental Health Director Allen Walther spoke of his concerns about the number of variances being given on this original tract of land (Briggs & Hageman) - there is still more property left that could be subdivided. Curtis Briggs spoke of having no future plans to re-subdivide the 90 acres remaining behind this particular piece of property. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to grant a platting variance to Carolyn Sue Briggs for a 14 acre tract located on El Camino Way. All voting "Aye".

**14558 APPROVE ADDITION OF TWO ROAD WORKER III POSITIONS IN THE ROAD DEPT. [T1-242]**

Road Director Ron Bischoff spoke of need for additional road workers - Operators are needed for the additional equipment being received, plus he has scheduled \$36,000 worth of concrete work to be done on CR220 & CR246 of which \$26,000 is labor that the Road Dept. would have to subcontract out - new personnel could be utilized when we are not paving. Commissioner Payne voiced his concerns about crossings being proposed for concrete work - he would like to have input into these projects. A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to approve addition of two Road Worker III positions in the Road Department - funding for these positions will come out of Contract Road Work line item. All voting "Aye".

**14559 ACCEPT BID OFFER FOR 1.88 ACRES OUT OF THE T. J. CHAMBERS SURVEY (DELINQUENT TAX PROPERTY) [T1-319]**

Tax Assessor-Collector Luanne Caraway spoke of bid offer in the amount of \$24,000.00 received for 1.88 acres out of the T. J. Chambers Survey - there is a total of \$28,427.09 in taxes and court costs due on this property - sale would result in a 84.4265% recovery and the purchaser would pay a pro-rated part of the 1995 taxes - the City of San Marcos and SMCISD would have to accept this offer as well. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to accept the bid offer of \$24,000.00 for 1.88 acres out of the T. J. Chambers Survey (Delinquent Tax Property) subject to acceptance by the City of San Marcos and the San Marcos CISD. All voting "Aye".

**14560 APPROVE PURCHASE OF A ROTARY CAMERA TO BE USED FOR FILMING PERMANENT RECORDS IN THE DISTRICT CLERK'S OFFICE [T1-373]**

The District Clerk's office already has a planetary camera for records preservation - would like to purchase a rotary camera to handle the rest of their filming (will handle various sizes of records) - approximate cost of contract for filming is \$14,000. - estimated cost for planetary camera is \$3000-4000. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve purchase of a rotary camera to be used for filming permanent records out of funds already transferred to the District clerk for records preservations. All voting "Aye".

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**UPDATE ON THE HAYS COUNTY APPRAISAL DISTRICT BUDGET [T1-419]**

Judge Etheredge advised that five of the nine taxing entities eligible to vote on the CAD Board have rejected the CAD's proposed budget for 1996 and directed the CAD to prepare a new budget with additional funds in contingency - the five taxing entities that rejected the budget were Hays County, the City of Buda, the Dripping Springs ISD, the Hays ISD, and the San Marcos ISD.

**DISCUSSION REGARDING SALES TAX REVENUES [T1-444]**

The County Treasurer received a letter from the Comptroller of Public Accounts regarding a sales tax audit that found that Hays County was overpaid approximately \$373,516.44 in county sales taxes over a four year period - there are three options for repaying the erroneous amount: (1) you can send us a check reimbursing the full amount, (2) apply future sales tax allocation collections to the erroneous amount until it is repaid in full, (3) deduct a set amount of each month from your allocation payment until the erroneous amount is repaid (a sample payback would be deductions of \$62,252.74 for each of six months). County Auditor Bill Herzog voiced his concerns about the impact this will have on the county's budget. Commissioner Molenaar stated that he feels like justification should be presented to substantiate the error. The Court agreed that the Auditor and Treasurer should investigate the alternatives and make a proposal for payback.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 18<sup>TH</sup> DAY OF DECEMBER, 1995.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 4TH DAY OF DECEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14561 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 224,337.51 as presented by the County Auditor. All voting "Aye".

|                        |              |                    |              |                   |              |
|------------------------|--------------|--------------------|--------------|-------------------|--------------|
| Fines                  | \$ 105.00    | Auditors Ofc       | \$ 370.30    | Treasurers Ofc    | \$ 184.07    |
| Extension Ofc          | \$ 102.68    | Grants Admin       | \$ 258.86    | Juvenile Prob     | \$ 12,995.30 |
| Election Admin         | \$ 348.73    | Indigent Care      | \$ 5,045.47  | Transfer Station  | \$ 7.67      |
| Bldg. Maint.           | \$ 7,437.36  | Environ Health     | \$ 314.61    | Personal Health   | \$ 1,908.13  |
| Civic Center           | \$ 268.62    | Countywide Oper    | \$ 19,779.45 | Tax A/C           | \$ 4,098.99  |
| District Clerk         | \$ 324.05    | County Clerk       | \$ 2,942.68  | Sheriff's Ofc     | \$ 8,150.48  |
| Jail Operations        | \$ 21,578.87 | County Judge       | \$ 487.10    | Human Resources   | \$ 880.04    |
| Co Crt @ Law #1        | \$ 54.93     | District Attorney  | \$ 462.98    | J.P. 1-1          | \$ 114.02    |
| J.P. 1-2               | \$ 155.70    | J.P. 5             | \$ 125.00    | DPS Substation    | \$ 454.12    |
| Constable 1            | \$ 128.30    | Constable 3        | \$ 84.30     | Dist Crt Oper     | \$ 6,554.20  |
| Co & JP Crt Oper       | \$ 426.23    | Veterans Admin     | \$ 157.53    | Computer Svcs     | \$ 28,599.40 |
| Co Crt @ Law #2        | \$ 22.78     | CJD Juv Svcs Grant | \$ 1,105.00  | Fire Marshal/EMC  | \$ 48.18     |
| TABC                   | \$ 20.20     | Dist Crt Reporters | \$ 66.60     | TJPC CCAP Grant   | \$ 6,125.80  |
| Animal Control         | \$ 20.00     | CJD/VOCA Grant     | \$ 25.00     | DA DARE Grant     | \$ 1,971.28  |
| Used Oil Signage Grant | \$ 1,366.14  | R&B Operating      | \$ 26,151.96 | Precinct 1        | \$ 234.00    |
| Precinct 2             | \$ 524.00    | Precinct 4         | \$ 71.38     | Anticip Notes '95 | \$ 5,051.78  |
| Rec Mng/Co Clk         | \$ 4,815.17  | Health Svcs Grants | \$ 1,865.10  | Law Library       | \$ 75.00     |
| Road Construction      | \$ 34,909.13 | Adult Prob Oper    | \$ 11,923.48 | Adult Prob Fac    | \$ 3,140.44  |

**14562 APPROVE BUDGET AMENDMENT NO. 95-006**

Budget amendments proposed were as follows:

CJD/DARE Project 1 Officer - Adjust per CJD to reflect additional grant revenue.

CJD/VOCA Grant - Transfer per CJD: \$1,717 for office & postage suplies, and \$1,028 for office equipment from other expenses.

THC/Hispanic Publication Phase 2 & Historical Commission - To budget new grant funds.

THC/Precinct 2 Survey - Amend budget to reflect new grant funding.

Commissioner Barton requested that proposed budget amendment for TXDOT/STEP GRANT & Countywide be pulled and reconsidered at a later date.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-006 with exception of TXDOT/Step Grant & Countywide amendment - this budget amendment to be considered at a later date. All voting "Aye". (see the next page for budget amendments approved)

**14563 APPROVE UTILITY PERMITS #95-214, #95-215, & #95-307**

Utility Permit #95-214 to County Line Water Supply Corp. (CR157)

Utility Permit #95-215 to Goforth Water Supply Corp. (CR 126)

Utility Permit #95-307 to Century Telephone Inc. of San Marcos (Summer Mountain Ranch Subd)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permits #95-214, #95-215, & #95-307 as presented by the Road Department. All voting "Aye".

DECEMBER 4, 1995

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AMENDMENT  
NO. 96-006  
FY 96 BUDGET  
12/04/95

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

CJD/DARE PROJECT 1 OFFICER (704):

|                         |       |       |       |        |
|-------------------------|-------|-------|-------|--------|
| 01-704-5021 STAFF       | 24336 | 449   |       | 24,835 |
| 01-704-5110 FICA        | 1,911 | 10    |       | 1,921  |
| 01-704-5121 RETIREMENT  | 1,952 |       | (8)   | 1,944  |
| 01-704-5160 INSURANCE   | 2,274 |       | (24)  | 2,250  |
| 01-704-5219 SUPPLIES    | -0-   | 2,654 |       | 2,654  |
| 01-704-5346 WORKER COMP | 800   |       | (320) | 480    |

COUNTY-WIDE OPERATIONS (414):

|                       |         |  |       |         |
|-----------------------|---------|--|-------|---------|
| 01-414-5340 INSURANCE | 549,679 |  | (967) | 548,712 |
|-----------------------|---------|--|-------|---------|

REVENUES:

|                             |        | DECREASES    | INCREASES    |        |
|-----------------------------|--------|--------------|--------------|--------|
| 01-384-2704 CJD/DARE PROJ 1 | 11,922 |              | <u>1,844</u> | 13,766 |
|                             |        | <u>3,163</u> | <u>3,163</u> |        |

ADJUST BUDGET PER AGENCY FOR SUPPLIES FROM ADDITIONAL REVENUE AND  
ADJUST COUNTY MATCHING FUNDS

CJD/VICTIMS OF CRIME ASSISTANCE GRANT (705):

|                       |       |              |                |       |
|-----------------------|-------|--------------|----------------|-------|
| 01-705-5219 SUPPLIES  | -0-   | 1,717        |                | 1,717 |
| 01-705-5719 EQPT      | 2,673 | 1,028        |                | 3,701 |
| 01-705-5391 OTHER EXP | 3,405 |              | (2,745)        | 660   |
|                       |       | <u>2,745</u> | <u>(2,745)</u> |       |

TRANSFER PER AGENCY TO ALLOW FOR OFFICE, POSTAGE SUPPLIES, AND OFFICE  
EQUIPMENT

THC/HISPANIC PUBLICATION PHASE 2 GRANT (736):

|                      |     |       |  |       |
|----------------------|-----|-------|--|-------|
| 01-736-5461 PRINTING | -0- | 2,742 |  | 2,742 |
|----------------------|-----|-------|--|-------|

HISTORICAL COMMISSION (490):

|                      |     |       |  |       |
|----------------------|-----|-------|--|-------|
| 01-490-5461 PRINTING | 768 | 1,500 |  | 2,268 |
|----------------------|-----|-------|--|-------|

REVENUES:

|                                                        |     | DECREASES    | INCREASES    |       |
|--------------------------------------------------------|-----|--------------|--------------|-------|
| 01-381-4736 THC/HISPANIC PUB.                          | -0- |              | 2,742        | 2,742 |
| 01-367-4479 CONTRIBUTIONS/MATCH<br>PRESERVATION ASSOC. | -0- |              | <u>1,500</u> | 1,500 |
|                                                        |     | <u>4,242</u> | <u>4,242</u> |       |

RECORD & BUDGET NEW GRANT AND MATCHING CONTRIBUTIONS

THC/PRECINCT 2 SURVEY GRANT (737):

|                               |     |       |  |       |
|-------------------------------|-----|-------|--|-------|
| 01-737-5448 CONTRACT SERVICES | -0- | 5,400 |  | 5,400 |
|-------------------------------|-----|-------|--|-------|

REVENUES:

|                              |     | DECREASES | INCREASES |       |
|------------------------------|-----|-----------|-----------|-------|
| 01-381-4737 THC/PCT 2 SURVEY | -0- |           | 5,400     | 5,400 |

RECORD AND BUDGET NEW GRANT



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**14564 APPROVE ROAD NAME DESIGNATION OF "DRIPPING SPRINGS RANCH ROAD" FOR STREET GOING INTO DRIPPING SPRINGS RANCH OFF SUNSET CANYON SOUTH**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve road name designation of "Dripping Springs Ranch Road" for dirt road going into Dripping Springs Ranch off Sunset Canyon South. All voting "Aye".

**14565 APPROVE SEPTEMBER 1995 TREASURER'S REPORT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriugez to approve September 1995 Treasurer's Report. All voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
September 30, 1995

|                                                                      | General              | Road and Bridge General | Hot Check Fee Fund | Law Library       | Medical and Dental Fund | Jail Construction | Limited Tax Refunding | Anticipation Notes Series 1994 | Courthouse Ren. & Road Bond 1994 |
|----------------------------------------------------------------------|----------------------|-------------------------|--------------------|-------------------|-------------------------|-------------------|-----------------------|--------------------------------|----------------------------------|
| <b>CHECKING</b>                                                      |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
| Begin. Bal.                                                          | 44,228.87            | 19,835.63               | 546.52             | 221.00            | 1,613.82                | 1,522.63          | 1.00                  | Account                        | 1.62                             |
| M/M Int.                                                             | 293.08               | 46.93                   |                    | 0.00              | 34.47                   | 3.63              | 0.00                  | Closed                         | 0.00                             |
| Deposits                                                             | 1,704,629.57         | 200,181.10              | 3,975.29           | 620.00            | 223,805.57              | 596,851.96        | 245,649.03            | 8/29/95                        | 188,257.29                       |
| Disbursements                                                        | 1,705,926.95         | 194,529.33              | 3,742.81           | 840.00            | 223,918.97              | 592,784.36        | 9,449.03              |                                | 188,257.91                       |
| Ending Bal.                                                          | 43,224.57            | 25,534.33               | 779.00             | 1.00              | 1,534.89                | 5,593.86          | 236,201.00            | 0.00                           | 1.00                             |
| <b>INVESTMENTS</b>                                                   |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
| Begin. Bal.                                                          | 3,131,309.36         | 880,121.15              | 4,691.61           | 15,469.37         | 437,805.71              | 790,316.28        | 5,806.70              |                                | 4,740,704.73                     |
| M/M Int.                                                             | 15,438.76            | 4,067.26                | 26.82              | 74.50             | 2,230.35                | 3,749.63          | 32.38                 |                                | 21,984.79                        |
| Deposits                                                             | 530,000.00           | 2,708.94                | 1,567.27           | 555.25            | 70,450.00               | 0.00              | 2,749.03              |                                |                                  |
| Disbursements                                                        | 815,260.00           | 88,915.00               | 1,379.86           | 0.00              | 111,038.00              | 596,851.96        |                       |                                | 188,257.29                       |
| Ending Bal.                                                          | 2,861,488.12         | 797,982.35              | 4,905.84           | 16,099.12         | 399,448.06              | 197,213.95        | 8,588.11              | 0.00                           | 4,574,432.23                     |
| *****                                                                |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
|                                                                      | Courthouse Road Bond | Jail I&S                | Jail Addition I&S  | Hays County I & S | Public Works I&S        | Springlake I&S    | Pioneer Trails I&S    | Burnett Road I&S               | Anticipation Notes I&S           |
| <b>CHECKING</b>                                                      |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
| Begin. Bal.                                                          | 1.00                 | 1.00                    | 1.00               | 1.00              | 1.00                    | 1.00              | 1.00                  | 1.00                           | 6.00                             |
| M/M Int.                                                             | 0.00                 | 0.00                    | 0.00               | 0.00              | 0.00                    | 0.00              | 0.00                  | 0.00                           | 0.00                             |
| Deposits                                                             | 3,124.12             | 355,507.66              | 315.86             | 15,271.81         | 562.64                  | 185.43            |                       | 13,456.25                      | 2,245.61                         |
| Disbursements                                                        | 3,124.12             | 1,707.66                | 315.86             | 15,271.81         | 562.64                  | 185.43            |                       | 13,456.25                      | 2,250.00                         |
| Ending Bal.                                                          | 1.00                 | 353,801.00              | 1.00               | 1.00              | 1.00                    | 1.00              | 1.00                  | 1.00                           | 1.00                             |
| <b>INVESTMENTS</b>                                                   |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
| Begin. Bal.                                                          | 56,254.77            | 18,663.56               | 34,958.37          | 47,635.28         | 28,297.56               | 8,481.57          | 15,692.05             | 14,418.88                      | 28,593.81                        |
| M/M Int.                                                             | 272.38               | 91.53                   | 166.40             | 229.11            | 135.24                  | 40.57             | 74.45                 | 69.19                          | 139.64                           |
| Deposits                                                             | 3,124.12             | 1,707.66                | 315.86             | 1,771.81          | 562.64                  | 185.43            |                       | 456.15                         | 2,250.61                         |
| Disbursements                                                        |                      |                         |                    | 13,500.00         |                         |                   |                       | 13,000.00                      |                                  |
| Ending Bal.                                                          | 59,651.27            | 20,462.75               | 35,440.63          | 36,136.20         | 28,995.44               | 8,707.57          | 15,766.50             | 1,944.22                       | 30,984.06                        |
| *****                                                                |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
| TRANSFERS: #11-94 General to Foster Care \$6,900.00 (March 94)       |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
| #17-95 General to Foster Care \$11,300.00 (August 95)                |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
| #19-95 General to Foster Care \$2,293.07 (September 95)              |                      |                         |                    |                   |                         |                   |                       |                                |                                  |
| #20-95 General to Animal Control \$1,837.57 Permanent (September 95) |                      |                         |                    |                   |                         |                   |                       |                                |                                  |

*Michele Tuttle*  
Michele Tuttle  
Hays County Treasurer

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS  
September 30, 1995

|                    | Adult Probation Operating        | Adult Probation Facilities | Courthouse Security    | Records Management             | Records Preservation    | Animal Control              | Sheriff's Drug Forfeiture  | District Attorney Drug Forfeiture | District Attorney Reimburs. |
|--------------------|----------------------------------|----------------------------|------------------------|--------------------------------|-------------------------|-----------------------------|----------------------------|-----------------------------------|-----------------------------|
| <b>CHECKING</b>    |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 10,684.27                        | 5,026.53                   | 194.34                 | 61.20                          | 161.00                  | 0.00                        | 1,586.83                   | 5.29                              | 3,299.21                    |
| M/M Int.           | 89.47                            |                            |                        | 0.00                           |                         |                             | 0.00                       |                                   | 0.00                        |
| Deposits           | 522,505.82                       | 1,436.53                   | 2,517.82               | 26,898.00                      | 1,035.00                | 2,122.40                    |                            |                                   | 26,333.15                   |
| Disbursements      | 471,728.33                       | 6,462.06                   | 2,692.74               | 26,928.67                      | 1,195.00                | 2,122.40                    | 1,585.83                   | 5.29                              | 25,178.41                   |
| Ending Bal.        | 61,551.23                        | 1.00                       | 19.42                  | 30.53                          | 1.00                    | 0.00                        | 1.00                       |                                   | 4,453.93                    |
| <b>INVESTMENTS</b> |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 464,851.44                       | 3,122.46                   | 49,763.66              | 39,886.22                      | 16,339.19               | 9.83                        | 0.00                       | 3,104.51                          | 121,328.61                  |
| M/M Int.           | 2,494.15                         | 24.46                      | 241.18                 | 159.28                         | 79.92                   | 0.01                        | 4.54                       | 14.75                             | 581.16                      |
| Deposits           | 273,497.91                       | 3,182.24                   | 2,692.74               | 7,757.92                       | 1,195.00                |                             | 1,585.83                   | 0.00                              | 13,920.03                   |
| Disbursements      | 116,981.00                       | 1,436.53                   | 52,697.58              | 16,366.37                      | 17,614.11               | 9.83                        |                            | 3,119.26                          | 9,858.95                    |
| Ending Bal.        | 623,862.50                       | 4,892.63                   | 31,437.05              | 23,437.05                      | 17,614.11               | 0.01                        | 1,590.37                   |                                   | 125,970.85                  |
| *****              |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
|                    | Historical Commission Trust Fund | Foster Care                | Health Services Grants | Texas Capital Fund/ New Canaan | General First Southwest | Road Construction Bond 1995 | Road Construction I&S 1995 | Anticipation Notes '95            | Anticipation Notes '9 I&S   |
| <b>CHECKING</b>    |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 1.00                             | 9,058.93                   | 8,096.62               | 1,322.38                       | 3,929.40                | 0.00                        | 1.00                       | 1.79                              | 1.00                        |
| M/M Int.           | 0.00                             |                            | 17.28                  |                                | 12.34                   | 0.00                        | 0.00                       |                                   | 0.00                        |
| Deposits           | 0.00                             | 2,293.07                   | 58,139.72              | 0.00                           | 310,000.00              | 1,900.00                    | 0.00                       | 67,049.01                         | 0.00                        |
| Disbursements      | 0.00                             | 11,352.00                  | 63,809.53              | 1,321.00                       | 312,913.34              | 1,899.00                    | 0.00                       | 67,049.80                         | 0.00                        |
| Ending Bal.        | 1.00                             | 0.00                       | 2,444.09               | 1.38                           | 1,028.40                | 1.00                        | 1.00                       | 1.00                              | 1.00                        |
| <b>INVESTMENTS</b> |                                  |                            |                        |                                |                         |                             |                            |                                   |                             |
| Begin. Bal.        | 8,916.02                         | 0.00                       | 94,545.78              | 0.00                           | 800,954.79              | 7,996,214.50                | 41,895.96                  | 2,235,458.99                      | 14,000.93                   |
| M/M Int.           | 42.33                            |                            | 459.47                 |                                |                         | 37,941.01                   | 198.77                     | 10,482.53                         | 66.44                       |
| Deposits           | 0.00                             |                            | 11,062.52              |                                | 312,913.34              | 1,899.00                    | 0.00                       | 0.00                              | 0.00                        |
| Disbursements      |                                  |                            | 42,263.00              |                                | 301,223.90              | 0.00                        |                            | 66,176.36                         |                             |
| Ending Bal.        | 8,958.35                         | 0.00                       | 63,804.77              | 0.00                           | 812,644.23              | 8,036,054.51                | 42,094.73                  | 2,179,765.16                      | 14,067.37                   |

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**14566 AUTHORIZE THE COUNTY AUDITOR TO PREPARE SPECIFICATIONS FOR LAW ENFORCEMENT LIABILITY AND PUBLIC OFFICIALS LIABILITY INSURANCE**

Judge Etheredge spoke of need for a consensus from the Court to proceed with preparation of specifications (not yet prepared). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Auditor to proceed with preparation of specifications for Law Enforcement Liability and Public Officials Liability Insurance. All voting "Aye".

**14567 ADOPT SIGNAGE IN QUAIL MEADOWS, TRIPLE CREEK RANCH, RIVER MOUNTAIN RANCH III AND FRIENDSHIP RANCH II**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt signage in Quail Meadows, Triple Creek Ranch, River Mountain Ranch III, and Friendship Ranch II as proposed by the Road Department. All voting "Aye".

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>QUAIL MEADOWS</b></p> <p>25MPH - Established on third reading held November 20, 1995</p> <p>STOP SIGNS on Jay Jay Cove at intersection with Peyton Drive</p> <p style="padding-left: 40px;">Mary Cove at intersection with Peyton Drive</p> <p style="padding-left: 40px;">Quail Meadow Drive at intersection with Peyton Drive</p> <p style="padding-left: 40px;">Quail Meadow Drive at intersection with RM 150</p> <p style="padding-left: 40px;">Julia Cove at intersection with Peyton Drive</p> <p style="padding-left: 40px;">Jane Ellen Cove at intersection with Peyton Drive</p> <p>4-WAY STOP at intersection of Peyton Drive and Quail Meadow Drive</p> <p><b>TRIPLE CREEK RANCH - private roads</b></p> <p>25MPH - on Triple Creek Circle</p> <p>30MPH - on Triple Creek Drive</p> <p>STOP SIGNS on Triple Creek Circle at intersection with Triple Creek Drive (both ends) ③ &amp; ⑤</p> <p style="padding-left: 40px;">on Triple Creek Drive at intersection with CR101 ①</p> <p><b>RIVER MOUNTAIN RANCH - private roads</b></p> <p>?MPH - on all streets in the subdivision</p> <p>STOP SIGNS on Water Park Road at intersection with Windmill Run</p> <p style="padding-left: 40px;">Windmill Run at intersection with Water Park Road</p> <p style="padding-left: 40px;">Mount View Road at intersection with Windmill Run</p> <p style="padding-left: 40px;">River Mountain Road at intersection with Windmill Run</p> <p style="padding-left: 40px;">Windmill Cove at intersection with Windmill Run</p> <p><b>FRIENDSHIP RANCH SECTION II</b> (1993 subd)</p> <p>30MPH - on Evergreen Way</p> <p>STOP SIGNS on Echo Bluff at intersection with Nutty Brown Road ①</p> <p style="padding-left: 40px;">Cardinal Hill at intersection with Echo Bluff ②</p> <p style="padding-left: 40px;">Deer Foot at intersection with Echo Bluff ③</p> <p style="padding-left: 40px;">View Ridge at intersection with Echo Bluff ④</p> <p style="padding-left: 40px;">Echo Bluff at intersection with Evergreen Way ⑥</p> <p style="padding-left: 40px;">Evergreen Way at intersection with Nutty Brown Road ⑧</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**14568 AUTHORIZE RENEWAL APPLICATION FOR JOHN HENRY'S FOR A PRIVATE CLUB REGISTRATION PERMIT #178239**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize renewal application for John Henry's (14004 RR12, Wimberley) for a Private Club Registration Permit No. 178239. All voting "Aye".

**14569 MADRONE RANCH SECTION III PHASE 1 LOT 1 \* SECOND READING A GRANT VARIANCE TO SCALE [T1-73]**

Allen Walther, Environmental Health Director, recommends approval on second reading - suggested a variance to scale. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Madrone Ranch Section III Phase I Lot 1" on second reading and grant a variance to scale on plat. Commissioner Rodriguez, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Barton was not present for voting.

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**14570 SETTLERS RANCH \* SECOND READING APPROVAL [T1-90]**

Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Settlers Ranch" subdivision on second reading. All voting "Aye".

**14571 LARVIN GARDENS \* SECOND READING APPROVAL [T1-101]**

Staff recommends approval. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Larvin Gardens" subdivision on second reading. All voting "Aye".

**14572 PARK MEADOW (GATEWAY) \* SECOND READING APPROVAL [T1-111]**

Allen Walther, Environmental Health Director, advised that the sanitary control easement is now on the plat - easement was widened - recommends approval. Commissioner Molenaar stated that the entrance way on the plat is not the same as the existing one - asked about pipe line across the property. Allen Walther advised that the pipeline easement is shown on the site development plan and wastewater improvements are made outside of that easement. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Park Meadow (Gateway)" subdivision on second reading. All voting "Aye".

**14573 HILLS OF TEXAS ESTATES RESUB OF LOT 1 \* FIRST READING APPROVAL AND CALL FOR PUBLIC HEARING [T1-139]**

The Hills of Texas Estates, Ltd. proposes to divide Lot 1 into two Lots to be known as Lot 1A & 1B - located on Kemp Hills Drive. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Estates Resub of Lot 1" on first reading and call for a public hearing to be held December 18, 1995. All voting "Aye".

**14574 HYDE SUBDIVISION \* FIRST READING APPROVAL [T1-149]**

Billy F. & Bobbie W. Hyde, owners of 36.474 acres out of the Nevi Chamberlain Survey, propose to create a four lot subdivision off CR163 (Nuttu Brown Road). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve the "Hyde Subdivision" on first reading. All voting "Aye".

**14575 SOUTH RIVER SUBDIVISION (MASTER PLAN) \* FIRST READING APPROVAL [T1-171]**

A Master Plan was presented of a proposed 127 lot subdivision (192.73 acres Amasa Turner Survey) located along the Blanco River off Ranch Road 12 adjacent to Wimberley Hills Subdivision - lots will be served by the Wimberley Water Supply system and have traditional septic systems - subdivision will be presented in phases from this point on. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "South River" subdivision (master plan) on first reading. All voting "Aye".

**14576 MADRONE CANYON RANCH REPLAT LOTS 2 & 3 \* PUBLIC HEARING/THIRD READING [T1-214]**

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. Roads are to be private - notes on plat need to be updated prior to filing of the plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Madrone Canyon Ranch Replat Lots 2 & 3" on third reading. All voting "Aye".

**14577 PLATTING VARIANCE GRANTED TO JONNIE STANSBURY FOR A 35.76 ACRE TRACT LOCATED ON RANCH ROAD 12 [T1-238]**

Jim Henderson appeared representing Jonnie Stansbury requesting a platting variance for a 35.76 acre tract on Ranch Road 12 - access is through a 50 foot privately maintained easement. A copy of the metes and bounds description and a survey plat are to be attached to the deed for recording. A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant a platting variance to Jonnie Stansbury for a 35.76 acre tract located on Ranch Road 12. All voting "Aye".

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14567 ADOPT RESOLUTION REGARDING OPTIONAL EXTENDED METRO SERVICE TO THE ENTIRE SAN ANTONIO METRO EXCHANGE AND APPOINT A COUNTY REPRESENTATIVE [T1-262]

Ken Bernice, CEO for the Guadalupe Telephone Cooperative, appeared before the Court - the GTC Board have issued a statement for the Canyon Lake area for extended metro service to San Antonio (Hancock & Sattler exchanges) - the PUC rules allow for the Commissioners' Court to appoint a representative from those exchanges to work with GTC and SWBell for determining a rate structure to offer that service into San Antonio. Out of a total of 12,448 customers will be affected in the Hancock and Sattler exchanges (49 Hays County customers in the Hancock exchange and 8 in the Sattler exchange) - you can concur and be represented by Comal County's representative Commissioner Moe Schwab if you so wish - service is optional for each customer. A motion was made by Commissioner Payne stated his willingness to be appointed as Hays County's representative. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to adopt resolution designating Commissioner Craig Payne to represent the unincorporated areas of "The Exchanges" in proceedings regarding a joint filing to the PUC for Optional EMS from "The Exchanges" to the entire San Antonio Metro Exchange, and to execute such a joint filing as the designated representative. All voting "Aye".

RESOLUTION

STATE OF TEXAS ★

COUNTY OF HAYS ★

WHEREAS, the Commissioners' Court of Hays County, Texas, supports a petition for Optional Extended Metro Service ("EMS") from the Hancock and Sattler exchanges ("THE EXCHANGES") to the entire San Antonio Metro Exchange; and

WHEREAS, the Substantive Rules of the Public Utility Commission of Texas ("PUC") requires the Commissioners' Court to designate a person to represent the unincorporated areas of THE EXCHANGE in proceedings before the PUC;

NOW, THEREFORE, the Commissioners' Court of Hays County, Texas, hereby resolves:

1. That the Commissioners' Court hereby designates Commissioner Craig Payne to represent the unincorporated areas of THE EXCHANGES in proceedings regarding a joint filing to the PUC for Optional EMS from THE EXCHANGES to the entire San Antonio Metro Exchange, and to execute such a joint filing as the designated representative.
2. That this resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the 4th day of December, 1995.

HAYS COUNTY COMMISSIONERS' COURT

*Eddy A. Ethredge*  
Eddy A. Ethredge, County Judge

ATTEST:

*Linda C. Fritsche*  
Linda C. Fritsche, Deputy County Clerk  
Hays County, Texas



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**14579 ACTION REGARDING AN INTERLOCAL AGREEMENT WITH THE DRIPPING SPRINGS ISD FOR ASSISTANCE IN PAVING THE MIDDLE SCHOOL DRIVEWAY [T1-332]**

Commissioner Molenaar spoke of entering into an interlocal agreement with the DSISD for periodic assistance - law does not allow us to do some of the work and puts a cap of funds - they would like assistance specifically in paving the Middle School driveway ( a road hazard). District Attorney Marcos Hernandez spoke of specific request - this road has deteriorated and potholes need to be repaired - we will not be reimbursed for costs. Commissioner Payne spoke in opposition of this project if we do not receive any reimbursement. Commissioner Rodriguez spoke of timeframe for this request - road department is not available at this time. Mr. Hernandez stated that agreement indicates a time frame of one year - could be done partially within the next fiscal year.

**Art. 2352j. County equipment and employees used to assist other governmental entities**

A commissioners court of a county may use its road equipment, other construction equipment, including trucks, and employees necessary to operate the equipment to assist another government entity on any project so long as the cost does not exceed \$3,000 if:

- (1) the use of the equipment or employees does not interfere with the county's work schedule; and
- (2) the county does not pay any costs related to the use of the equipment or employees that the county would not pay if the assistance were not given to the other governmental entity.

Road Director Ron Bischoff spoke of workload and funding restraints. Commissioner Molenaar was not in support of paving the road, only repairing. Judge Etheredge advised that he would support the request - we have historically helped other school districts and we obviously have to work around schedules of our own needs. Commissioner Barton stated that he would support if we had a more defined idea of what they want (spot seal, paving?) A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to enter into an interlocal agreement with the Dripping Springs ISD for patching and/or spot sealing the driveway at the Dripping Springs Middle School. Commissioner Molenaar and Judge Etheredge voting "Aye". Commissioner Payne, Commissioner Barton, and Commissioner Rodriguez voting "No". MOTION FAILED.

**14580 AUTHORIZE THE SHERIFF, DISTRICT ATTORNEY, AND COMMISSIONER BARTON TO WORK WITH THE HAYS CISD TO PREPARE AN INTERLOCAL AGREEMENT REGARDING CREATION OF A SCHOOL RESOURCES OFFICER POSITION IN THE SHERIFF'S DEPARTMENT [T1-495]**

Chief Deputy Sheriff Don Montague appeared before the Court and spoke of conversations with the Hays CISD to fund a School Resources Officer. The School District has offered to pay 75% of the cost for the Officer and the County's share would be \$7,966 annually. Sheriff's Officers have spent more time at Hays schools than at Dripping Springs and Wimberley combined (SMCISD relies on the San Marcos Police Dept.) and Hays Officials are worried that population growth and the beginnings of urban gang activity in the area will make matters worse. The idea is to put a deputy, acting as a School Resource Officer, on the high school campus full time for the nine months of the school year. This Officer would not only concentrate on prevention and building communication and information sources, he or she would handle most incidents on campus, thus freeing existing street officers and investigators for other duty. During the summer, this Officer would fill in on short-handed shifts and cover vacation time for other officers, reducing our reliance on overtime and providing better county-wide coverage (the county would pay only for about one fourth of the salary and fringe - we would only be paying for the summer months when he worked off-campus). Commissioner Barton advised that we could find the money to pay for our share of such a program because we over-budgeted our local match in the law enforcement STEP program. Deputy Montague spoke of other school districts in the county who may be interested in this program. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the Sheriff, District Attorney and Commissioner Pct. 2 to work with the Hays CISD to prepare an interlocal agreement for the creation and funding of a School Resources Officer position in the Sheriff's Department. All voting "Aye".

**14581 AUTHORIZE ENTERING INTO A CONTRACT FOR COURIER SERVICE AT THE COURTHOUSE ANNEX [T1-742]**

A proposal to provide armored transport services was submitted by Star Armored Inc. - they would pick up bank deposits on a daily basis Monday through Friday at the Courthouse Annex (Tax Office and Treasurers Office will utilize the service) - the monthly rate for these services will be \$240.00. Judge Etheredge advised that the County Clerk is concerned about this problem particularly since part of her office will be moving to the Justice Center - there are concerns about county employees taking money to the bank in their private vehicles (one person was involved in an automobile accident on the way to the bank) - suggested considering other buildings and departments in this service. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to enter into a contract with Star Armored Inc. for courier service at the Courthouse Annex (\$240.00 per month for services) and consider expanding this service to other departments. All voting "Aye".

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**DISCUSSION OF ONE ACRE TRACT ON CR129 (COTTON GIN RD) DEEDED TO THE COUNTY IN 1882 [T1-808]**

Summary: This one acre out of a 108 acre parcel was deeded to the County through the County Judge in 1882. A possible explanation is that it may have been intended as a school site, however, it seems never to have been occupied or used by the county for any purpose. The owner later deeded his full place to someone else without reference to the one acre having been removed. It has been fenced and farmed by the Arnolds for generations. The Arnolds are ready to sell the property, but a title search has uncovered this issue. They would like for the County to quitclaim ownership and enable them to have clear title to the entire place. Andrew Gary, Attorney for the Arnolds, appeared before the Court - trying to clear this matter up so they can sell their property with no exceptions - understands that the one acre is a drainage area and undeveloped. District Attorney Marcos Hernandez stated that he was not aware of this issue and cannot give his opinion at this time. A motion was made by Commissioner Barton, seconded by Judge Etheredge to request the District Attorney to investigate how we might transfer this property at no cost or nominal cost to the property owner. Commissioner Molenaar would like more information on the location of the property (a survey plat) - suggested postponing until next week. Commissioner Barton spoke of possibly requiring r-o-w for future widening of the county road. Commissioner Barton and Judge Etheredge withdrew their motions. No action taken.

**14582 PUBLIC HEARING & ESTABLISH TRAFFIC REGULATIONS IN RIVER OAKS RANCH SUBD [T1-1047]**

Judge Etheredge opened the public hearing. Commissioner Molenaar spoke of request to establish a 30MPH speed limit at the entrance to River Oaks Ranch Subdivision off Hamilton Pool Road to Alexander's Place. Judge Etheredge closed the public hearing. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to establish traffic regulation of 30MPH speed limit from the north entrance to Bell Springs Road to Lost Creek Road and 30MPH speed limit on South Oak Forest Drive from CR101 to Bell Springs Road. All voting "Aye".

**14583 PUBLIC HEARING & ESTABLISH TRAFFIC REGULATIONS IN FRIENDSHIP RANCH SUBD [T1-1084]**

Judge Etheredge called the public hearing open - no public input was received and public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to establish traffic regulation of 30MPH speed limit on Friendwood Lane in the Friendship Ranch Subdivision. All voting "Aye".

**PUBLIC INPUT RE: WIMBERLEY INCORPORATION EFFORTS [T1-1130]**

Rev. Leon Peacock (resident of Wimberley Hill Subdivision) appeared before the court requesting information regarding the efforts to incorporate Wimberley - has heard rumors that the Commissioners Court is supporting this effort with funding of taxpayers money. Commissioner Payne advised that the Commissioners Court has not taken any formal or informal poll or vote regarding this issue - county funds were spent to have public hearings and have boundaries prepared. Rev. Peacock felt like county funds should not be spent to fund this effort - spoke of how this issue has split Wimberley. Commissioner Payne advised that approximately \$3900 is being spent out of Precinct 3 discretionary funds. Judge Etheredge advised that it is becoming more and more prevalent for areas to want incorporation so that they can make their own choices - his position is to represent all citizens and try to help them find common ground - his recollection was that funds would be spent to do a community needs analysis (help the community determine community needs related to wastewater issues, etc.) - should be used for both sides of this issue - would rather see the State Legislature give county government the tools they need to manage the communities that wish to be villages so they don't have to incorporate. Rev. Peacock thanked the court for allowing him to speak. Commissioner Barton spoke of each precinct having discretionary funds - Commissioner Payne did not have to come before the Court to spend his funds, however, he did so. Rev. Peacock spoke of need for information regarding who will be affected by incorporation - only people who will be in the incorporated areas should be allowed to speak at the public meetings. Erin Foster asked why tax money is being spent for Wimberley Incorporation? Commissioner Barton spoke of discretionary funds in each Commissioner Precincts budget which can be used by that commissioner for special projects. Commissioner Payne spoke of these funds being used for education of the Precinct 3 residents. Judge Etheredge spoke of the Court not having an opinion on the subject of Wimberley Incorporation - we have an obligation to help citizens identify their resources.

**EXECUTIVE SESSION - PERSONNEL MATTERS**

The Court convened into closed Executive Session to discuss personnel matters from 10:35 A.M. to 10:50 A.M. Court reconvened into open session - no action was taken.

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**DELINQUENT TAX COLLECTION - INTERVIEWS WITH CANDIDATE LAW FIRMS** [T1-1554]

**Parmer, Steen & Young, P.C.** - Chester Young appeared before the court - they have the current contract - has been the Hays County Delinquent Tax Attorney for 10 years - advised that he was not aware that there was a problem with their representation of Hays County so we is shocked that the contract is being reconsidered - they also represent the City of San Marcos and have not received any complaints from them - overall delinquency has gone down over the past several years - spoke of computer time, mailing expenses, publication fees, title searches, and printing fees are paid by the Firm - are paid by the delinquent taxpayer - their representation does not cost the county anything - presented an "overview of the Firm", "Client List", and "computer capabilities" - in Hays County they represent Hays CISD, Wimberley ISD, City of Buda, City of Kyle, and the City of San Marcos. Mr. Young spoke of computer printouts available and notifications to the delinquent taxpayer - they are online with the County Tax Office and the Central Appraisal District's records - spoke of notices being sent out and follow-up - spoke of computer software they have that keeps them up-to-date on the status of each account - we are offering one more mailing annually in this proposal at no additional cost (\$2500 postage savings to the county) - we utilize phone banks to notify delinquent taxpayers - spoke of number of tax suits filed over the years (recent numbers have decreased because delinquent taxpayers are now allowed to make payments) - since 1986 we have processed 455 bankruptcy claims for Hays County (75 pending) - he decides which cases will be filed (not a secretary) and he tries the case himself - you get a staff of experienced Hays county people - will continue to service out of the Kyle office - feels like he has done the county a good job. Judge Etheredge spoke of this being one of the last continuing contracts - asked what he felt like a good term for the contract would be. Chester Young advised that not less than two but preferably three years - spoke of method for notifying public of the tax sales (bidder list, newspaper ads, etc.) - spoke of research done to locate lienholders, legal owners, etc. - the fee paid by the delinquent taxpayer is 15% of the delinquent taxes, penalty & interest.

**McCreary, Veselka, Bragg & Allen, P.C.** - Shellburne Veselka appeared before the Court - introduced Gil Bragg, Michael Reed (bankruptcy), Billy Montague - also present were Betty Boyd TAC from Guadalupe County and Gloria Clennan, TAC from Comal County - represent a little of 400 clients at this time - home office is in Austin - spoke of notifying lienholders, etc. prior to filing a tax suit and continued notification on status of the case. Gil Bragg spoke of his main client being Comal County - we have our employee located in the Tax office (with a desk and telephone) - very important for someone to be at that location at all times. Michael Reed spoke of bankruptcy cases and problems they create (specialized procedures) -spoke of being ad valorem bankruptcy specialist - have a good relationship with the courts. Their contract is an evergreen contract (perpetual until their client decides otherwise). Roy Armstrong of their firm represents Appraisal District that collect taxes - is knowledgeable in appraisal district issues. They have approximately 150 people in their firm including support staff . The Tax Assessors from Comal County and Guadalupe County spoke of delinquent tax collection and notices sent out in their counties.

**Calame, Linebarger, Graham & Pena** - Dale Linebarger (Managing Partner of the Firm) introduced Michael Mulkahee? (Partner in the Firm), Helen Green (Director of Client Services), and Diane Earp (Account Representative). Mike Mulkahee spoke of handling matters with the San Marcos CISD regarding delinquent tax collection - represent more than 70 taxing units in the Hays County area ( 12 offices around the State - 800+) - Ronnie Beasley (Area Manager/Paralegal) spends his time in Hays County - spoke of his experience. Introduced Frank Walker (Attorney) who would be working in Hays county. Introduced Kent Rider (Bankruptcy Attorney). They have divisions in their firm that deal in specialized services including data processing (knowledgeable of county software) - they have a school valuation division that works with school districts to insure that they get all the State funding they are entitled to - they will not represent the Appraisal District in Hays County if they get the county contract - they maintain close contact with all the offices involved in the system (Tax Office, Clerks Office, and Sheriff/Constable) - they have 20 years of experience in tax collection. They work with the Tax Assessor-Collector and go through the tax rolls and come up with a game plan for the upcoming 12 month period (when to send notice and what taxpayers to target for legal action if they don't make a payment agreement) - about midway they look to see if that plan is working well and make any changes necessary - spoke of delinquent tax statements sent out (work with Tax A/C schedule) - in general we do title work on the account before we file tax suits - we notify lien holders to assist us in collection - spoke of tax warrants issued when appropriate (Tax A/C & Sheriff go out and sell property) - try to work out alternatives to litigation. If they must go to tax sale, they try to accumulate 6-10 pieces of property before they go to sale - mail notice to buyers of properties for sale - we have a plan for taking care of second sale properties (where taxes exceed the value of the property) to try and cut losses and get it back to being current property. State that they have the personnel, the equipment, and the experience to make the best possible solution work out for Hays County. Discussion was had regarding problems with collecting personal taxes on mobile homes and collection on businesses. Discussion was had regarding access to computerized records of the county. Dale Linebarger spoke of training for county employees and providing advice at no charge.

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Ray, Wood and Fine - Buck Wood (Senior Partner) - be involved in tax collection since the early 1980's - represent the Dripping Springs ISD - they do school finance law - introduced members of his firm: Raymond Gray (Partner), Rick Fine (Senior Partner), Jim Scheer (School Finance Expert), Connie Myers (would oversee this account), Chester Tutman, and Mike Gossett (Local Attorney). Raymond Gray spoke of general procedures (send letter out, telephone service, and litigation) - feels like they are unique in the size of their office - there are four attorneys and each are responsible for making sure their clients are happy - creates a personal type relationship - we are committed to being aggressive in our collection - last year Hays County had 1.1 million dollars in delinquent taxes on your tax roll - an aggressive mailing program, aggressive telephone collection service, and an aggressive litigation program is followed. Spoke of partial payment program being urged - Mike Gossett would be utilized for local court appearances and H.C. Kyle's Title Company will be used for title searches. Spoke of number of lawsuits filed by other firms in Hays County - felt like the majority of the delinquent tax property is easily collectible (very little mobile homes and personal property). Spoke of Buck Wood being an expert on open records & meetings and Election Law and those services are available to the Commissioners - spoke of representing Appraisal District throughout the State. Spoke of first letter sent out, a second letter, letter advising of payment plans available, and notice of intent to sue - spoke of coordinating mailouts with the local entity - most contracts are one to two year contract with cancellation clause.

Judge Etheredge spoke of similarities between these companies. Brief discussion was had regarding bankruptcy cases. Commissioner Molenaar spoke of having been contacted by one of the firms regarding discontent with current firm. Judge Etheredge spoke of conversations he had with Elected City Officials - their concerns were simply concerns, they were not upset with Chester Young, were not promoting anyone else, they only wanted to know how we selected delinquent tax attorneys and when and they wanted to be involved in the process - they have a growing number of delinquencies and they have the right to be upset. Spoke of his conversation with Chester Young regarding the perpetual contract - Judge Etheredge stated that he is opposed to an "evergreen" contract - had been asked by Chester Young to not reconsider the contract due to changes in his company (new ownership) - not willing to let it go again - its appropriate for us to look at what is out there - impressed with all the other firms - opposed to any contract over three years - prefers a two year contract. Commissioner Molenaar supports a two year contract with Chester Young (give him the benefit of the doubt) - no continuing contract. Commissioner Barton spoke of his relationship with Chester Young (lifelong family friend) and difficulties he has had (health problems and losing his longtime secretary/Luanne Caraway). Judge Etheredge stated that the Firm that Chester Young is with is not the same Firm the county contracted with ten years ago - has concerns about the Firm - we don't need to rush into making a decision. Luanne Caraway spoke of her knowledge of some of the firms. District Attorney Marcos Hernandez spoke of bottom line being what is actually collected - who is the closest to 100% collection - suggested bringing back the top two firms and getting more information - challenge them on issues. Judge Etheredge advised that he would contact members of the Court prior to posting the next agenda and see if they are ready to make a decision on Monday or have some of the firms come back in for additional interview.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 16<sup>TH</sup> DAY OF JANUARY, 1996

Eddy A. Etheredge  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

Margie T. Villalpando  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 11th DAY OF DECEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14584 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices as presented by the County Auditor. All voting "Aye".

|                  |             |                  |               |                  |              |
|------------------|-------------|------------------|---------------|------------------|--------------|
| Fines            | \$ 89.00    | Auditors Office  | \$ 189.29     | Treasurers Ofc   | \$ 268.30    |
| Grants Admin     | \$ 157.67   | Juvenile Prob    | \$ 3,332.85   | Election Admin   | \$ 65.04     |
| Indigent Care    | \$ 306.88   | Transfer Station | \$ 128.49     | Bldg. Mtc.       | \$ 1,769.66  |
| Environ Health   | \$ 853.63   | Personal Health  | \$ 1,319.47   | Countywide Oper  | \$ 48,515.57 |
| Tax A/C          | \$ 1,273.32 | District Clerk   | \$ 174.02     | County Clerk     | \$ 799.92    |
| Sheriffs Ofc     | \$ 5,286.51 | Jail Operations  | \$ 6,694.18   | County Judge     | \$ 38.01     |
| Human Res        | \$ 201.05   | District Atty    | \$ 172.55     | J.P. 1-1         | \$ 79.99     |
| J.P. 1-2         | \$ 218.37   | J.P. 2           | \$ 51.40      | J.P. 3           | \$ 101.83    |
| J.P. 4           | \$ 12.50    | J.P. 5           | \$ 10.84      | D.P.S/Substation | \$ 784.92    |
| Constable 1      | \$ 59.92    | Constable 2      | \$ 98.25      | Constable 4      | \$ 53.43     |
| Constable 5      | \$ 38.33    | Dist Crt Oper    | \$ 2,417.98   | Computer Svcs    | \$ 669.12    |
| DPS/Lic & Wghts  | \$ 185.89   | TABC             | \$ 30.87      | TJPC CCAP Grant  | \$ 1,705.00  |
| Animal Control   | \$ 20.00    | Comm Crt Exp     | \$ 288.00     | DA DARE Grant    | \$ 29.50     |
| Used Oil Signage | \$ 7.76     | *Gen Fnd Credit* | * \$ 289.33 * | R&B Oper         | \$ 28,127.71 |
| Precinct 1       | \$ 261.20   | Precinct 2       | \$ 5.00       | Precinct 3       | \$ 130.00    |
| Precinct 4       | \$ 65.64    | * R&B G Credit*  | * \$ 2.25 *   | Rec Mng/Co Clk   | \$ 1,314.07  |
| Health Svcs Grnt | \$ 1,358.28 | Road Constr      | \$ 30,005.92  | Courthouse Sec   | \$ 7.00      |
| Adult Prob Oper  | \$ 7,215.63 | Adult Prob Fac   | \$ 2,626.65   | D.A. Reimb Trust | \$ 7,449.88  |

**14585 AMEND FY95 BUDGET INCLUDING ACCRUED EXPENDITURES THROUGH SEPTEMBER 30, 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 95-049 which amends the FY95 budget including accrued expenditures through September 30, 1995. All voting "Aye". (See Budget Amendment [30 pages] in file)

**14586 APPROVE OCTOBER 1995 TREASURER'S REPORT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve October 1995 Treasurer's Report as presented. All voting "Aye".

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HAYS COUNTY TREASURER'S REPORT

FOR THE MONTH OF OCTOBER 1995

OPERATING FUNDS:

CHECKING

|                                   | BEGINNING BALANCE | Interest  | Revenues      | Deposits From Investments | Disbursements   | Transfer to Investments | ENDING BALANCE | TOTAL Investments | TOTAL FUND      |
|-----------------------------------|-------------------|-----------|---------------|---------------------------|-----------------|-------------------------|----------------|-------------------|-----------------|
| General                           | \$ 43,224.57      | \$ 467.50 | \$ 737,407.35 | \$ 1,201,215.33           | \$ 1,701,080.33 | \$ 251,321.20           | \$ 29,913.22   | \$ 2,738,409.94   | \$ 2,768,323.16 |
| Road and Bridge General           | \$ 25,534.33      | \$ 64.80  | \$ 117,065.22 | \$ 178,222.16             | \$ 228,428.34   | \$ 71,292.03            | \$ 23,768.14   | \$ 694,795.38     | \$ 718,593.52   |
| Hot Check Fee Fund                | \$ 779.00         | \$ -      | \$ 2,518.23   | \$ 1,822.33               | \$ 2,270.78     | \$ 2,262.80             | \$ 588.00      | \$ 5,375.92       | \$ 5,961.92     |
| Law Library                       | \$ 1.00           | \$ -      | \$ 1,720.00   | \$ 511.30                 | \$ 1,720.00     | \$ 511.30               | \$ 1.00        | \$ 17,387.68      | \$ 17,388.68    |
| Medical and Dental Fund           | \$ 1,534.89       | \$ 77.26  | \$ 119,504.73 | \$ 83,782.76              | \$ 99,272.70    | \$ 102,734.02           | \$ 2,892.85    | \$ 420,543.60     | \$ 423,436.45   |
| Adult Probation Operating         | \$ 81,551.23      | \$ 71.49  | \$ 104,489.17 | \$ 147,433.67             | \$ 194,327.81   | \$ 108,583.37           | \$ 10,634.58   | \$ 588,139.13     | \$ 598,773.71   |
| Adult Probation Facilities        | \$ 1.00           | \$ -      | \$ 20,000.00  | \$ 3,214.09               | \$ 4,080.30     | \$ 19,133.79            | \$ 1.00        | \$ 20,850.87      | \$ 20,851.87    |
| Courthouse Security               | \$ 19.42          | \$ -      | \$ 2,198.58   | \$ 126.58                 | \$ 155.00       | \$ 2,146.35             | \$ 41.21       | \$ 54,977.67      | \$ 55,018.68    |
| Records Management                | \$ 30.53          | \$ -      | \$ 9,871.08   | \$ 9,898.72               | \$ 9,798.11     | \$ 9,548.25             | \$ 53.95       | \$ 31,438.24      | \$ 31,492.19    |
| Records Preservation              | \$ 1.00           | \$ -      | \$ 1,405.00   | \$ -                      | \$ -            | \$ 1,405.00             | \$ 1.00        | \$ 19,107.14      | \$ 19,108.14    |
| Sheriff's Drug Forfeiture         | \$ 1.00           | \$ -      | \$ -          | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 1,598.16       | \$ 1,599.16     |
| District Attorney Drug Forfeiture | \$ 5.29           | \$ -      | \$ 190.12     | \$ 510.28                 | \$ 510.28       | \$ 194.41               | \$ 1.00        | \$ 2,819.21       | \$ 2,820.21     |
| District Attorney Reimbursement   | \$ 4,453.93       | \$ -      | \$ 17,825.23  | \$ 9,750.89               | \$ 15,511.77    | \$ 9,920.34             | \$ 6,397.74    | \$ 126,778.74     | \$ 133,174.48   |
| Health Services Grants            | \$ 2,444.09       | \$ 31.60  | \$ 58,595.15  | \$ 45,453.43              | \$ 60,472.70    | \$ 43,711.44            | \$ 2,340.13    | \$ 82,498.21      | \$ 84,836.34    |
| Historical Commission Trust Fund  | \$ 1.00           | \$ -      | \$ 35.00      | \$ -                      | \$ -            | \$ 35.00                | \$ 1.00        | \$ 9,037.33       | \$ 9,038.33     |
| Foster Care                       | \$ -              | \$ -      | \$ 26,810.03  | \$ -                      | \$ 8,035.95     | \$ -                    | \$ 18,574.08   | \$ -              | \$ 18,574.08    |

CONSTRUCTION FUNDS:

|                                  | BEGINNING BALANCE | Interest  | Revenues    | Deposits From Investments | Disbursements | Transfer to Investments | ENDING BALANCE | TOTAL Investments | TOTAL FUND      |
|----------------------------------|-------------------|-----------|-------------|---------------------------|---------------|-------------------------|----------------|-------------------|-----------------|
| Jail Construction (Juvenile Del) | \$ 5,593.86       | \$ 149.45 | \$ -        | \$ 1,102.69               | \$ 5,198.55   | \$ -                    | \$ 1,649.45    | \$ 199,214.65     | \$ 200,864.10   |
| Crits Ren & Rd Const 1994        | \$ 1.00           | \$ -      | \$ -        | \$ 184,417.01             | \$ 184,417.01 | \$ -                    | \$ 1.00        | \$ 4,431,964.58   | \$ 4,431,965.58 |
| Road Construction Bond 1995      | \$ 1.00           | \$ -      | \$ -        | \$ 11,833.00              | \$ 11,833.00  | \$ -                    | \$ 1.00        | \$ 8,063,725.56   | \$ 8,063,726.56 |
| Anticipation Notes 1995          | \$ 1.00           | \$ -      | \$ 4,530.83 | \$ 200,907.11             | \$ 205,437.94 | \$ -                    | \$ 1.00        | \$ 1,989,110.05   | \$ 1,989,111.05 |
| Texas Capital Fund/New Canaan    | \$ 1.38           | \$ -      | \$ 1,321.89 | \$ -                      | \$ 1,323.07   | \$ -                    | \$ 0.00        | \$ -              | \$ 0.00         |
| Wimberley Water System           | \$ -              | \$ -      | \$ 3,850.00 | \$ -                      | \$ -          | \$ -                    | \$ 3,850.00    | \$ -              | \$ 3,850.00     |

HAYS COUNTY TREASURER'S REPORT

FOR THE MONTH OF OCTOBER 1995

Page 1

INTEREST AND SINKING FUNDS

CHECKING

|                                | BEGINNING BALANCE | Interest  | Revenues        | Deposits From Investments | Disbursements   | Transfer to Investments | ENDING BALANCE | TOTAL Investments | TOTAL FUND       |
|--------------------------------|-------------------|-----------|-----------------|---------------------------|-----------------|-------------------------|----------------|-------------------|------------------|
| Crits Ren & Rd Const. I&S 1994 | \$ 1.00           | \$ -      | \$ 1,717.60     | \$ 38.20                  | \$ 38.20        | \$ 1,717.60             | \$ 1.00        | \$ 61,624.92      | \$ 61,625.92     |
| Road Const. Bond I & S 1995    | \$ 1.00           | \$ -      | \$ -            | \$ 42.74                  | \$ 42.74        | \$ -                    | \$ 1.00        | \$ 42,258.07      | \$ 42,259.07     |
| Limited Tax Refunding          | \$ 238,201.00     | \$ -      | \$ 1,511.37     | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 246,385.76     | \$ 246,386.76    |
| Jail I & S                     | \$ 353,801.00     | \$ -      | \$ 938.84       | \$ -                      | \$ 5.00         | \$ 237,711.37           | \$ 1.00        | \$ 375,363.78     | \$ 375,363.78    |
| Jail Addition I & S            | \$ 1.00           | \$ -      | \$ 173.66       | \$ -                      | \$ -            | \$ 354,733.84           | \$ 1.00        | \$ 375,363.78     | \$ 375,363.78    |
| Hays County I & S              | \$ 1.00           | \$ -      | \$ 974.12       | \$ 5,434.88               | \$ 6,409.00     | \$ 173.66               | \$ 1.00        | \$ 35,788.03      | \$ 35,789.03     |
| Public Works I & S             | \$ 1.00           | \$ -      | \$ 309.33       | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 30,919.09      | \$ 30,920.09     |
| Springlake I & S               | \$ 1.00           | \$ -      | \$ 116.03       | \$ -                      | \$ -            | \$ 309.33               | \$ 1.00        | \$ 29,447.14      | \$ 29,448.14     |
| Pioneer Trails I & S           | \$ 1.00           | \$ -      | \$ -            | \$ -                      | \$ -            | \$ 116.03               | \$ 1.00        | \$ 8,866.40       | \$ 8,867.40      |
| Burnett Road I & S             | \$ 1.00           | \$ -      | \$ -            | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 15,843.70      | \$ 15,844.70     |
| Anticipation Notes I & S 1994  | \$ 1.00           | \$ -      | \$ 1,277.30     | \$ 75.70                  | \$ 75.70        | \$ -                    | \$ 1.00        | \$ 1,978.40       | \$ 1,977.40      |
| Anticipation Notes I & S 1995  | \$ 1.00           | \$ -      | \$ 75.70        | \$ 42.89                  | \$ 118.39       | \$ 1,234.61             | \$ 43.89       | \$ 32,298.25      | \$ 32,339.94     |
| GRAND TOTALS:                  | \$ 735,192.52     | \$ 862.10 | \$ 1,236,429.32 | \$ 2,065,433.33           | \$ 2,718,358.49 | \$ 1,218,795.74         | \$ 100,765.04  | \$ 20,372,630.14  | \$ 20,473,395.18 |

*Michele Little*  
Michele Little, Hays County Treasurer

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**14587 CANCEL COMMISSIONERS' COURT MEETINGS OF DECEMBER 25, 1995 & JANUARY 1, 1996**

Judge Etheredge advised that December 25 & 26, 1995 and January 1, 1996 are county holidays, therefore, rather than trying to have meetings on December 27, 1995 and/or January 2, 1996 he recommends canceling both meetings and have the next meeting at the regular meeting date of January 8, 1996. Neither County Auditor Bill Herzog or Environmental Health Director Allen Walther have a problem with this proposal. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve cancellation of Commissioners' Court Meetings of December 25, 1995 and January 1, 1996. All voting "Aye".

**14588 AUTHORIZE REQUEST FOR PROPOSALS FOR HISTORICAL RESOURCES SURVEY OF PRCT. 2**

This action will allow hiring of a consultant to do the final phase of the countywide survey of historic resources - it is being funded by a grant from the Texas Historical Commission with a 40% cash match from the county, which was budgeted in the current budget year. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize request for proposals for Historical Resources Survey of Precinct 2. All voting "Aye".

**14589 AUTHORIZE COMMISSIONER PAYNE AND THE PURCHASING AGENT TO AWARD BID ON THE REMOVAL OF A WOOD FRAME HOUSE FROM COUNTY R-0-W**

Bids for removal of a wood frame house from county right-of-way will be opened December 19, 1995 - due to the fact that the Commissioners' Court will not meet again after that bid opening until January 8, 1996, Commissioner Payne is requesting that the Court authorize him and Cindy Casparis, Purchasing Agent, to award the bid. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize Commissioner Payne and the Purchasing Agent to award bid on removal of a wood frame house from county right-of-way. All voting "Aye".

**14590 APPROVE ADMINISTRATIVE LEAVE FOR EMPLOYEES OF THE YEAR**

Human Resources Director George Aitken request approval of 3 days paid administrative leave as part of formal county recognition for Category 1, 2, 3, & 4 employees - actual leave time to be coordinated with each individual's Department Head. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Administrative Leave (3 days paid) for Employees of the Year. All voting "Aye".

**14591 ACCEPT INTERNAL AUDIT REPORT OF DISTRICT CLERK**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Audit Report of the District Clerk's office. All voting "Aye".

**14592 APPROVE PAYMENT OF TRAVEL EXPENSES OF COUNTY CLERK OUT OF RECORDS MANAGEMENT FUNDS AND AMEND BUDGET IF NECESSARY**

The subject of travel expenses and rental car expenses incurred by former County Clerk Ronnie Dannelley were previously discussed in Executive Session - the consensus of the Court was to authorize payment of the expenses, except for the rental car - additional funds will be required if full reimbursement is authorized, however, sufficient funds exist for travel expense in the records management fund if rental car is not approved. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of travel expenses (not rental car expense) of County Clerk out of Records Management Funds. All voting "Aye".

**14593 APPROVE SPECIFICATIONS FOR SEEKING PROPOSALS FOR LAW ENFORCEMENT AND PUBLIC OFFICIALS LIABILITY INSURANCE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications for seeking proposals for Law Enforcement and Public Officials Liability Insurance. All voting "Aye".

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**14594 AWARD CONTRACT ON SINGLE AXLE, DIESEL POWERED TRUCKS (2) AS RECOMMENDED BY PURCHASING AGENT**

The following bid tabulation was presented:

| VENDOR               | BID PRICE           | NEW OR USED |
|----------------------|---------------------|-------------|
| Longhorn Intl        | \$ 14,450.00 each   |             |
| San Tex Intl         | <b>\$ 16,450.00</b> | Used        |
| San Tex Intl         | <b>\$ 19,800.00</b> | Used        |
| Truck City           | \$ 27,541.00 each   | Used        |
| Grande Truck City    | \$ 31,329.00 each   | New         |
| Barrett Truck Center | \$ 33,174.00        | New         |
| Barrett Truck Center | \$ 33,784.00        | New         |
| Texas Truck Center   | NO BID              | New         |

Road Director Ron Bischoff has looked at the equipment located at Longhorn Intl and San Tex Intl - it is his opinion that the lowest bid meeting specs is San Tex Intl - total bid price of \$36,250.00. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award contract on single axle/diesel powered trucks (2) as recommended by Purchasing Agent and Road Director to San Tex International in the amount of \$36,250.00. All voting "Aye".

**14595 CALL FOR A PUBLIC HEARING ON JANUARY 8, 1996 TO RENAME LOOP 165 NEAR DRIPPING SPRINGS AS "LYNN MCCARTY LANE"**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing on January 8, 1996 to rename Loop 165 near Dripping Springs as "Lynn McCarty Lane". All voting "Aye".

**14596 APPROVE UTILITY PERMITS #95-216, #95-217, #95-218 & #95-308 ISSUED BY THE ROAD DEPARTMENT**

Proposed Utility Permits were submitted as follows:

- #95-216 CR127 to Goforth Water Supply Corp. (water line)
- #95-217 Verbina to Meadow Woods Water Supply (water line)
- #95-218 Montague Drive to Meadow Woods Water Supply (water line)
- #95-308 CR278 to Wimberley Water Supply Corp. (water main)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permits #95-216, #95-217, #95-218, & #95-308 as presented by the Road Department. All voting "Aye".

**REQUEST FOR PLATTING VARIANCE - 10.2 ACRES ON EL CAMINO WAY**

No one appeared representing this request for a platting variance - it is the remaining tract being divided by Briggs & Hageman located off El Camino Way (CR266) - Staff recommends approval next week. No action this date.

**14597 HERRERA SUBDIVISION - FIRST READING [T1-68]**

Paul & Rose Herrera propose to create a five lot subdivision located off CR126 being out of an original 36.20 acre tract in the Charles V. Taplin Survey and part of Lot 3 of the C.M. Rogers subdivision - a 60' road easement provides access to three of the lots. Commissioner Barton advised that this subdivision is located east of Buda - will be a family subdivision with deed restrictions (restricts re-subdivision) - Mr. Herrera prefers a 10-12' access easement. Allen Walther, Environmental Health Director, advised that lot lines will be amended to make lots over five acres each - prefers a private road with a homeowners association rather than an easement - floodplain needs to be delineated on the plat. Road Director Ron Bischoff spoke of needing at least a minimum of 8" of base - one side of the road will need a ditch line. Commissioner Barton spoke of shared access driveway. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the "Herrera Subdivision" on first reading. All voting "Aye". Commissioner Barton advised that the Court would consider the 10 foot width built to county standards.

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**14598 LOS ENCINOS RANCH - CALL FOR PUBLIC HEARING TO CONSIDER VACATING LOT 3** [T1-172]

Earl Goodman, Owner of Lot 3 of Los Encinos Ranch Subdivision, appeared before the Court requested approval to vacate his lot - stated that he is not utilizing the roads in the subdivision (accesses his property from RM2325). Commissioner Payne advised that he would be willing to afford the property owner a public hearing to see what response we get - not sure he will support the request. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to call for a public hearing to be held January 8, 1996 at 9:00 A.M. to consider vacating Lot 3 of the Los Encinos Ranch Subdivision. All voting "Aye". Will need to research deed restrictions to see if it addresses a situation such as this - see if other property owners in the subdivision agree with this vacation.

**RANCHO MADRONE 8 TRACTS - REQUEST FOR PLATTING VARIANCE** [T1-239]

Allen Walther, Environmental Health Director, spoke of previous action by the Court for variance to road standards for large acreage tracts. Commissioner Payne spoke of platting variance given for tracts over 50 acres - they have a buyer for a 25 acre tract now, therefore, they are asking for reconsideration. Eddie Gumbert requested dividing 347 acres into four 50 acre tracts, three 40 acre tracts and one 25 acre tract - also requesting a variance to flood study. Allen Walther advised that he had no problem with granting a variance to the flood study - these are not exact parcels, therefore, each tract will have to come before the Court in the future as they are sold.

**14599 LANIER RANCH ADDITION REPLAT OF LOT 1A - FIRST READING AND CALL FOR A PUBLIC HEARING** [T1-326]

Wilton Miles, owner of Lot 1A Lanier Ranch Addition, proposes to divide his lot into two parcels (Lot 1A-1 & 1A-2) - this property lies within the ETJ of the City of Dripping Springs - a Letter of Exemption signed by Dripping Springs City Engineer was filed. Mr. Miles was requesting a platting variance, however, Environmental Health Director advised that because this lot is part of a recorded subdivision it is necessary to hold a public hearing and file a plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lanier Ranch Addition Replat of Lot 1A" on first reading and call for a public hearing on January 8, 1996. All voting "Aye".

**14600 HILLS OF TEXAS ESTATES REPLAT OF LOT 1 - SECOND READING** [T1-360]

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Estates Replat of Lot 1 (Lots 1-A & 1-B) on second reading. All voting "Aye".

**14601 HYDE SUBDIVISION - SECOND READING** [T1-372]

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hyde Subdivision" on second reading. All voting "Aye".

**14602 VALLEY VIEW WEST REPLAT OF LOTS 4 & 5 - FIRST READING** [T1-382]

Developer proposes to create 10 lots [Lots 4A-4E & 5A-5E] (4 flag lots) located off Valley View West Road - Valley View West is an unrecorded subdivision (no public hearing required). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Valley View West Replat of Lots 4 & 5" on first reading. All voting "Aye".

**14603 GOLDENWOOD WEST WATER SUPPLY CORP. LOT 1 - FIRST READING** [T1-422]

Allen Walther, Environmental Health Director, spoke of there be an existing water well on this property - they are taking original Lot A of Goldenwood West Section 1 and adding acreage to the Lot so that it will contain the entire sanitary control easement. Patsy Greiner, Mapping/Planning Coord., spoke of need to change the subdivision name to "Goldenwood West Section 1 Replat of Lot A" since it is part of an existing subdivision - will need to call for a public hearing. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Goldenwood West Water Supply Corp. Lot 1" (to be heard later as "Goldenwood West Section 1 Replat of Lot A") on first reading. All voting "Aye".

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**14604 THOMASSEN RANCH - FIRST READING APPROVAL [T1-460]**

Allen Walther, Environmental Health Director, advised that this property was originally heard as a platting variance - developer is platting as requested (a seven lot subdivision) - recommends approval on first reading. Commissioner Molenaar spoke of additional r-o-w being dedicated to accomodate an Oak tree - he is requesting a paving variance (will build road to caliche road standards) - recorded deed restrictions will not allow resubdivision of lots. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Thomassen Ranch" on first reading. All voting "Aye".

**PLATTING VARIANCE - REQUEST FROM JEFF GUMTOW FOR 15 ACRES ON OAKWOOD LOOP [T1-507]**

Jeff Gumtow appeared before the court - he purchased 15 acres out of a 30.16 acre tract, and is requesting a variance so that he can proceed with building his home. No actin taken this date.

**14605 LARVIN GARDENS - THIRD READING APPROVAL [T1-528]**

This is a two lot subdivision located on Old Stagecoach Road (CR136) owned by Ray Wolbrecht (out of an orginal 1.478 acres out of the Z. Hinton Survey) - staff recommends approval on third reading. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Larvin Gardens" subdivision on third reading. All voting "Aye".

**14606 PARK MEADOW (GATEWAY) - THIRD READING [T1-538]**

Staff recommends approval. Cotton Johnson, Surveyor, appeared. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Park Meadow" subdivision on third reading. All voting "Aye".

**14607 COVES OF CIMARRON SECTION 2 PHASE 3 - THIRD READING APPROVAL [T1-564]**

This is a 40 lot subdivision located off Magnolia Cove. Commissioner Barton spoke of questions about the maintenance and performance bonds for this subdivision. Road Director Ron Bischoff advised that no bond has been submitted to the County. Developers Representative spoke of bonds that were filed with the City of Buda (ETJ). Commissioner Barton spoke of City's request for bonds to be made out to them - do we require a bond for the county - we are obligated for seeing that roads are built to county standards. The Developers do not want to post a bond with both entities - would prefer a joint bond with the City of Buda and Hays County. Discussion was had regarding the county's responsibilities for the roads (not the City of Buda). A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Coves of Cimarron Section 2 Phase 3" subdivision on third reading provided that an acceptable bond that shows full cost of road construction and that shows the County as a separate and full partner. Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No". Commissioner Rodriguez abstained.

[T1-1807] A copy of the Bond was faxed later in the meeting which added Hays County to the bond. Commissioner Barton explained that the new roads will be built to excess county standards (city's urban standards and with sewer lines) therefore the City requested that bonds be issued to the City - we compromised that bond be made to the City of Buda and/or Hays County, however the bond says the City of Buda and Hays County - will it require two signatures to draw down on this bond? District Attorney Marcos Hernandez felt like the County would be covered by a joint bond and feels like either entity could draw down on the bond. Court felt like this bond would be acceptable.

**14608 SETTLERS RANCH - THIRD READING APPROVAL [T1-801]**

Staff recommends approval on third reading. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Settlers Ranch" subdivision on third reading. All voting "Aye".

**14609 MADRONE RANCH SECTION 3 PHASE 1 LOT 1 - THIRD READING APPROVAL [T1-1930]**

A motion was made by Commissioner Molenarr, seconded by Commissioner Barton to approve "Madrone Ranch Section 3 Phase 1 Lot 1" subdivision on third reading. All voting "Aye".

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**14610 TERMINATE EXISTING CONTRACT FOR THE COLLECTION OF DELINQUENT TAXES AND AWARD THE NEW CONTRACT TO CALAME, LINEBARGER, GRAHAM, & PENA [T1-838]**

Judge Etheredge spoke of interviews held last Monday with four Firms for delinquent tax collection - we had good presentations and we are now ready to consider a new contract - the current contract has been in existence with Law Firm of Chester Young dated back to 1984 - that firm has merged with another company (Parmer, Steen, & Young) and contract was never amended or reconsidered. Commissioner Barton spoke of personal relationship with Chester Young (Parmer, Steen & Young) and Dale Linebarger (Calame, Linebarger, Graham & Pena) making it difficult for him to make a decision - feels like it is best for his constituents to support the firm whose principal partner is a resident of Hays County (Linebarger) - spoke of additional services that will be provided. Commissioner Payne stated that he is not unhappy with service being received from Chester Young's firm and would prefer to stay with them - additional services were offered last week. Judge Etheredge clarified that no one is particularly unhappy with Young's firm - we had an evergreen contract that automatically renewed annually and since going out for proposals we have seen things that can be made available to us that were not being done - there are taxes that need to be collected - would like to give a new firm an opportunity to see if they can do a better job - it will come up again in two years. Commissioner Molenaar felt like Chester Young's firm should be given the opportunity to address any problems that might have existed. Judge Etheredge spoke of contract renewal being put off on several occasions - it is now time to take action. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to terminate the existing contract for the for the collection of delinquent taxes to be effective thirty (30) days following notification of Parmer, Steen, & Young of our intent to enter into a new contract, furthermore we award the new contract for collection of delinquent taxes for a period of two years (beginning with date of negotiated contract) to Calame, Linebarger, Graham, & Pena and authorize the County Judge to sign the contract once it has been negotiated. Judge Etheredge spoke of current firm to rap up pending litigation - would negotiate a May mailing, free legal advice for the county regarding other matters, and firm would offer periodic seminars for employees. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No". A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to amend the previous motions to include that the negotiated contract be brought back before the court for review prior to the County Judge signing it. Commissioner Barton, Judge Etheredge, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez voting "No".

**14611 ACCEPT OFFER FOR DELINQUENT TAX PROPERTY CONSISTING OF 2.89 ACRES IN THE CITY OF SAN MARCOS [T1-1170]**

Tax Assessor-Collector Luanne Caraway spoke of a \$32,000 bid for 1.50 acres out of the T. J. Chambers Survey and a 1.39 acre tract described as Lot 1 Block 45 of the Westover Addition - these two tracts form one tract which is adjoined by the bidders 19.50 acre tract - the CAD reappraised this property which has lowered the value from \$79,120 to \$62,750 - the total taxes and court cots due on this property is \$40,842.74 which would make a 78.349% recovery - this property has been exempt on the tax roll since February 12, 1990 - recommends accepting the \$32,000 offer. A motion was made by Commissioner Payne, seconded by Commissioner Barton to accept offer in the amount of \$32,000.00 for delinquent tax property consisting of 2.89 acres in the City of San Marcos subject to approval by the City of San Marcos and the San Marcos CISD. All voting "Aye".

**14612 AUTHORIZE TEMPORARY PERSONNEL IN JUSTICE OF PEACE PCT. 2 OFFICE [T1-1269]**

J.P. 2 Albert Busse spoke of workload in his office - they have increased the efficiency in their office - needs someone to answer the telephone while one of the office staff is off on vacation. Commissioner Barton advised that funds were not allocated for temporary assistance - Judge Busse feels like his office will not be able to keep up with the daily work while one employee is out for two weeks - additional income is being generated this year in the J.P.'s budget. County Auditor Bill Herzog suggested taking the needed funds out of contingencies. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize temporary personnel in J.P. 2 office not-to-exceed \$750.00 out of contingency funds. All voting "Aye".

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**14613 AWARD CONTRACT FOR ROOF REPAIRS AT THE HAYS COUNTY JUSTICE CENTER [T1-1348]**

Bid tabulations were presented by the Ken J. Chatagnier Firm for roof repairs at the Justice Center - bidders were: Oliver Roofing, Port Enterprises, Stokes Construction, Advantage Construction, Tebben, and Easley. Base bid does not include skylights, Alternate #1 would not provide for raising the skylights, Alternate #2 would remove skylights completely, Alternate #3 would be to remove skylights put new 14" curb and reinstall skylights, Alternate #4 would replace the skylights totally - there is nothing wrong with the existing skylights, therefore, it is recommended that we go with Alternate #3. Stokes Construction is low bidder with a base bid plus alternate #3 of \$24,568.00. Discussion was had regarding work involved in repairing the skylights - need to have flashing replaced and raise the skylights to prevent flooding. A motion was made by Commissioner Barton, seconded by Judge Etheredge to award contract for roof repairs at the Hays County Justice Center to Stokes Construction Company in the amount of \$24,568.00 (includes alternate #3). All voting "Aye".

**REPORT REGARDING THE LAWSUIT STYLED ELGIN BANK VS. TRAVIS COUNTY [T1-1583]**

Commissioner Barton spoke of previous action by the Commissioners' Court whereby they authorized and requested the District Attorney to file a friend of the court brief in support of Travis County's position in the Elgin Bank case. Assistant District Attorney Angela Goodwin worked on the brief with District Attorney Marcos Hernandez, along with the County's Special Subdivision Counsel Phillip Schmandt - the brief was filed December 4, 1995. Angela Goodwin gave the history of the suit and reading of the statute regarding platting a subdivision - Elgin Bank feels like they do not need to file a plat since no new road, alleys, or parks - Travis County disagreed with this position and the Court agreed with them - Elgin Bank appealed this case and the judgment was overturned - Appeal Court felt like the County's only interest are in street design and construction - Travis County then appealed to the Texas Supreme Court and other counties were invited to submit briefs - waiting to see what the Supreme Court will decide. All counties in the State of Texas should be concerned - we argued that county business is not just restricted to streets - includes maintenance of drainage on public roads, on-site sewage, protect roadways from flooding - another concern is flag lots which are creating problems for emergency services (unable to locate many of these addresses). Marcos Hernandez spoke of number of counties that have joined in the suit by filing briefs is low - hopes this will not affect the outcome - all counties should be interested.

**14614 DESIGNATE THE SITE FOR FORECLOSURE SALES [T1-1975]**

The Court took action two weeks ago to change the official site for county postings during the renovation of the Courthouse but failed to choose a new site for holding foreclosure sales as set out in the Property Code § 51.002 (a). A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to designate the area at the entrance to the Hays County Records Building (137 North Guadalupe Street, San Marcos, Texas) for the sale of Real Property Under Contract Lien pursuant to The Texas Property Code § 51.002 (a). All voting "Aye".

**DISCUSSION REGARDING LOCATION FOR HOLDING COMMISSIONERS' COURT DURING COURTHOUSE RENOVATION [T1-2043]**

The Courthouse is being vacated beginning on December 18, 1995 - the Court needs to find a new place to meet - Allen Walther has agreed that the Court can meet in the conference room at Environmental Health facility - another option would be to request that the City of San Marcos allow the county to use a room at the Dunbar Recreation Center. No action was taken this date.

**14615 MAKE APPOINTMENT TO THE SOUTH CENTRAL TEXAS ADVISORY COMMITTEE TO THE EDWARD AQUIFER AUTHORITY [T1-2173]**

Judge Etheredge spoke of still having the Edward Aquifer District and the newly created Edwards Aquifer Authority - a lawsuit was filed - the Downstream Advisory Board will be part of management of the Edwards Aquifer Authority, once the litigation is finished and the authority is responsible for that management - Hays County is the last of 20 entities to make an appointment to the advisory board. Judge Etheredge recommends appointment of San Marcos Attorney John Hohn as Hays County's representative - as a former environmental attorney with the Environmental Protection Agency, Mr. Hohn is experienced with the complex issues involved in the management of the aquifer. A motion was made by Judge Etheredge, seconded by Commissioner Barton to appoint John Hohn to the South Central Texas Water Advisory Committee to the Edwards Aquifer Authority. All voting "Aye".



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**JAIL INMATE COUNT (Not an agenda item - discussion only)**

Judge Etheredge spoke of jail inmate count being down creating lower projected revenues- have not had an opportunity to visit with the Sheriff - spoke of increasing juvenile space in the jail could eliminate need for construction of classrooms - State Law requires certain teacher to student ratios - suggested holding a workshop with the Sheriff, Juvenile Judge, Juvenile Probation, and the School to discuss this issue.

MINUTES APPROVED IN OPEN COURT ON THE 16<sup>TH</sup> DAY OF JANUARY, 1996

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



**STATE OF TEXAS  
 COUNTY OF HAYS**

ON THIS THE 18TH DAY OF DECEMBER A.D., 1995, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

**14616 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 170,655.16 as presented by the County Auditor. All voting "Aye".

|                   |              |                   |              |                    |              |
|-------------------|--------------|-------------------|--------------|--------------------|--------------|
| Auditors Ofc      | \$ 71.14     | Treasurers Ofc    | \$ 42.67     | Extension Ofc      | \$ 246.33    |
| Grants Admin      | \$ 56.89     | Juvenile Prob     | \$ 172.15    | Election Admin     | \$ 17.97     |
| Transfer Station  | \$ 5,491.78  | Bldg. Mtc. Dept.  | \$ 7,945.73  | Environ Health     | \$ 2,965.65  |
| Personal Health   | \$ 173.43    | Civic Center      | \$ 138.21    | Countywide Oper    | \$ 4,826.82  |
| Tax A/C           | \$ 352.23    | District Clerk    | \$ 173.83    | County Clerk       | \$ 430.95    |
| Sheriffs Ofc      | \$ 3,172.29  | Jail Operations   | \$ 17,466.64 | County Judge       | \$ 259.39    |
| Human Resources   | \$ 58.17     | Co Crt @ Law #1   | \$ 246.04    | District Attorney  | \$ 353.39    |
| J.P. 1-1          | \$ 13.57     | J.P. 1-2          | \$ 9.92      | J.P. 2             | \$ 236.45    |
| J.P. 5            | \$ 71.42     | DPS/135 Substa    | \$ 59.35     | Constable 1        | \$ 18.96     |
| Constable 3       | \$ 57.75     | Constable 4       | \$ 173.22    | Constable 5        | \$ 253.59    |
| District Crt Oper | \$ 37.49     | Co & JP Crt Oper  | \$ 1,768.46  | Veterans Admin     | \$ 24.91     |
| Computer Svcs     | \$ 451.91    | Co Crt @ Law #2   | \$ 1.47      | Fire Marshal/EMC   | \$ 0.39      |
| TABC              | \$ 79.50     | Dist Crt Reporter | \$ 45.52     | Animal Control     | \$ 288.00    |
| Legal Aid Office  | \$ 0.40      | *Gen Fund Credit* | * \$ 55.41 * | R&B Operating      | \$ 24,738.03 |
| Precinct 1        | \$ 192.70    | Precinct 2        | \$ 298.92    | Precinct 4         | \$ 157.00    |
| Anticip Notes '95 | \$ 43,887.82 | Rec Mng/Co Clk    | \$ 2.86      | Health Svcs Grants | \$ 792.52    |
| Road Construction | \$ 18,893.80 | Courthouse Renov  | \$ 5,187.46  | Foster Care Fund   | \$ 8,162.15  |
| Adult Prob Oper   | \$ 3,880.44  | Adult Prob Fac    | \$ 169.95    | D.A. Reimb Trust   | \$ 16,092.85 |

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**14617 AUTHORIZE THE COUNTY AUDITOR TO CONTINUE TO PAY INVOICES PRIOR TO JANUARY 8, 1996 FOR NECESSARY ITEMS SUCH AS UTILITIES, RENT, ETC. - COMMISSIONERS' COURT TO RATIFY ON JANUARY 8, 1996**

County Auditor Bill Herzog advised that there are invoices that will need to be paid to avoid penalties - payments will need to occur prior to next Commissioners' Court meeting on Jan. 8, 1996 at which time the Commissioners' Court can ratify the payments. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize the County Auditor to pay invoices prior to January 8, 1996 for necessary items such as utilities, rent, etc. with Commissioners' Court ratifying on January 8, 1996. All voting "Aye".

**14618 APPROVE COMMISSIONERS' COURT MINUTES FOR NOVEMBER 1995**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve the Commissioners' Court Minutes for November 1995 as presented by the County Clerk. All voting "Aye".

**14619 APPROVE BUDGET AMENDMENT FOR THE DISTRICT ATTORNEY'S OFFICE**

Proposed budget amendment No. 96-006 amends the District Attorney's budget by transferring \$1,400 from Office Supply & \$200 from County-wide Office Equipment to District Attorney's Office Equipment line item to purchase six file cabinets. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve Budget Amendment No. 96-006 as proposed by the County Auditor. All voting "Aye".

| LINE ITEM - EXPENDITURES                    | FUND NO. <u>01</u>                   |                                     | AMENDMENT<br>NO. <u>96-006</u><br>FY 96 BUDGET<br><u>12/04/95</u> |  | APPROPRIATION<br>AS<br>AMENDED |
|---------------------------------------------|--------------------------------------|-------------------------------------|-------------------------------------------------------------------|--|--------------------------------|
|                                             | FUND TITLE <u>GENERAL</u>            |                                     |                                                                   |  |                                |
|                                             | APPROPRIATION<br>BEFORE<br>AMENDMENT | AMENDMENT<br>INCREASES<br>DECREASES |                                                                   |  |                                |
| <b><u>DISTRICT ATTORNEY (423):</u></b>      |                                      |                                     |                                                                   |  |                                |
| 01-423-5711 OFFICE EQUIP                    | -0-                                  | 1,600                               |                                                                   |  | 1,600                          |
| 01-423-5211 OFFICE SUPPLY                   | 4,000                                |                                     | (1,400)                                                           |  | 2,600                          |
| <b><u>COUNTY-WIDE OPERATIONS (414):</u></b> |                                      |                                     |                                                                   |  |                                |
| 01-414-5711 OFFICE EQUIP                    | 27,935                               |                                     | (200)                                                             |  | 27,735                         |
|                                             |                                      | <u>1,600</u>                        | <u>(1,600)</u>                                                    |  |                                |

PURCHASE 6 FILE CABINETS FROM OFFICE SUPPLIES AND COUNTY-WIDE OFFICE EQUIPMENT.

**14620 ACCEPT THE APPLICATION OF HAYS COUNTY RECREATION ASSOCIATION INC. FOR A PRIVATE CLUB REGISTRATION PERMIT #054241**

A motion was made by Commissioner Payne, seconded by Commissioner Barton to accept the Application of Hays County Recreation Association for a Private Club Registration Permit #054241. Commissioner Molenaar voting "No". Commissioner Payne, Judge Etheredge, Commissioner Barton, and Commissioner Rodriguez voting "Aye".

**14621 RADIANCE PHASE I REPLAT LOTS 20C, 22C, & 25-29 - SECOND READING APPROVAL (T1-66)**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Radiance Phase I Replat Lots 20C, 22C, and 25-29" on second reading. All voting "Aye".

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**14622 LANIER RANCH ADDITION REPLAT OF LOT 1A \* SECOND READING APPROVAL [T1-81]**

Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lanier Ranch Addition Replat of Lot 1A (Lots 1A-1 & 1A-2)" on second reading. All voting "Aye".

**14623 GOLDENWOOD WEST SECTION 1 LOT A-1 \* SECOND READING APPROVAL [T1-90]**

Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Goldenwood West Section 1 Lot A-1" on second reading. All voting "Aye".

**14624 THOMASSEN RANCH \* SECOND READING APPROVAL [T1-97]**

Road Director Ron Bischoff spoke of need for the road and drainage details. Ed Thomassen stated that he is withdrawing his request for a road variance - would like for roads to be county maintained. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Thomassen Ranch" subdivision on second reading. All voting "Aye".

**14625 LANIER RANCH ADDITION REPLAT OF TRACT 1E-2 \* FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING [T1-134]**

Property Owner Judi Corbitt proposes to replat Tract 1E-2 (11.021 acres) of Lanier Ranch Addition - will create Lots 1E-2A & 1E-2B. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lanier Ranch Addition Replat of Tract 1E-2" on first reading and call for a public hearing to be held January 15, 1996. All voting "Aye".

**14626 WILLOW CREEK ESTATES SECTION 9 \* FIRST READING APPROVAL [T1-156]**

This is a proposed 42 lot subdivision (Lots 310-351) located off Mountain View and Summit Ridge. Allen Walther, Environmental Health Director, advised that a pollution abatement plan was done when the previous section was platted - recommends approval on first reading. This subdivision is located in the City of San Marcos ETJ and will require their approval. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Willow Creek Estates Section 9" on first reading. All voting "Aye".

**14627 PEABODY PLAZA SECTION 1 \* FIRST READING APPROVAL [T1-173]**

This is a two lot subdivision (Lot 5 & 6) located off U.S.Hwy. 290 West. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Peabody Plaza Section 1" subdivision on first reading. All voting "Aye".

**14628 THE WOODLANDS RESUBDIVISION OF LOTS 6-19 \* THIRD READING POSTPONED [T1-183]**

Road Director Ron Bischoff advised that the signage detail was filed just today and no bond has been filed for road construction. Ray Kotowski, Engineer/Surveyor, stated that the Developer is working on obtaining a Letter of Credit rather than a Bond - no lots are being sold at this time, therefore, it will create no problem with obtaining third reading at a later date - additional right. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to postpone third reading approval on "The Woodlands Resubdivision of Lots 6-19" until a Letter of Credit is filed. All voting "Aye".

**14629 HILLS OF TEXAS ESTATES REPLAT OF LOT 1 \* PUBLIC HEARING AND THIRD READING APPROVAL [T1-283]**

Judge Etheredge opened the public hearing - no input was received - public hearing was closed. Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hills of Texas Estates Replat of Lot 1" on third reading. All voting "Aye".

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**14630 HYDE SUBDIVISION \* THIRD READING APPROVAL** [T1-299]

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Hyde Subdivision" on third reading. All voting "Aye".

**14631 PLATTING VARIANCE GRANTED TO CURTIS BRIGGS FOR 10.2 ACRES ON EL CAMINO WAY**  
[T1-309]

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to grant a platting variance to Curtis Briggs for a 10.2 acre tract of land located on El Camino Way. All voting "Aye".

**14632 PLATTING AND FLOOD STUDY VARIANCES GRANTED ON EIGHT TRACTS IN RANCHO MADRONE (APPRX. 347 ACRES)** [T1-318]

Environmental Health Director Allen Walther spoke of previous discussion regarding this acreage (March 27, 1995) - requested variance to road standards - was to be divided into parcels of approximately 50 acres - the new division shows parcels of 25 acres - no problem with size of lots - we need to agree on the proper procedure for handling these variances - we normally have a variance discussion prior to granting a variance and a survey must be presented prior to granting the variance. Developer is requesting a blanket variance for this entire property and a survey be filed as the property transfer occurs. Mr. Walther is concerned about eliminating the Court's review of the survey - will recommend the platting variance and the flood study variance, however, he wants to make sure the Court is in agreement regarding allowing a blanket survey. Commissioner Payne advised that the Court gave the developer a variance for 50 acre tracts - they are now asking for variance on tracts less than 50 acres - they don't want to have to come in sixteen different times for 8 different tracts - we have seen this development on several occasions - would like to eliminate the discussion requirements. Allen Walther stated that he would like to see a survey for review and approval by the Court on each parcel. A motion was made by Commissioner Payne, seconded by Commissioner Barton to grant a flood study and platting variance to eight tracts in Rancho Madrone with minimum lot size of 25 acres - no further discussion will be necessary prior to action on individual tracts by the Commissioners' Court. All voting "Aye".

**14633 PLATTING VARIANCE GRANTED TO JEFF GUMTOW ON A 15 ACRE TRACT OUT OF 30.16 ACRES ON OAKWOOD LOOP** [T1-397]

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a platting variance to Jeff Gumtow on a 15 acre tract out of a 30.16 acre tract on Oakwood Loop. All voting "Aye".

**14634 RIVER MOUNTAIN RANCH SECTION 1 LOTS 1, 10-14, & 73 \* CALL FOR PUBLIC HEARING**  
[T1-406]

Allen Walther, Environmental Health Director, advised that the Developer would like to change the configuration on Lots 1, 10-14, & 73 in River Mountain Ranch Section 1 subdivision to allow a separate access to some of the property - all property owners have signed off on the new plat, however, it seems proper to hold a public hearing - it looks more like an amended plat than a plat correction. Commissioner Payne felt like the changes being made are significant enough to warrant a plat amendment rather than a plat correction. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to call for a public hearing to be held January 8, 1996 regarding "River Mountain Ranch Section 1 Amended" subdivision. All voting "Aye". Court agreed to hold first and second reading at one time.

**14634 APPROVE TRANSFER OF FUNDS FROM DATA PROCESSING HARDWARE MAINTENANCE CONTRACTS TO DATA PROCESSING EQUIPMENT** [T1-540]

George Aitken, Human Resources, spoke of computer used by Jacque Jordan needs to be replaced - proposes line item transfer to allow purchase. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve transfer of funds from Data Processing Hardware Maintenance line item (456-5428) to Data Processing Equipment line item (456-5712). All voting "Aye".

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14636 AUTHORIZE GRANT APPLICATION TO THE CAPITAL AREA PLANNING COUNCIL - LITTER ABATEMENT AND ENFORCEMENT PROGRAM FOR UP TO \$20,000 [T1-573]

Grants Administrator Richard Salmon advised that Hays county will have to provide cash and or in-kind matching funds up to \$20,000.00 for this grant. Hays County will be participating with the Solid Waste Task Force, made up of cities and counties within the CAPCO region, to apply for a grant from CAPCO - Litter Abatement and Enforcement Program. The program is set up to support local government efforts to (1) minimize initial response and case resolution times with respect to solid waste related citizen complaints, (2) develop or strengthen investigative and enforcement capabilities, (3) reduce occurrences of illegal dumping including but not limited to the illegal disposal of used automotive oil and or oil filters, batteries, scrap tires, sludge, septage, and regulated medical waste, and (4) discourage littering on county roads. Conversations with Bill Cummings, resident of Dripping Springs and Solid Waste Enforcement Officer for Travis County for the past 5 years, indicate fines and fees assessed can provide \$15K-20K in annual program income. County will provide in-kind match - Officer would be part of the Environmental Health Department. Commissioner Molenaar spoke of need for a Certified Peace Officer for this position. Commissioner Barton spoke of having a Sanitarian person that would work close with the Fire Marshal and/or the Sheriff's Department. Spoke of problems with dumping garbage on county roads and funding this program. A motion was made by Judge Etheredge, seconded by Commissioner Barton to apply for a grant to the Capital Area Planning Council - Litter Abatement and Enforcement Program for up to \$20,000.00. Commissioner Molenaar, Judge Etheredge, Commissioner Barton, and Commissioner Rodriguez voting "Aye". Commissioner Payne voting "No".

RESOLUTION

A resolution of the Commissioners Court of the County of Hays, Texas hereby authorizes the submission of a grant request to the Capital Area Planning Council - Litter Abatement and Enforcement Program.

WHEREAS, Hays County supports the Solid Waste Task Force and will be an active participant in the combined grant request, county's portion of this grant request is limited to a maximum of \$20,000 in in-kind match to start a Solid Waste Enforcement Program in Hays County.

NOW, THEREFORE, BE IT RESOLVED BY THE Commissioners Court for Hays County, Texas:

- 1. to participate with the Solid Waste Task Force in requesting a grant from the Capital Area Planning Council (CAPCO) - Litter Abatement and Enforcement Program,
2. to comply with the provisions of the fiscal reimbursement and reporting requirements of the Capital Area Planning Council and Solid Waste Task Force,
3. to use the funds solely for the purposes for which they are provided and cooperate with the Solid Waste Task Force, as appropriate,
4. to authorizes the County Judge to execute all necessary documents as may be required to initiate process and complete this Hays County Solid Waste Enforcement Program..

PASSED AND APPROVED at a meeting of the Commissioners Court of Hays County, Texas.

Eddy Etheredge, County Judge
Hays County, Texas

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STATE OF TEXAS
COUNTY OF HAYS

I, Margie Villapando, County Clerk for the Commissioners' Court of Hays County, Texas, do hereby certify the foregoing contains a true and accurate copy of a resolution passed and adopted by the Commissioners' Court of Hays County, Texas, in a Regular Meeting held on December 18, 1995.

ATTESTED TO BY: Margie Villapando, County Clerk
Hays County, Texas

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**14637 APPROVE HOLDING COMMISSIONERS' COURT MEETINGS AT THE COURTHOUSE ANNEX EFFECTIVE JANUARY 16, 1996 [T1-776] AND DESIGNATE TUESDAYS AS THE OFFICIAL MEETING DAY**

Judge Etheredge advised that the Red Room will be available for the Commissioners' Court meeting sometime in January 1996 - it is currently being utilized as a woodshop for Tax office renovation - does not feel like it will be available January 8th. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to hold the January 8, 1996 Commissioners' Court meeting at the Hays County Courthouse and thereafter hold meetings in the Red Room at the Courthouse Annex. All voting "Aye". Commissioner Barton suggested changing the meeting day from Monday to Tuesday. Judge Etheredge stated that he had no problems with changing to Tuesdays as long as the deadline remains the same (Wednesdays at 3 P.M.). Commissioner Payne spoke of wanting to remain with traditional day of Mondays. \*The following action occurred at the end of the meeting\*: Commissioner Barton spoke of legal opinion from Bickerstaff Law Firm - they feel like there is no problem with changing the meeting day at this time. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to set and declare the meeting day for the Hays County Commissioners' Court for the upcoming year to be "Tuesday" (regular term to be the second and fourth Tuesdays of each Month), provided that the Hays County District Attorney, along with Bickerstaff, Heath, & Smiley, determine that this is legal and appropriate. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No". A motion was made by Commissioner Barton, seconded by Commissioner to direct staff to reschedule public hearings for Tuesdays rather than Mondays beginning in January 1996 - with the exception of the next Commissioners' Court Meeting which will be held Monday January 8, 1996. All voting "Aye".

**14638 AUTHORIZE A CONTRACT WITH CALAME, LINEBARGER, GRAHAM & PENA FOR THE COLLECTION OF DELINQUENT TAXES [T1-979]**

Judge Etheredge spoke of contract negotiated: this is a two year contract, does not include any automatic renewal, includes the May mailing (Section 3307d), and the new firm will, when requested by Tax A/C, provide a qualified instructor to teach tax examiner courses to Tax Office personnel without charge. Commissioner Barton suggested changing Article V date January 15, 1996 to February 1, 1996 and ending January 31, 1998. Both contract speak to a termination clause that allows them six months to take care of anything in judgment. Commissioner Molenaar stated that he is seconded this contract because he sees a need for it. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize contract as amended with Calame, Linebarger, Graham & Pena for the Collection of Delinquent Taxes. All voting "Aye".

CONTRACT FOR THE COLLECTION OF DELINQUENT TAXES

THE STATE OF TEXAS §  
COUNTY OF HAYS §

THIS CONTRACT is made and entered into by and between HAYS COUNTY, acting herein by and through its Commissioners Court, hereinafter HAYS COUNTY, and the law firm of CALAME LINEBARGER GRAHAM & PENA, L.L.P., 1949 South I.H. 35, Austin, Texas, hereinafter CLG&P.

I.

Hays County hereby employs CLG&P to enforce by suit or otherwise the collection of all delinquent taxes, penalties and interest owing to Hays County and to each of the taxing units for which Hays County now or in the future collects. Provided however, that any taxing unit which, in its tax collection agreement with Hays County, reserved the right to contract with a delinquent tax collection attorney of its own choice may continue to do so and to the extent that such taxing unit does contract with an attorney other than CLG&P, that contract prevails over this contract. Current taxes falling delinquent within the period of this contract shall become subject to its terms when placed in litigation or on the first day of July of the year in which the taxes become delinquent, whichever date is sooner.

II.

CLG&P hereby agrees as follows:

- (1) CLG&P shall call to the attention of the collector or other officials any errors, double assessments or other discrepancies coming under its observation during the progress of the work, and is to intervene on behalf of Hays County in all suits for taxes hereafter filed by any taxing unit on property located within the boundaries of Hays County and the taxing units for which it collects.
- (2) CLG&P agrees to produce and mail the notices required by Section 33.07(d) of the Property Tax Code at its own expense.
- (3) When requested by the Tax Assessor-Collector, CLG&P agrees to provide at its own expense a qualified instructor to teach one or more of the following Board of Tax Professional Examiner's required classes in Hays County at a location and time mutually agreed upon by the Hays County Tax Assessor and CLG&P.

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- Course 325 - Tax Law
- Course 230 - Tax Collections
- Course 365 - Advanced Tax Collections

Hays County or its third party designee shall sponsor such classes and obtain all approvals required for conducting such classes.

(4) CLG&P shall, without additional charge to Hays County, counsel the Tax Assessor-Collector and Commissioners' Court whenever requested on any matter relating to ad valorem taxation and on any other related matters which are within the expertise of CLG&P. Such counsel shall also be provided without charge to any taxing unit whose taxes are collected by Hays County which has not contracted with another attorney for tax collection services.

III.

Hays County agrees to pay to CLG&P as compensation for the services provided under this contract fifteen (15%) percent of the amount of all delinquent taxes, penalty and interest actually collected and paid to the collector during the term of this contract, as and when collected. All such compensation shall become the property of CLG&P at the time any payment of the taxes, penalty or interest is made to the collector. The collector shall pay CLG&P the aggregate of such compensation monthly by check.

IV.

In those cases where collection of taxes are enforced by suit, Hays County agrees to furnish to CLG&P the name, identity, and location of necessary parties, together with legal descriptions of property on which delinquent taxes are due. CLG&P shall, however, advance all charges and expenses on behalf of Hays County which are incurred in procuring such information. Any recovery of such expenses by Hays County under TEX. TAX. CODE ANN. Section 33.48 shall be paid over to CLG&P as and when collected.

V.

This contract is effective for a period commencing February 1, 1996 and ending January 31, 1998. Either party may terminate this contract at the end of the initial contract term or thereafter by giving the other party thirty (30) days advance notice of termination in writing. During the term of the contract, Hays County shall have the right to terminate this contract following any finding by Hays County that the performance of CLG&P under this contract has been unsatisfactory in material respects. Provided however, that Hays County shall grant CLG&P 30 days from the date of written notice of such unsatisfactory performance to attempt to cure same and provided further, that CLG&P shall report to Hays County at least weekly regarding all curative action taken by CLG&P. At the end of this 30-day period, Hays County shall consider the reports of curative activities undertaken by CLG&P, and thereafter shall determine whether CLG&P has remedied the unsatisfactory performance. Should CLG&P be found not to have remedied its performance to the satisfaction of Hays County, this contract may be terminated. In the case of such termination, CLG&P shall be entitled to receive and retain all compensation due up to the date of said termination.

VI.

CLG&P shall have six (6) months following termination of the contract to conclude litigation and collection of all suits filed prior thereto. All taxes, penalties and interest received on any such suit during such six month period shall be subject to the provisions of Paragraph III of this Contract, and 15% of all such amounts collected shall be paid to CLG&P monthly.

In consideration of the terms and compensation herein stated, CLG&P hereby accepts said employment and undertakes the performance of this contract.

This contract is executed on behalf of Hays County by the County Judge who is authorized to execute this instrument by order heretofore passed and duly recorded in the Commissioners Court Minutes.

**14639 CREATE A COMMITTEE TO WORK WITH THE HAYS COUNTY YOUTH LIVESTOCK SHOW BOARD TO PLAN IMPROVEMENTS TO THE HAYS COUNTY CIVIC CENTER [T1-1134]**

During the budget process, the Court allocated \$15,000 for an architect to plan some proposed improvements to the Hays County Civic Center. Judge Etheredge would like to move forward with the appointment of a committee to work with the Youth Livestock Show Board to plan potential improvements to the facility. Judge Etheredge spoke of his having met with the Youth Livestock Show Board and they agreed that a committee is needed to talk through options and make recommendations. Judge Etheredge suggested appointing two members from the Court. Commissioner Rodriguez stated that he would be willing to serve on the committee. Commissioner Molenaar volunteered to serve on the committee. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to appoint Commissioner Molenaar, Commissioner Rodriguez, to a five member committee, with the remaining three members to be appointed as follows: one by the Convention and Visitors Bureau and one each from Precincts 2 & 3, to work with the Hays County Youth Livestock Show Board to plan improvements to the Hays County Civic Center. All voting "Aye".

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**14640 ENVIRONMENTAL HEALTH DIRECTOR TO SET DATE FOR COMMUNITY PRESENTATION OF THE NEW HAYS COUNTY FLOOD INSURANCE RATE MAPS [T1-1279]**

Judge Etheredge complemented the Commissioners' Court, Staff, Law Firm of McGinnis, Lochridge & Kilgore and Engineering Firm of Turner, Collie & Braden for their work regarding this FEMA issue - the new maps have been received and they look good. Allen Walther, Environmental Health Director, encourage everyone to look at them and see the changes that were made. Commissioner Molenaar spoke of need for all Commissioners to have a copy of these maps. Judge Etheredge advised that these maps are preliminary at this time. Allen Walther spoke of procedures to be followed: a community presentation attended by a FEMA representative and the Army Corps of Engineers - this will begin a 90 day appeal period. Allen intends to go out with these maps to the various communities, along with the Commissioner of the precinct, and hold public meetings to allow everyone interested an opportunity to see the maps - would like to get this done as quickly as possible. Allen Walther advised that he did not receive the study books that go with the maps (working sheets) - will ask for additional sets of the maps. A motion was made by Commissioner Barton, seconded by Commissioner Payne to direct the Director of Environmental Health to set date for Community presentation of the new Hays County Flood Insurance Rate Maps for the earliest possible date. All voting "Aye". Judge Etheredge urged everyone to direct questions regarding the maps to Environmental Health - the new maps are at a different scale (1 to 500) than the old ones (1 to 1000) and may appear to increase the floodplain.

**DISCUSSION WITH HOWARD CLAGETT REGARDING PLATTING PROCEDURES [T1-1520]**

Howard Clagett, owner of Ryan Hill Subdivision, appeared before the Court.- voiced his complaint regarding the Environmental Health Department - requested District Attorney Marcos Hernandez to read letter he would like to get signed this date:

To Whom it May Concern:

Ryan Hill Subdivision has been approved for septic systems by the Hays County Commissioners' Court when installed in accord with the Health Department requirements of both Hays County and the State of Texas.

For the Commissioners' Court

\_\_\_\_\_  
Russ Molenaar, Precinct Commissioner

Mr. Clagett advised that he prepared this statement for the Commissioner of his Precinct - spoke of Law suit he plans on filing in Federal Court against Hays County - he is required to exercise every solution available before filing - spoke of previous meeting he had with the Court. Judge Etheredge spoke of his recollection of the previous meeting - Ryan Hill Subdivision has 1/2 acre lots with a water system available - in the opinion of our Health Dept. and the State Health Dept. that water system is not able to be a State Approved Water System - the options the Commissioners' Court discussed with Mr. Clagett was to either get water system into compliance or replat subdivision into larger lots which would make it possible for water wells to be placed on the lots along with the septic system - asked Mr. Clagett if he had done anything with the water system or the lot sizes since that meeting. Mr. Clagett advised that he had not - feels like there is nothing wrong with his subdivision or the water system - advised that he had received a letter from the County Health Department (1990) quoting three items wrong with his subdivision: (1) approval by Commissioners Court of lots this size is contingent on water system being provided by a State approved water system (feels like the only State approved water system is in San Marcos) - spoke of lost sales of his property because the Hays County Health Dept. will not issue septic permits. Commissioner Molenaar stated that he could not sign the proposed statement because he does not know this to be true. Judge Etheredge asked Allen Walther what the procedures were in 1984. Allen advised that he was not with the County Health Dept. in 1984 - his understanding is that the subdivision was approved contingent on water system meeting the State Health Department standards for community water systems. Commissioner Molenaar read minutes from the third reading on Ryan Hill subdivision (1986) requiring the following water supply statement: "No structure in the subdivision shall be occupied until connected to the Ryan Hill Private Water Supply". the proposed source of this private water supply cannot and will not be approved as a public water supply to either the Texas Department of Health or the San Marcos-Hays County Health Department unless re-tested and it meets the approval standards by the State". Mr. Clagett advised that those minutes concern Ryan Hill Section Two - asked about testing of well water. Judge Etheredge advised that the Health Department can test water for quality of water (biological analysis) - a chemical analysis is done normally by private contractors - the State does provide chemical analysis - this testing does not make an approved water system. Mr. Clagett spoke of no procedure for testing well water and making a determination of approving or disapproving.



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Commissioner Molenaar asked why the well was turned down? Allen Walter, Environmental Health Director, advised that some of the chemicals were elevated above acceptable levels. Commissioner Molenaar suggested that Mr. Clagett have his well water re-tested to see if it meets State standards. Mr. Clagett spoke of the source of this water (Glenn Rose Strata) - individual wells are currently being served by this source - advised that if he does not get the letter signed by Commissioner Molenaar, he will go ahead with filing suit. Commissioner Molenaar advised him to have his water re-tested and get an approved water system or put lots into one acre tracts. Mr. Clagett spoke of letter written to him by the State Health Dept. (excerpt: these items listed in this letter must be corrected - at such time this system becomes a public drinking water supply - the State Dept. of Health defines a public drinking water supply as one that serves at least 15 connections or 25 people for 60 or more days a year - he only has four customers, therefore, it does not have to comply until he gets 15 customers - 1985 letter says that the well supply is determined to be unacceptable for use as a source for public drinking water due to its poor chemical quality - there has never been a coliform infestation - none of the well water in the whole area meets the Health Department standards for drinking water - the City of Dripping Springs has a chronic coliform problem. District Attorney Marcos Hernandez asked if Mr. Clagett if he asking the Commissioners' permission to sell eleven lots and that's it? Mr. Clagett stated that when you approve a subdivision plat, you approve that every lot in that subdivision to go with a septic system - there is nothing wrong with my water system. Allen Walther spoke of testing requirements have to minimum standards before they can be approved by the State - feels like Mr. Clagett's statement that the State has no procedure for testing is incorrect. Commissioner Molenaar spoke of request made on July 25, 1988 for a septic tank variance for Lot 1 Ryan Hill Section 2 - lot was not large enough for septic tank and water well. Allen Walther recommended that Mr. Clagett have his water tested to see if it meets State standards. Mr. Clagett does not feel like his system meets the criteria of a community water supply (serving 15 connections). Commissioner Barton advised that the system is designed to have more than 15 customers and you voluntarily entered into an agreement in a plat note with the Commissioners' Court in the early 1980's to agree to do that in advance - you are asking that we believe that there was a conspiracy by the old Environmental Health Director, the current Environmental Health Director, by five members of the Commissioners' Court then, by all the Commissioners' Court now, and by the County Clerk to deprive you of fair use of your land - you and only you, singling you out for no apparent reason and we just don't believe that. Mr. Clagett spoke of his plat (Section 1) approved in 1984 - in between the time it was approved and before it was recorded he felt like there was a criminal conspiracy between the District Attorney, County Clerk, and Mr. Ewald of the Health Department - they put a restriction on the map that says "no structure in this subdivision shall be occupied until connected to the Ryan Hill Water Supply, an approve public water supply" - this was put on the plat between the time it was approved by the Commissioners' Court and within ten days before it got recorded. Commissioner Molenaar advised that the water needs to be re-tested and if that does not work out then increase the lot sizes to one acre or better - that is the solution to the dilemma. Mr. Clagett spoke of going back to the Commissioners' Court and explained that the restriction was placed on the plat without their approval - the Commissioners' Court gave us a corrected plat without the restrictions on it - spoke of violating government records by altering them. Commissioner Molenaar advised Mr. Clagett to go ahead a file suit against individuals if he thinks they violated the law - we are going over the same issues again and again - you need to re-test your water or bring your lots up to one acre or more. Judge Etheredge advised that we are not accomplishing anything here at all - it is time to recess at this time. Commissioner Molenaar advised Mr. Clagett that if he brings back tests or increases the lot sizes to him, he will see that Mr. Clagett is placed on the agenda to get the subdivision approved. Mr. Clagett asked the Court to accept his subdivision if they receive a telephone call from the State Health Department that says his water system is legal and does not need to be tested. Judge Etheredge stated that "that would not be sufficient" - the opinion of this Court is that when that subdivision was approved, you agreed in principal to a State approved system that would have more than 15 connections on it. Mr. Clagett spoke of corrected plat.

Court was recessed until 1:30 P.M.

#### DISCUSSION REGARDING HAYS COUNTY HEALTH DEPARTMENT

Julie Hornberger, Director of Nursing, spoke of her job description stating that she coordinates and directs all the health services at the Health Department - she wants the Commissioners to know that she is not in control of the family practice clinic - she can make recommendations and work with Dr. Birdwell - the Family Practice Clinic directly impacts the "Putting Prevention into Practice" program (which is the adult health program) - the State has asked that adult health patients be patients out of Dr. Birdwell's clinic so those adult health numbers are directly related to the numbers that Dr. Birdwell sees. Commissioner Barton asked how many hours a week Dr. Birdwell is putting in? Julie advised 30 to 35 hours per week - does not do any administrative work which is part of her frustration - she is trying to do too much for too many people - can talk to Dr. Birdwell but does not get any response back - spoke of situations that are occurring that concern her - spoke of clinic not taking walk-ins - spoke of Dr. Birdwell referring indigent patients on his own without regard to whether they qualify or not.

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Julie stated that she just wants the Court to be aware that she is trying to work as hard as she can and do as much as she can do, but her hands are tied - spoke of family practice clinic funding being in jeopardy - [12-1] the State has now reversed their decision and agreed to fund the remainder of this fiscal year - if there is not funding available, what do we do about personnel? - fees were increased in October 1995 - primary increase is in immunization - spoke of other increases in revenues. Julie advised that we are going to be a part of the Managed Health Care System starting August 1996 - all Medicaid patients will be affected - the role of the health department will remain as a provider - we need to get together and talk about the role of the health department (hospital provider, private provider) - State will contract out care to an HMO who will then contract with local providers - concerned about who will be holding the purse strings for the transactions - HMO's are currently writing their contracts for the State - the county health department should get involved in the contract at this time so we will be included - contracts will be awarded in February 1996 - will lead to privatization of health care. Judge Etheredge advised that Julie should try to contact potential HMO's and have some discussion with Central Texas Medical Center to see how they see this affecting them so that we can work together (so we can possibly join up and make a better proposal) - suggested that Julie Hornberger compile information and make contacts prior to January 8, 1996 so that the Court can make a decision.

**DISCUSSION REGARDING INMATE COUNT AT THE LAW ENFORCEMENT CENTER [12-226]**

Sheriff Paul Hastings appeared before the Court - presented breakdown of cell blocks - total bottom line of 84 vacant beds (because of classification requirements) - we have 198 prisoners (does not include front end prisoners being processed) - D1 area has 76 beds and we have 44 inmates (contract prisoners) - requires six correction officers to work this area - spoke of conversations with Federal Marshal Service regarding the situation - they did not want us to shutdown this area - we picked up ten prisoners from Bastrop County on Friday - Hays County is top priority at this time for the Federal Marshal Service, however, they would like for us to provide transportation - we could do that but we would have to hire two additional correction officers and purchase a van - we could possibly transport using our existing employees and van two times a day if they don't have to stay all day - the two County Court @ Law courts going on at one time will make it tough for us in transportation - we need a Rover Officer to provide security to the Courthouse and the Courthouse Annex - spoke of closing down D1 - current Hays County jail population is 179 which would allow housing of 27 more inmates (could create problems regarding classification). Sheriff Hastings spoke of contracting with Transcor America to pick up prisoners in exchange for housing their overnight prisoners - spoke of his opinion of "boot camps". Marcos Hernandez spoke of boot camps - we need to have room for adults (especially those that were in the juvenile system) in the future - boot camps are not the answer to all juvenile problems. Ed Cooper, Chief Juvenile Probation Officer, spoke of various programs that are utilized (boot camps, group homes, TYC, etc) - Probation Officers generally make the recommendation for programs (along with recommendations of Counselors, School Officials, Parents, etc). Sheriff Hastings spoke of boot camp for adult inmates (suggested by Commissioner Molenaar) - feels like Hays County will never again have a low inmate count as we do now because of populations increases and crowded conditions in State facilities. Ed Cooper, CJPO, spoke of different standards with juveniles and adults - satisfied with the way things are currently going with CCI. Judge Etheredge spoke of generating revenue. Sheriff Hastings spoke of getting Federal contract and increasing the jail inmate population, thereby generating additional revenue - we are currently contacting other facilities for contracting out their prisoners - spoke of charging CCI for meals and laundry (not seeing a profit on this) - takes two juveniles to make up for one federal prisoner - suggested reconsidering options in January 1996. Commissioner Barton advised that he is willing to let the Sheriff contact the Federal Marshal Service to see if we can get more of their prisoners. Sheriff spoke of reducing personnel through attrition. Judge Etheredge spoke of need to remember that we have an extremely tight budget and we have hit our reserves pretty hard to make the current budget. Judge Etheredge spoke of adding to the Juvenile Facility would require approval by the Hays County Juvenile Board. Discussion was had regarding reducing staff through attrition and where staff can be reduced.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 16<sup>TH</sup> DAY OF JANUARY, 1996.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
 H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 8TH DAY OF JANUARY A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
CRAIG D. PAYNE  
RUSS G. MOLENAAR  
MARGIE T. VILLALPANDO

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 3  
COMMISSIONER, PCT. 4  
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14641 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices as presented by the County Auditor. All voting "Aye".

Invoices through 12/27/95 = \$450,040.70

|                  |               |                    |             |                   |               |
|------------------|---------------|--------------------|-------------|-------------------|---------------|
| Vouchers Payable | \$ 2,000.00   | State Shared Rev   | \$ 599.32   | Auditors Office   | \$ 265.00     |
| Extension Office | \$204.76      | Election Admin     | \$ 348.40   | Indigent Care     | \$ 34,816.18  |
| Transfer Station | \$ 57.92      | Bldg. Maintenance  | \$ 9,731.13 | Environ Health    | \$ 291.81     |
| Personal Health  | \$ 266.24     | Civic Center       | \$ 3,057.41 | Countywide Oper   | \$ 130,480.81 |
| Tax A/C          | \$ 192.08     | District Clerk     | \$ 312.20   | Sheriffs Office   | \$ 1,271.80   |
| Jail Operations  | \$ 8,963.17   | County Judge       | \$ 108.29   | Human Resources   | \$ 93.60      |
| District Atty    | \$ 16.93      | J.P. 2             | \$ 21.32    | J.P. 4            | \$ 130.73     |
| J.P. 5           | \$ 63.87      | DPS/Substation     | \$ 30.80    | Constable 1       | \$ 33.59      |
| Constable 5      | \$ 122.13     | Dist Cr Operating  | \$ 5,530.72 | Co&JP Cr Oper     | \$ 14,192.29  |
| Computer Svcs    | \$ 1,043.40   | Co Cr @ Law 2      | \$ 25.00    | R&B Operations    | \$ 8,618.590  |
| Precinct 1       | \$ 270.00     | Precinct 2         | \$ 244.45   | Precinct 4        | \$ 125.98     |
| Anticip Notes'95 | \$ 102,685.00 | Health Svcs Grants | \$ 138.39   | Road Construction | \$ 83,858.69  |
| Courthouse Renov | \$ 31,546.15  | D.A. Drug Forf     | \$ 525.00   | Adult Prob Oper   | \$ 7,315.26   |
| Adult Prob Fac   | \$ 442.20     |                    |             |                   |               |

Invoices through 1/2/96 = \$186,248.56

|                  |               |                   |             |                   |              |
|------------------|---------------|-------------------|-------------|-------------------|--------------|
| Auditors Office  | \$ 2,026.11   | Treasurers Office | \$ 1,224.98 | Extension Office  | \$ 117.68    |
| Grants Admin     | \$ 57.60      | Juvenile Prob     | \$ 190.25   | Election Admin    | \$ 122.22    |
| Comm & Soc Svcs  | \$ 145,860.25 | Bldg. Maint.      | \$ 503.29   | Environ Health    | \$ 236.49    |
| Personal Health  | \$ 697.52     | Civic Center      | \$ 39.14    | Countywide Oper   | \$ 7,507.72  |
| Tax A/C          | \$ 152.53     | District Clerk    | \$ 166.54   | County Clerk      | \$ 138.80    |
| Sheriffs Office  | \$ 1,268.28   | Jail Operations   | \$ 5,442.56 | County Judge      | \$ 152.31    |
| Human Resources  | \$ 40.10      | Co Cr @ Law 1     | \$ 49.61    | District Attorney | \$ 114.73    |
| J.P. 1-1         | \$ 42.43      | J.P. 1-2          | \$ 83.57    | J.P. 3            | \$ 91.57     |
| J.P. 5           | \$ 125.00     | DPS/Substation    | \$ 229.54   | Constable 1       | \$ 49.63     |
| Constable 3      | \$ 50.25      | Dist Cr Oper      | \$ 90.95    | Co & JP Cr Oper   | \$ 42.00     |
| Veterans Admin   | \$ 26.32      | Computer Svcs     | \$ 787.06   | Co Cr @ Law 2     | \$ 20.45     |
| Fire Marshal/EMC | \$ 48.79      | TABC              | \$ 20.82    | Dist Cr Reprtr    | \$ 59.71     |
| DA DARE Grant    | \$ 19.20      | Used Oil Signage  | \$ 25.80    | R&B Operations    | \$ 315.00    |
| Precinct 1       | \$ 279.48     | Precinct 3        | \$ 77.64    | Rec Mng/Co Clk    | \$ 2,608.76  |
| Law Library      | \$ 75.00      | Road Construction | \$ 1,813.32 | Adult Prob Oper   | \$ 11,404.56 |
| Adult Prob Fac   | \$ 1,753.00   |                   |             |                   |              |

Invoices through 1/9/96 = \$49,573.55

|                 |             |                    |              |                   |               |
|-----------------|-------------|--------------------|--------------|-------------------|---------------|
| Auditors Office | \$ 503.10   | Treasurers Office  | \$ 230.01    | Extension Office  | \$ 657.32     |
| Grants Admin    | \$ 127.95   | Juvenile Prob      | \$ 231.94    | Election Admin    | \$ 136.51     |
| Indigent Care   | \$ 8,202.08 | Transfer Station   | \$ 142.90    | Bldg. Mtc. Dept   | \$ 615.68     |
| Environ Health  | \$ 338.30   | Personal Health    | \$ 333.81    | Countywide Oper   | \$ 3,121.91   |
| Tax A/C         | \$ 434.17   | District Clerk     | \$ 2,044.68  | County Clerk      | \$ 978.69     |
| Sheriffs Office | \$ 6,551.20 | Jail Operations    | \$ 11,277.12 | County Judge      | \$ 135.88     |
| Human Resources | \$ 13.75    | Co Court @ Law 1   | \$ 146.68    | District Attorney | \$ 497.69     |
| J.P. 1-1        | \$ 115.02   | J.P. 1-2           | \$ 145.09    | J.P. 2            | \$ 239.43     |
| J.P. 3          | \$ 9.07     | J.P. 4             | \$ 352.10    | J.P. 5            | \$ 469.62     |
| DPS/Substation  | \$ 209.39   | Constable 1        | \$ 120.59    | Constable 2       | \$ 165.69     |
| Constable 5     | \$ 550.42   | Dist Cr Operations | \$ 597.14    | Co & JP Cr Oper   | \$ 151.47     |
| Computer Svcs   | \$ 1,563.17 | Fire Marshal/EMC   | \$ 208.00    | Dist Court Reprtr | \$ 187.43     |
| Comm Cr Exp     | \$ 288.00   | VOCA Grant         | \$ 493.84    | *Gen Fund Credit* | * \$ 176.17 * |
| R&B Operations  | \$ 1,395.22 | Precinct 2         | \$ 552.24    | Precinct 3        | \$ 106.57     |
| Precinct 4      | \$ 0.46     | Health Svcs Grants | \$ 1,371.64  | Crths Security    | \$ 341.79     |
| Adult Prob Oper | \$ 2,222.92 | Adult Prob Fac     | \$ 1,172.04  |                   |               |

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**14642 APPROVE BUDGET AMENDMENT NO. 96-008**

The following budget amendments were proposed:

Tax Office - Line item transfers for cost of C.A.D. programming. District Clerk - Line item transfers for cost of jury summons budgeted in FY95 but paid from FY96. Sheriffs Office/Computer Services - Transfer from training division to data processing equipment for the balance of cost of computer equipment for training video system upgrade - first installment was in FY95, balance in FY96. Commissioners' Court - Transfer into Misc. from books for food purchased for joint meeting of City, School & County. Constable 1 - Line item transfers to allow additional funds for vehicle maintenance. Road & Bridge Operations - Transfer funds from contract road work to pay for two previously authorized road maintenance positions - transfer funds from equipment rent to pay for required substance testing of employees. District Attorney - Transfer funds from salary line item to purchase a paper shredder (\$200).

Judge Etheredge spoke of paper shredder requested by the District Attorneys' office being small (fits over a waste paper basket) - he feels like this type of shredder will not last very long or work very long - he has suggested that other departments in the building pool their money and purchase a large shredder (\$800) - he requested support from members of the Court to urged the departments at the Justice Center to share a large commercial type shredder.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 96-008 with the exception of proposal from the District Attorney's office for a paper shredder. All voting "Aye".

| AMENDMENT NO. 96-008                |           |           |
|-------------------------------------|-----------|-----------|
| LINE ITEM - EXPENDITURES            | INCREASES | DECREASES |
| <b>TAX OFFICE</b>                   |           |           |
| 01-415-5421 Data Proc Maint         | \$ 4,550  |           |
| 01-415-5221 Data Proc Supply        |           | \$ 3,750  |
| 01-415-5411 Office Eqpt Maint.      |           | \$ 800    |
| <b>DISTRICT CLERK</b>               |           |           |
| 01-416-5461 Printing                | \$ 700    |           |
| 01-416-5215 Perm Records Sply       |           | \$ 700    |
| <b>SHERIFF OFFICE</b>               |           |           |
| 01-418-5801 Training Division       |           | \$ 3,138  |
| <b>COMPUTER SERVICES</b>            |           |           |
| 01-456-5712 Data Proc Eqpt          | \$ 3,138  |           |
| <b>COMMISSIONER COURT</b>           |           |           |
| 01-608-5391 Misc.                   | \$ 500    |           |
| 01-608-5213 Books                   |           | \$ 500    |
| <b>CONSTABLE 1</b>                  |           |           |
| 01-431-5413 Vehicle Maint           | \$ 1,500  |           |
| 01-431-5713 Vehicle                 |           | \$ 1,500  |
| <b>ROAD &amp; BRIDGE OPERATIONS</b> |           |           |
| 03-438-5021 Staff                   | \$ 29,051 |           |
| 03-438-5110 FICA                    | \$ 2,222  |           |
| 03-438-5121 Retirement              | \$ 2,275  |           |
| 03-438-5160 Insurance               | \$ 3,375  |           |
| 03-438-5448 Contract Road Work      |           | \$ 36,923 |
| 03-438-5332 Training & Testing      | \$ 2,200  |           |
| 03-438-5475 Eqpt Rent               |           | \$ 2,200  |

**14643 ACCEPT INTERNAL AUDIT REPORT OF COUNTY CLERK'S OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Audit of the County Clerk's Office. All voting "Aye".

**14644 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR HAULING SERVICES FOR ROAD MATERIALS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the specifications and authorize the County Auditor to advertise for bids for hauling services for road materials. All voting "Aye".

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14645 AUTHORIZING CHANGING THE NAME OF THE "SAN MARCOS COMMUNITY CEMETERY" TO THE "SAN MARCOS-BLANCO CEMETERY" AS REFLECTED IN THE ORIGINAL DEED

Ollie Giles and others has asked the County in 1981 to name the cemetery "San Marcos Community Cemetery" because it was previously known as the "Colored Cemetery". Mrs. Giles has done extensive research on the cemetery and has identified it original name as the "San Marcos-Blanco Cemetery" and she asked that the Court make that change part of the record. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize changing the name of the "San Marcos Community Cemeter" to the "San Marcos-Blanco Cemetery" as reflected in the original deed. All voting "Aye".

14646 ACCEPT THE AMENDED SEPTEMBER 1995 TREASURER'S REPORT

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the amended September 1995 Treasurer's Report as presented. All voting "Aye".

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS September 30, 1995 AMENDED

Table with columns: General, Road and Bridge General, Hot Check Fee Fund, Law Library, Medical and Dental Fund, Jail Construction, Limited Tax Refunding, Anticipation Notes Series 1994, Courthouse Ren. & Road Bond 1994. Rows include CHECKING (Begin. Bal., M/M Int., Deposits, Disbursements, Ending Bal.) and INVESTMENTS (Begin. Bal., M/M Int., Deposits, Disbursements, Ending Bal.).

Table with columns: Courthouse Road Bond I&S, Jail I&S, Jail Addition I&S, Hays County I & S, Public Works I&S, Springlake I&S, Pioneer Trails I&S, Burnett Road I&S, Anticipation Notes I&S. Rows include CHECKING (Begin. Bal., M/M Int., Deposits, Disbursements, Ending Bal.) and INVESTMENTS (Begin. Bal., M/M Int., Deposits, Disbursements, Ending Bal.).

TRANSFERS: #11-94 General to Foster Care \$6,900.00 (March 94) #17-95 General to Foster Care \$11,300.00 (August 95) #19-95 General to Foster Care \$2,293.07 (September 95) #20-95 General to Animal Control \$1,837.57 Permanent (September 95)

Michele Tuttle Hays County Treasurer

COUNTY OF HAYS SUMMARY OF RECEIPTS AND DISBURSEMENTS September 30, 1995 AMENDED

Table with columns: Adult Probation Operating, Adult Probation Facilities, Courthouse Security, Records Management, Records Preservation, Animal Control, Sheriff's Drug Forfeiture, District Attorney Drug Forfeiture, District Attorney Reimburs. Rows include CHECKING (Begin. Bal., M/M Int., Deposits, Disbursements, Ending Bal.) and INVESTMENTS (Begin. Bal., M/M Int., Deposits, Disbursements, Ending Bal.).

Table with columns: Historical Commission Trust Fund, Foster Care, Health Services Grants, Texas Capital Fund/ New Canaan, General First Southwest, Road Construction Bond 1995, Road Construction I&S 1995, Anticipation Notes '95, Anticipation Notes '95 I&S. Rows include CHECKING (Begin. Bal., M/M Int., Deposits, Disbursements, Ending Bal.) and INVESTMENTS (Begin. Bal., M/M Int., Deposits, Disbursements, Ending Bal.).

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**14647 APPROVE PURCHASE OF REPLACEMENT PHONE FOR THE TREASURER'S OFFICE**

County Treasurer is requesting to purchase an additional phone out of countywide equipment to be used as a spare while other phones in the county are being repaired - also requesting funds to repair the current telephone. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of a replacement phone for the Treasurer's Office. All voting "Aye".

**14648 RELEASE LETTER OF CREDIT FOR TRIPLE CREEK RANCH SECTION 1**

Road Director Ron Bischoff requested release of the Letter of Credit for Triple Creek Ranch Section 1 as requested by Buckner Hightower (Arrowhead Triple Creek, Ltd.) - subdivision has been checked and meets Hays County requirements. Letter of Credit was filed February 28, 1995 Volume 1132 Page 889. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to release Letter of Credit for Triple Creek Ranch Section 1 . All voting "Aye".

**14649 APPROVE APPOINTMENTS TO THE NORTH HAYS COUNTY EMS BOARD OF DIRECTORS AND ACCEPT THE ANNUAL REPORT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve appointments of Art Costello and B. J. Kolenda to the North Hays County EMS Board of Directors and accept the annual report. All voting "Aye".

**14650 ADOPT RESOLUTION FORMALLY CHANGING THE DAY AND PLACE OF COMMISSIONERS' COURT MEETINGS TO TUESDAYS AT 9:00 A.M. AT THE HAYS COUNTY COURTHOUSE ANNEX**

Commissioner Payne stated that he was opposed to changing the meeting day for Commissioners' Court because it will create problems with some newspapers getting out their articles. Commissioner Barton advised that most urban counties meet on Tuesdays and our staff supports this change. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt resolution formally changing the day and place of Commissioners' Court meetings to Tuesdays at 9:00 A.M. at the Hays County Courthouse Annex. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No".

**14651 APPROVE APPLICATIONS OF WOODCREEK CLUB FOR RENEWAL OF PRIVATE CLUB PERMIT #209936 AND SEVEN OAKS RESORT AT WOODCREEK FOR RENEWAL OF PRIVATE CLUB PERMIT #251885**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Applications of Woodcreek Club for renewal of Private Club Permit #209936 and Seven Oaks Resort at Woodcreek for renewal of Private Club Permit #251885. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Payne voting "Aye". Commissioner Molenaar voting "No".

**LOS ENCINOS RANCH LOT 3 - PUBLIC HEARING REGARDING VACATING THIS LOT [T1-148]**

Judge Etheredge called the public hearing open. Gerald Tucker, owner of Lot 9 in Los Encinos Ranch, and spoke of choosing this location because of the restrictions - feels like vacating this lot would affect the property values. Commissioner Molenaar spoke of restrictions not being in the Courts jurisdiction. Commissioner Payne advised that Earl Goodman (owner of Lot 3) would have to obtain approval by property owners association before the Court allows vacating this plat. A letter of opposition was received from Deborah Linebarger (owner of Lots 7 & 8) - a letter of support was submitted by Arthur & Ida Tenny (owners of Lots 5 & 6). Juanita Goodman (owner of Lot 2) spoke in support of vacating Lot 3 - feels like this would affect no one but her - Lot 3 access is off Hwy. 2325 and was not provided with any subdivision utilities. Gerald Tucker spoke of property owner being aware of the restrictions when he purchased his property - feels like he could obtain an exemption from the property owners association from paying the road maintenance dues without vacating this Lot from the other restrictions. Tommy Bledsoe (owner of Lot 4) advised that he had no objection to vacating Lot 3. Commissioner Payne spoke of restrictions continuing with the property even if the Court approves vacation of the Lot since the Court has no authority over restrictions - may require 100% approval of the property owners. Judge Etheredge called the public hearing closed. Commissioner Payne advised that he would like to postpone action at this time.

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**14652 LANIER RANCH ADDITION REPLAT OF TRACT 1E-2 \* PUBLIC HEARING AND SECOND READING APPROVAL** [T1-396]

Judge Etheredge called the public hearing open to consider approval of replat of Tract 1E-2 of the Lanier Ranch Addition (will create Tracts 1E-2A & 1E-2B) - no one appeared - public hearing was closed. Staff recommended approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lanier Ranch Addition Replat of Tract 1E-2" on second reading. All voting "Aye".

**14653 WILLOW CREEK ESTATES SECTION 9 \* SECOND READING APPROVAL** [T1-416]

Staff recommends approval of Willow Creek Estates Section 9 which will create 42 lots. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Willow Creek Estates Section 9" subdivision on second reading. All voting "Aye".

**14654 PEABODY PLAZA SECTION 1 \* SECOND READING APPROVAL** [T1-425]

Staff recommends approval of Peabody Plaza Section 1 subdivision which creates Lots 5 & 6. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Peabody Place Section 1" subdivision on second reading. All voting "Aye".

**14655 RIVER MOUNTAIN RANCH SECTION 1 REPLAT OF LOTS 1, 10-14, & 73 \* PUBLIC HEARING, FIRST AND SECOND READINGS APPROVED** [T1-436]

Judge Etheredge called the public hearing open - no public input - public hearing was closed. Allen Walther, Environmental Health Director, spoke of this subdivision having already come before the Court as a correction plat and Court required that it be considered as a resubdivision, therefore it is on the agenda for first and second. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Mountain Ranch Section 1 Replat of Lots 1, 10-14, & 73" on first and second reading. All voting "Aye".

**14656 WHITE WINGS SUBDIVISION \* FIRST READING APPROVAL** [T1-463]

Property owners John & Gwen Fulton (Wimberley) and Helen & Bernard Fulton (Dallas) propose to subdivide 105.663 acres off of Hwy. 3237 in three tracts (each with 25 or more acres) - roads will be privately maintained by a homeowners association. Road Director Ron Bischoff voiced his concerns about trails being used for roadways - need to be built to county standards. Commissioner Molenaar spoke of roads that will be paved - 60 feet of r-o-w is being dedicated for roadways - feels like there is no necessity to pave the caliche roads (fairly good shape) - will be putting in a culvert and paving in the future - only three residences will be in this subdivision and it will contain an airport that will provide air transportation for the area. Commissioner Barton spoke of large acreage tracts - they could request variance to road standards. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "White Wings Subdivision" on first reading. All voting "Aye".

**14657 KIRBY SPRINGS RANCH ESTATES SECTION 1 RESUBDIVISION OF LOT 7 \* FIRST READING AND CALL FOR A PUBLIC HEARING** [T1-561]

Staff recommends approval - need to dedicate additional right of way on Hays Country Acres Road (30 ft. roadway) - a letter of exemption was submitted from the City of Dripping Springs. Creates Lots 7A & 7B (flag lots). A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Kirby Springs Ranch Estates Section 1 Resubdivision of Lot 7" on first reading and call for a public hearing on January 23, 1996. All voting "Aye".

**14658 HAYS COUNTRY OAKS SECTION 1 RESUBDIVISION OF LOT 5 BLOCK A \* FIRST READING AND CALL FOR A PUBLIC HEARING** [T1-649]

Commissioner Barton spoke of plat note that states that this subdivision is not within an ETJ, however it is in the City of Hays ETJ. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Hays Country Oaks Section 1 Resubdivision of Lot 5 Block A" on first reading and call for a public hearing on January 23, 1996. All voting "Aye".

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**14659 RADIANCE PHASE 1 RESUBDIVISION OF LOTS 20 & 22 \* THIRD READING APPROVAL** [T1-673]

Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Radiance Phase 1 Resubdivision of Lots 20 & 22" on third reading. All voting "Aye".

**14660 THE WOODLANDS RESUBDIVISION OF LOTS 6-19 \* THIRD READING APPROVAL** [T1-685]

Staff recommends approval - Letter of Credit filed - this is a 47 lots subdivision located off Lime Kiln Road. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "The Woodlands Resubdivision of Lots 6-19" on third reading. All voting "Aye".

**14661 LANIER RANCH ADDITION RESUBDIVISION OF LOT 1A \* PUBLIC HEARING AND THIRD READING APPROVAL** [T1-707]

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Lanier Ranch Addition Resubdivision of Lot 1A" on third reading. All voting "Aye".

**14662 GOLDENWOOD WEST SECTION 1 LOT 1A \* PUBLIC HEARING AND THIRD READING APPROVAL** [T1-724]

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Goldenwood West Section 1 Lot 1A" on third reading. All voting "Aye".

**14663 THOMASSEN RANCH \* THIRD READING APPROVAL** [T1-746]

Staff recommends approval - Letter of Credit filed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Thomassen Ranch" subdivision on third reading. All voting "Aye".

**14664 SOUTHERN WOODS \* APPROVAL OF PLAT CORRECTIONS** [T1-762]

James Graham (Solutions Research and Exchange Inc.- owners/developer of Southern Woods subdivision) appeared before the Court requesting approval to correct typographical errors on the recorded plat of Southern Woods (recorded in Volume 6 Page 359-361). Mr. Graham spoke of pins moved during road construction which require minor changes on distances. County Clerk Margie Villalpando requested approval by the District Attorney prior to making the corrections on the plat. Surveyor will provide corrected plat copies for title companies receiving copies from the County Clerk. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve plat corrections to the Southern Woods subdivision plat as presented in writing. All voting "Aye". **Note:** District Attorney Marcos Hernandez initialed the requests acknowledging his approval.

**14665 RANCHO MADRONE 25.01 ACRE TRACT (#1) - PLATTING VARIANCE GRANTED** [T1-871]

Allen Walther, Environmental Health Director, advised that this tract is out of the unrecorded Rancho Madrone Section 2 eight tract division - staff recommends approval. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a platting variance to a 25.01 acre tract (#1) out of the Rancho Madrone Section 2 unrecorded subdivision. All voting "Aye".

**NAMING OF LOOP 165 NEAR DRIPPING SPRINGS "LYNN MCCARTY LANE"**

Commissioner Molenaar withdrew this item from the agenda - there will be no change in the road name - no action to be taken.



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**REQUEST FOR A VARIANCE FOR TEMPORARY WATER DISPOSAL SYSTEM AND/OR PERMIT**

Commissioner Barton advised that no court action is needed - Environmental Health Department has taken care of this matter.

**14666 ACTION REGARDING COUNTY PROPERTIES FOR SALE (DELINQUENT TAX PROPERTY AND OTHER PROPERTY) [T1-912]**

Judge Etheredge spoke of 61.23 acres in the J.M. Veramendi League - the Court and the City of San Marcos approved sale of this delinquent tax property (bid was received in the amount of \$110,000)- the San Marcos CISD did not approval sale of the property and requested that the other entities relinquish it to them as a potential location for a bus barn/maintenance center - they were willing to reimburse the county for the survey cost (\$1,650) - the original proposed buyers have increased their bid to \$125,000.00 if accepted by January 12, 1996. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to approve offer of \$125,000.00 for a 61.23 acre tract out of the J.M. Veramendi League (delinquent tax property). All voting "Aye".

Commissioner Payne spoke of county property (wooden frame house) that needs to be disposed of - previous advertising did not receive any offers - would like to readvertise auction. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize re-advertise auction of county property (wooden frame house) in Precinct 3. All voting "Aye".

**DISCUSSION REGARDING JUROR REIMBURSEMENT [T1-1036]**

Judge Etheredge spoke of current payments to jurors (\$15.00) - Comal County pays \$15, however, all other surrounding counties pay \$10 per diem - no recommendation is being made - if we were to reduce this fee to \$10 we would save perhaps several thousand dollars.

**14667 ACTION REGARDING OFFICE SPACE FOR THE DEPARTMENT OF PUBLIC SAFETY [T1-1085]**

Judge Etheredge spoke of need for office space for DPS Officers working the weight stations on IH35 - will have six new Officers & a Sgt. plus clerical staff - we have come up with two possible sites - one in Buda at Loop 4 & FM2770 (1100-1200 sq ft - \$500 per month plus utilities) and one on Uhland Road across from the LEC (1660 sq ft - would be built out to our specifications - \$700 per month plus utilities) - the Court has budgeted \$500 a month for office rental. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to rent office space for Department of Public Safety from Mr. & Mrs. Jack Dahlstrom in Buda at \$500.00 per month and authorize the County Judge to execute the contract. All voting "Aye".

**14668 APPROVE A THREE YEAR TAX ABATEMENT FOR CAPITAL CITY CONTAINER IN BUDA [T1-1190]**

Judge Etheredge advised that this project has gone on for approximately two years - we had asked them to delay their request for a tax abatement until they had finished their capital infrastructure improvements - they are now operational and have resubmitted their request for tax abatement (no specific amount only that it be over a five year period of time). Commissioner Barton spoke of this project - recommends a three year abatement (50% first year 30% second year 15% third year) - a contract will need to be drafted by Capital City Containers and submitted to the County Judge. Judge Etheredge spoke of Capital City Container working very closely with the City of Buda to insure that adequate facilities were available - the City of Buda applied for grant funds and our grants department administered the project for infrastructure improvements to run water and wastewater to the site and opening up a number of pieces of property. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve a three year tax abatement for Capital City Container at the rate of 50% for the first year, 25% for the second year, and 15% for the third year. All voting "Aye".

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**14669 AUTHORIZE THE COUNTY JUDGE TO APPOINT CHILD WELFARE BOARD MEMBERS AND OTHERS TO A PLANNING GROUP TO DRAFT A CHILD ABUSE PREVENTION PLAN AS REQUIRED BY HG 2569 [T1-1393]**


HB 2569 requires the county to prepare a Child Abuse Prevention Plan by March 1, 1996 - the Texas Association of Counties recommends that the County Judge appoint members of the child welfare board as well as other officials (juvenile probation, health, social services organizations, etc.). Winton Porterfield spoke of the plan setting up ways for entities to communicate with the Child Welfare Board - set up planning groups and draft a plan - required in order to receive funds. Commissioner Barton spoke of Commissioners making appointments to the Child Welfare Board from their respective areas for the primary planning group supplemented by community and religious leaders . A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to appoint Child Welfare Board Members and others to a planning group to draft a Child Abuse Prevention Plan as required by HB 2569. All voting "Aye".


**14670 AUTHORIZE PURCHASE OF TABLE AND OTHER ITEMS FOR THE DISTRICT JUDGE'S OFFICE [T1-1444]**

Judge Etheredge spoke of request from District Judge Charles Ramsay for a screen for his private office so that he is not visible to the public and for a table for the courtroom to be used by the Probation Department - a screen was found in storage that could be utilized - there are also a few minor items that need to be purchased and we will attempt to pay for them out of the department budget. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize purchase of a table for the district courtroom and other minor items for the District Judge's office. Commissioner Molenaar voiced his concern about the small minor items - could lead to big items. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Payne voting "Aye". Commissioner Molenaar voting "No".

Court adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 20<sup>th</sup> DAY OF FEBRUARY, 1996.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 16th DAY OF JANUARY A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
RUSS G. MOLENAAR  
MARGIE T. VILLALPANDO

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 4  
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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14671 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$423,336.86 as presented by the County Auditor. All present voting "Aye".

|                   |              |                    |               |                    |               |
|-------------------|--------------|--------------------|---------------|--------------------|---------------|
| Fines             | \$ 512.00    | Auditors Ofc       | \$ 1,491.64   | Treasurers Ofc     | \$ 60.82      |
| Extension Ofc     | \$ 189.58    | Grants Admin       | \$ 1,131.76   | Juvenile Probation | \$ 526.98     |
| Election Admin    | \$ 1.75      | Indigent Care      | \$ 89.60      | Transfer Station   | \$ 5,667.27   |
| Bldg. Maint.      | \$ 7,666.90  | Environ Health     | \$ 2,885.64   | Personal Health    | \$ 288.80     |
| Civic Center      | \$ 722.39    | Countywide Oper    | \$ 39,053.41  | Tax A/C            | \$ 303.77     |
| District Clerk    | \$ 15.94     | County Clerk       | \$ 544.39     | Sheriff's Office   | \$ 6,562.07   |
| Jail Operations   | \$ 18,914.85 | County Judge       | \$ 84.60      | Human Resources    | \$ 562.64     |
| Co Crt @ Law 1    | \$ 3.63      | District Attorney  | \$ 689.46     | J.P. 1-1           | \$ 11.14      |
| J.P. 1-2          | \$ 66.58     | J.P. 2             | \$ 301.80     | J.P. 3             | \$ 40.00      |
| J.P. 4            | \$ 35.00     | J.P. 5             | \$ 128.00     | DPS/IH35 Substa    | \$ 340.92     |
| Constable 1       | \$ 42.74     | Constable 2        | \$ 52.58      | Constable 3        | \$ 90.87      |
| Constable 4       | \$ 92.87     | Constable 5        | \$ 289.62     | District Crt Oper  | \$ 4,332.98   |
| Co & JP Crt Oper  | \$ 638.50    | Veterans Admin     | \$ 13.92      | Computer Svcs      | \$ 902.39     |
| Co Crt @ Law 2    | \$ 0.46      | Juv Svcs Grant     | \$ 3,380.00   | DPS/L&W            | \$ 150.43     |
| Fire Marshal/EMC  | \$ 108.28    | TABC               | \$ 148.70     | Dist Crt Reporters | \$ 36.68      |
| TJPC CCAP Grant   | \$ 4,218.10  | DA DARE Grant      | \$ 88.58      | Used Oil Sign Grnt | \$ 22.00      |
| 911 Signs Grant   | \$ 3,394.65  | *Gen Fund Credit*  | * \$ 212.02 * | R&B Operating      | \$ 59,689.41  |
| Precinct 1        | \$ 466.73    | Precinct 2         | \$ 176.60     | Precinct 3         | \$ 134.16     |
| Precinct 4        | \$ 21.50     | *R&B Gen Credit*   | * \$ 371.40 * | '95 Anticip Notes  | \$ 173,547.62 |
| Rec Mng/Co Clk    | \$ 725.75    | Health Svcs Grants | \$ 196.70     | Law Library Fund   | \$ 610.60     |
| Road Construction | \$ 54,938.73 | Courthouse Renov   | \$ 5,000.00   | Foster Care Fund   | \$ 8,132.40   |
| Adult Prob Oper   | \$ 12,073.90 | Adult Prob Fac     | \$ 1,408.32   |                    |               |

14672 APPROVE BUDGET AMENDMENT NO. 96-009

J.P. Pct. 4 & Countywide Operations - transfer from contingencies to JP4 budget for monthly alarm service for Dripping Springs Offices (\$250).

Animal Control - Transfer \$100.00 from printing to animal registration supplies or additional rabies tags.

R&B Pct. 2 - Transfer \$350 from Misc. to office equipment to allow replacement of fax machine \*This items was pulled from action and no longer a part of the budget amendment.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 96-009 for J.P. Pct. 4, Countywide Operations, and Animal Control. All present voting "Aye".

AMENDMENT  
NO. 96-009  
FY 96 BUDGET  
01/16/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

JUSTICE OF PEACE PCT. 4 (428):

|                   |     |     |  |     |
|-------------------|-----|-----|--|-----|
| 01-428-5391 MISC. | -0- | 250 |  | 250 |
|-------------------|-----|-----|--|-----|

COUNTY-WIDE OPERATING (414):

|                           |        |  |       |        |
|---------------------------|--------|--|-------|--------|
| 01-414-5399 CONTINGENCIES | 78,705 |  | (250) | 78,455 |
|---------------------------|--------|--|-------|--------|

TRANSFER FOR MONTHLY ALARM SERVICE AND MAINTENANCE

ANIMAL CONTROL (494):

|                              |     |     |       |     |
|------------------------------|-----|-----|-------|-----|
| 01-494-5298 ANIMAL REG. SPLY | 300 | 100 |       | 400 |
| 01-494-5461 PRINTING         | 150 |     | (100) | 50  |

TRANSFER FOR ADDITIONAL RABIES TAGS

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**14673 ACCEPT INTERNAL AUDIT REPORT OF JUVENILE PROBATION DEPARTMENT, CONSTABLE 2, CONSTABLE 3 & CONSTABLE 5**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Internal Audit Report of Juvenile Probation Department, Constable Pct. 2 Constable Pct. 3, and Constable Pct. 5 as presented. All present voting "Aye".

**14674 APPROVE THE COMMISSIONERS' COURT MINUTES FOR DECEMBER 1995**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the Commissioners' Court Minutes for December 1995. All present voting "Aye".

**14675 AUTHORIZE PURCHASE OF A SPACE HEATER FOR THE EMS BUILDING AND A CHAINSAW FOR BUILDING MAINTENANCE NOT TO EXCEED \$300**

Maintenance Supervisor Ron Knott requested authorization to purchase a space heater (\$120) to finish out the EMS building and a chain saw (\$180) for building maintenance use. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize purchase of a space heater for the EMS building and a chainsaw for Building Maintenance Department not to exceed a total of \$300. All present voting "Aye".

**14676 CALL FOR A PUBLIC HEARING TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS ON COUNTY ROAD #220 FROM CR190 TO CR180: 40 MPH SPEED LIMIT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing on January 30, 1996 at 9:00 A.M. to consider establishing traffic regulations on County Road #220 from CR190 to CR180 (40 MPH Speed Limit). All present voting "Aye".

**14677 RE-APPOINT JAMES HOLT, JR. OF PRECINCT 2 TO THE PLUM CREEK CONSERVATION DIST.**

Commissioner Barton advised that Caldwell County must appoint four members of the board and Hays County has to appoint two members out of the Kyle area - James Holt Jr. currently serves on the board as the President. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to re-appoint James Holt, Jr. of Precinct 2 to the Plum Creek Conservation District. All present voting "Aye".

**14678 APPOINT JOHN SANFORD TO FILL VACANCY ON THE COUNTY INFRASTRUCTURE COMMITTEE**

Commissioner Barton recommended appointing John Sanford to replace Adolph Garza of Kyle (whose 1 year term has expired). John Sanford's address is P.O.Box 8, Buda Texas and phone number is 312-1404. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to appoint John Sanford to fill a Precinct 2 vacancy on the County Infrastructure Committee. All present voting "Aye".

**14679 APPOINT TERRY SCHMIDT OF PRECINCT 2 TO THE CIVIC CENTER TASK FORCE TO REPRESENT THE KYLE/BUDA AREA**

Commissioner Barton recommended appointing Terry Schmidt to the Civic Center Task Force to represent the Kyle/Buda area - his address is 202 Ash Drive, Buda, Texas (268-0395). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to appoint Terry Schmidt of Precinct 2 to the Civic Center Task Force to represent the Kyle/Buda area. All present voting "Aye".

**14680 APPROVE BUDGET AMENDMENT FOR JUSTICE OF THE PEACE PCT. 4**

J.P.4 Rex G. Baker requested a budget amendment from contingency funds to pay for building security for JP4 and Commissioner Pct. 4 - service to be provided by ADT-Security Systems of Austin- \$344 is needed up front as a retainer plus \$243 for 9-months of service @ \$27.00 per month. This budget amendment is included in Budget Amendment No. 96-009 approved this date (Resolution #14672 P/774). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendment for J.P. 4. All present voting "Aye".

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**14681 APPROVE CONTRACT WITH ECOLOGY ACTION ON THE RENTAL OF BOXES FOR RECYCLING, APPROVE CONTRACT WITH ACCO/BFI ON THE HAULING, AND AUTHORIZE THE COUNTY JUDGE TO SIGN CONTRACTS ON BEHALF OF HAYS COUNTY**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve contract with Ecology Action on rental of boxes for recycling and approve contract with ACCO/BFI on hauling, and furthermore authorize the County Judge to sign the contracts on behalf of Hays County. All present voting "Aye".

**14682 APPROVE CONTRACT WITH HART INFORMATION SERVICES INC. FOR THE STORING OF RECORDS OF HAYS COUNTY [T1-80]**

Judge Etheredge spoke of existing contract is with the District Clerk. J. L. Howze, Records Management Officer, advised that the Commissioners' Court had added the entire county, however, that contract was never executed by the former District Clerk W. H. Moore - the County Clerk currently has microfilm stored at Hart Services. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve contract with Hart Information Services, Inc. for the storing of records of Hays County and authorize the County Judge to execute this contract. All present voting "Aye".

**14683 LOST VALLEY REPLAT OF LOT 11 BLOCK A \* FIRST READING AND CALL FOR A PUBLIC HEARING ON JANUARY 30, 1996 [T1-129]**

Proposal is to divide Lot 11 Block A of Lost Valley subdivision into two lots (11A = 5.12 acres & 11B = 10.01 acres) - Lot 11A will be a flag lot with access of Lost Valley Road - Staff recommends approval on first reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Lost Valley Replat of Lot 11, Block A" on first reading and call for a public hearing to be held January 30, 1996 at 9:00 A.M. All present voting "Aye".

**14684 KIRBY SPRINGS RANCH PHASE ONE RESUBDIVISION OF LOT 7 (LOTS 7A & 7B) \* SECOND READING APPROVAL [T1-149]**

Staff recommends approval on second reading - minor adjustments have been made to lot lines which will be reflected at the next reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Kirby Springs Ranch Phase One Resubdivision of Lot 7 (Lots 7A & 7B) on second reading. All present voting "Aye".

**14685 HAYS COUNTRY OAKS SECTION ONE BLOCK A RESUBDIVISION OF LOT 5 (LOTS 5A & 5B) \* SECOND READING APPROVAL [T1-162]**

Staff recommends approval on second reading. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Hays Country Oaks Section One Block A Resubdivision of Lot 5" on second reading. All present voting "Aye".

**14686 THARP SUBDIVISION RESUBDIVISION OF LOT 1 (11 LOTS) \* FIRST READING AND CALL FOR A PUBLIC HEARING [T1-172]**

Property Owner William Penn Jr. proposes to resubdivide Lot 1 (31.79 acres) into eleven lots - access to lots is off Ella Lane (30' road easement). Staff recommends approval on first reading. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Tharp Subdivision Resub of Lot 1" on first reading and call for a public hearing on January 30, 1996 at 9:00 A.M. All present voting "Aye".

**14687 SHADY GROVE SUBDIVISION SECTION 1, BLOCK A & B \* THIRD READING APPROVAL [T1-183]**

Staff recommends approval on third reading. Located in Buda's ETJ. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Shady Grove Subdivision Section 1 Block A&B" on third reading. All present voting "Aye".

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**14688 HERRERA SUBDIVISION \* CALL FOR A PUBLIC HEARING [T1-194]**

Allen Walther, Environmental Health Director, spoke of need for a second reading and a public hearing - this is part of a previously approved subdivision ( C. M. Rogers Subdivision - filed in 1948) - will also require a change in the name of the subdivision. Commissioner Barton suggested holding second and third reading at the same time along with the public hearing. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to call for a public hearing to be held January 30, 1996 at 9:00 A.M. regarding the "Herrera Subdivision" (also known as a resubdivision of part of Lot 3 of the C. M. Rogers Subdivision). All present voting "Aye".

**14689 LANIER RANCH ADDITION REPLAT OF TRACT 1E-2 \* THIRD READING APPROVAL [T1-222]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Lanier Ranch Addition Replat of Tract 1E-2 (Lots 1E-2A & 1E-2B)" on third reading. All present voting "Aye".

**14690 WILLOW CREEK ESTATES SECTION 9 \* THIRD READING APPROVAL [T1-231]**

Allen Walther, Director of Environmental Health, advised that this subdivision is located in the San Marcos ETJ and they have approved it - staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Willow Creek Estates Section 9" on third reading. All present voting "Aye".

**PEABODY PLAZA SECTION ONE \* ACTION POSTPONED [T1-241]**

This subdivision was placed on the agenda for second reading, however, it should have been for third and final reading. It was the opinion of District Attorney Marcos Hernandez that third reading should be postponed until next week

**14691 RIVER MOUNTAIN RANCH SECTION 1 REPLAT OF LOTS 1, 10-14, & 73 \* THIRD READING APPROVAL [T1-282]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "River Mountain Ranch Section 1 Replat of Lots 1, 10-14, & 73 (Lots 1A, 10A-14A, & 73A)" on third reading. All present voting "Aye".

**14692 APPROVE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE HAYS CONSOLIDATED ISD FOR THE CREATION AND FUNDING OF A SCHOOL RESOURCES OFFICER POSITION IN THE SHERIFF'S DEPT. AND AUTHORIZE THE COUNTY JUDGE AND SHERIFF TO EXECUTE THE AGREEMENT [T1-306]**

Chief Deputy Sheriff Don Montague appeared before the Court - presented the Interlocal Agreement for School Resource Officer for consideration. Commissioner Barton spoke of previous discussion regarding this matter - a Sheriff's Deputy would be placed on the Jack C. Hays campus - spoke of incidents at the high school that have required an Officer (Sheriff Deputy or Constable). District Attorney Marcos Hernandez spoke in support of this agreement - the Resources Officer would be able to cite violators and therefore could generate some revenues to offset the costs. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approval Interlocal Agreement between Hays County and the Hays Consolidated I.S.D. for the creation and funding of a School Resources Officer position in the Sheriff's Department and furthermore authorizes the County Judge and Sheriff to executed the agreement on behalf of Hays County. All present voting "Aye".

**INTERLOCAL AGREEMENT FOR SCHOOL RESOURCE OFFICER**

THE STATE OF TEXAS     §  
COUNTY OF HAYS        §

EFFECTIVE DATE: February 1, 1996

PARTIES: Hays Consolidated Independent School District, hereinafter referred to as the "District", Hays County, Texas, hereinafter referred to as the "County", Hays County Sheriff's Department, hereinafter referred to as the "Department".

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**SERVICE:** Pursuant to Chapter 791, Texas Government Code, the Texas Interlocal Cooperation Act (the "Cooperation Act") the parties are empowered to contract with each other for the performance of governmental functions, including police protection, and as permitted in §21.483 of the Texas Education Code, the Department shall provide a Deputy or Deputies to act as School Resource Officer at Jack C. Hays High School during regularly scheduled school sessions, or such other times as may be mutually agreed, to perform the duties as herein set forth. County approval was granted by the Hays County Commissioners' Court on January 16, 1996, by resolution presented by Precinct Two Commissioner Jeff Barton and filed in the minutes of Commissioners' Court for that date.

In consideration of the mutual covenants and agreements, contained herein, as well as other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

**Section 1. Term.** The term of this agreement shall commence February 1, 1996 and continue until such time as it is terminated in a manner outlined in this Agreement in Section 6 Paragraph F.

**Section 2. Patrol Services.** Services provided to the District under this Agreement shall be provided by a deputy or deputies employed by the Department, and such deputies shall remain under the control and supervision of the County at all times and shall remain County employees, entitled to the same benefits, and subject to the same restrictions as any other deputy sheriff; such deputies shall general wear their Department uniforms and equipment while providing services under this Agreement. While on campus, the deputy or deputies operating as School Resource Officer under this Agreement shall work directly under the supervision of the campus Principal of Jack C. Hays High School, or the Principal's delegated agent, to perform duties including but not limited to the following:

1. Coordination of all security efforts at BJH/HHS.
2. Coordination of communications between Hays Sheriff's Dept. and BJH/HHS including security for special events and activities.
3. Coordination of a safety audit of BJH/HHS and the development of a long range campus safety plan incorporating input from parents, students, and staff. Make safety recommendations to administration.
4. Coordination of all vehicle and pedestrian traffic.
5. Address all incidents which require law enforcement intervention on campuses.
6. Instruction for the staff in areas dealing with safety awareness, after hour facility use, crisis prevention, and personal safety.
7. Presentation to classrooms on topics dealing with personal safety, peer pressure, handling crisis, chemical abuse, Texas Penal Code, Texas Family Code, conflict resolution, gang involvement alternatives, etc.
8. Maintain high visibility on campus.
9. Coordination of security equipment and strategies between campus monitors and principals.
10. Available for counseling with students considering careers in law enforcement and possibly establish a law enforcement Explorer Club.
11. Coordination of a plan to address trespass violations and documentation of persons who trespass campuses.
12. Enforce laws, including federal, state, and county statutes, and district rules and guidelines.
13. Maintain liaison with all law enforcement agencies.
14. Assist in the serving of warrants at school.
15. Respond to and assist with investigations for campus calls concerning law enforcement.
16. Notify Sheriff, fire, emergency services, or other authorities for situations which require immediate attention.
17. Patrol campus for suspicious activity and unauthorized persons or unlawful activity.
18. Arrest persons for law violations if necessary.
19. Complete reports associated with duties including but not limited to incident reports, arrest reports, summary reports.
20. Keep statistics regarding law enforcement intervention on campus.
21. Interview suspects, witnesses, victims on school campuses.
22. Respond to calls for assistance at any district campus.
23. Testify in court as needed.
24. Assist with drug and alcohol prevention programs.
25. Perform other duties as assigned by department supervisory or principal.
26. Be available to attend selected school board meetings.
27. Develop and complete activity reports each six weeks.
28. Coordinate and communicate with local crime watch programs.
29. Participate on campus committees.

**Section 3. Performance of the Deputy.** All deputies providing services under this Agreement shall be acting in the course and scope of their employment by the County at all times while engaged in the performance of the services contemplated hereunder.

The foregoing shall in no way relieve the County of its obligation to provide routine patrol services to property within the District on the same basis as such services are provided to the other property within the County. The foregoing services shall be in addition to, and not in lieu of, such routine services.

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**Section 4. Compensation.** The District, in paying for the governmental services being rendered by the County through the Department hereunder, shall make such payments out of current revenues available to the District, as required by applicable law. The district shall pay to the county three quarters of the annual salary and benefits for each deputy provided, said payment to be made to the County in one lump sum on or about the first day of January of each year. Provided, however, that the initial payment in 1996 shall be made no later than March 1, 1996, and shall be for an amount equal to three quarters of the salary and benefits of the School Resource Officer, pro-rated for eight months; and provided also that if this Agreement is ever terminated for any reason by the County during the course of a regular school year, the District shall be obliged to pay only a pro rated share of the amount due, or, if the annual payment having been made, shall be due a refund based on a pro-rated expenses dating back to Sept. 1.

For budgeting purposes, the District should inquire each year of the County Auditor or the County Human Resources Department as to the anticipated salary grade and step and benefits budgeted for deputy or deputies assigned as School Resource Officer.

**Section 5. Notice.** Any notice given hereunder shall be in writing, and may be effected by personal delivery, or by registered or certified mail, return receipt requested, at the address of the respective parties indicated below:

District: Hays Consolidated Independent School District  
215100 North IH 35 - Kyle, Texas 78640  
  
County: Hays County Sheriffs Department  
1307 Uhland Road - San Marcos, Texas 78666  
AND  
Hays County Judge  
1102 N. LBJ Drive, Suite 300 - San Marcos, Texas 78666

The foregoing addresses for notice may be changed by either the County or the District by delivering written notice of such change, in accordance with the requirements of this Section, to the other party.

**Section 6. General Provisions.**

a. **Interlocal Cooperation.** The District and the County agree to cooperate with each other, in good faith, at all times during the term hereof in order to achieve the purposes and intent of this Agreement. Each party hereto acknowledges and represents that this Agreement has been duly authorized by their respective governing body.

b. **Entire Agreement: Amendments.** This Agreement contains the entire agreement between the parties respecting the subject matter hereof, and supersedes all prior understandings and agreements between the parties regarding such matters. This Agreement may not be modified or amended except by written agreement duly executed by the parties hereto.

c. **Interpretation.** The parties acknowledge and confirm that this Agreement has been entered into pursuant to the authority granted under the Cooperation Act. All terms and provisions hereof are to be construed and interpreted consistently with said Act.

d. **Invalid Provisions.** Any clause, sentence, paragraph or article of this agreement which is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect shall not be deemed to impair, invalidate, or nullify the remainder of this Agreement.

e. **Applicable Laws.** This Agreement shall be construed in accordance with the laws and constitution of the State of Texas. All obligations hereunder are performable in Hays County, Texas, and venue for any action arising hereunder shall be in Hays County, Texas.

f. **Termination of Agreement.** This Agreement may be terminated by either party upon thirty (30) days written notice.

**14693 AMEND THE BUDGET OF CONSTABLE PCT. 5 TO PROVIDE FUNDS FOR PURCHASE OF A LOCK FILE CABINET [T1-583]**

Commissioner Barton advised that Constable 5 Billy Reeves currently has only one file cabinet and with the increased case load in the JP offices he has severely crowded his existing file space - funds are available in the countywide equipment line item (unspecified equipment). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to amend the budget of Constable Pct. 5 in the amount of \$147.00, out of countywide equipment line item, for purchase of a locking four-drawer file cabinet. All present voting "Aye".

**14694 ADOPT POLICY REGARDING APPOINTMENTS MADE BY THE COMMISSIONERS' COURT TO ADVISORY BOARDS AND COMMITTEES [T1-602]**

Commissioner Barton spoke of appointments made by the Commissioners' Court to advisory boards and committees - the Court frequently neglected to attach expiration dates or specific tenures to the terms of advisory board slots - this can cause confusion and embarrassment for members who may start out enthusiastic but then lapse in attendance - recommends cleaning up the current list of appointments and have appointments expire December 31st of each year - some of the Boards terms are covered by State Statute. Commissioner Molenaar spoke in favor of making appointments every January. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to adopt Policy proposed by Commissioner Barton regarding appointments made by the Commissioners' Court to Advisory Boards and Committees. All present voting "Aye".



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**HAYS COUNTY POLICY  
REGARDING COMMISSIONERS' COURT APPOINTMENTS**

1. That all Commissioners' Court appointments on boards, committees, task forces, commissions, and the like, expire at midnight December 31 in the year which they are made, thus providing for one year terms - or less in the case of mid-year appointments; except that;
2. The Commissioners' Court may specify through a resolution that the terms are for a longer specific period or that members of ad hoc (special purpose or temporary) committees shall serve until the completion of a specific task; also
3. Where appropriate, the Court may specify through a resolution that certain appointees are serving at the pleasure of the Court, regardless of their term; and
4. Appointments under the jurisdiction of this policy come due and are considered vacant January 1 of each year, provided that existing appointees shall continue to serve until a replacement is qualified or the said board or committee is abolished or altered by resolution of the Commissioners' Court; and provided that
5. Nothing in this policy shall be construed to contravene the terms or tenure of officers or appointees whose terms or conditions of office are dictated by statute.

**14695 RESCIND RESOLUTION NUMBER 14667 ADOPTED JANUARY 8, 1996 REGARDING OFFICE SPACE FOR DPS IN BUDA AND AUTHORIZE THE COUNTY JUDGE TO SIGN A CONTRACT FOR OFFICE SPACE ON UHLAND ROAD IN SAN MARCOS [T1-694]**

Judge Etheredge spoke of action taken by the Court on January 8, 1996 to lease office space in Buda for the Dept. of Public Safety License & Weight Service - the Buda office space was 1300 sq ft for \$500 per month and the San Marcos office space was approximately 1500 sq. ft. for \$750 per month - Court had decided to go with the cheaper rent in Buda and for greater visibility of DPS in that area because of high truck traffic. A letter was received from DPS Captain Tom Mattern pointing out that the departmental duty station is San Marcos and the office space in San Marcos would meet the duty station requirements and provide easy access to gas pumps, jail facility, provide more space and possibly a more secure area - Sgts. Cantu and Homes have indicated postponement of hiring a secretary for a period of time (long enough to offset cost differences) would be acceptable - advised that Troopers would be made available to respond to other problem areas within Hays county - they will patrol on a regular basis in the Buda area and additional assistance out of Austin will be requested if need be. A motion was made by Judge Etheredge, seconded by Commissioner Barton to rescind Resolution No. 14667 adopted January 8, 1996 regarding office space for DPS License & Weight Service in Buda and authorize the County Judge to sign a contract with Garland Warren for office space on Uhlund Road at a cost of \$750.00 per month - not to exceed a contractual period greater than two years. All present voting "Aye".

**14696 ADOPT A POLICY TO ADDRESS REFUNDS AND OVERPAYMENTS ON TAXES & A APPROVE REFUND OF TAX OVERPAYMENT TO SHARON LEHEW [T1-795]**

Luanne Caraway, Tax Assessor-Collector, spoke of law that requires approval from the governing body in order to make refund of taxes in an amount over \$500 - suggested that refunds be approved by placement on the consent agenda as a separate item or be included in the payment of invoices - spoke of taxpayer being upset because she paid her taxes and the mortgage company paid the taxes and the mortgage company now wants her to reimburse them and we are unable to refund her overpayment at this time - the tax office is unable to determine who should be making this payment, therefore, we accept all payments (even duplicate payments) - other taxing entities will also have to give approval for refunds on their part of the taxes collected. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to adopt a policy to address refunds on erroneous tax payments and overpayments by placing them on the consent agenda as a separate item. All present voting "Aye". A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve refund to Sharon LeheW (County = \$540.21 & Road = \$74.31) for overpayment of taxes. All present voting "Aye".

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**DISCUSSION WITH DEE DEE STEVENSON REGARDING SURFACE WATER ISSUES [T1-924]**

Dee Dee Stevenson read a prepared statement: A year ago next month a group called Texans for Hays County held a public meeting in Dripping Springs to discuss future surface water sources for Hays County. The reason for this meeting was because of the growing concerns over need to drill deeper into the Trinity Aquifer and the information provided in studies for Hays County indicating that because of growth and development in Hays County that the Trinity Aquifer could be depleted by the year 2002. A representative from the Lower Colorado River Authority was invited to discuss availability of obtaining water from LCRA in the future. Because of the interest of the people that attended that meeting, Texans for Hays County gathered over 200 signatures and distributed surveys to subdivisions in Hays County. Because of tremendous response from the public to have more information, LCRA on May 23rd began a study to determine the economic feasibility of a regional surface water supply system. At a cost at this time exceeding \$75,000.00, LCRA will soon be completing their study. During this time Texans for Hays County has stayed very involved in the water issues for this area, spending an extremely lengthy amount of time protesting the Circle C Water District and its intrusion into Hays County in hopes that the people of Hays County will be given the right to determine their own destiny. For the people to be able to determine their own destiny they must be aware of their choices. In February, Mr. John Ashworth of the Texas Water Development Board will be the speaker at a public meeting in Dripping Springs. Some of the information will be as follows: The Edwards Aquifer which is of the greatest public concern at this time can easily produce 100 gallons per minutes of good quality water, whereas the Trinity Aquifer is lucky to produce 20 gallons of poor quality water - The Edwards Aquifer has a great capacity for storing water and the Trinity Aquifer has very little. To my understanding, nearly \$1 million has been spent on studies for Hays County - that of those studies done in Hays County giving options for future water sources, those options basically are no longer available. If we suffer a drought, according to Mr. John Ashworth, all the Trinity Aquifer could be gone - the upper Glen Rose, the mid Glen Rose, and the lower Trinity. John Ashworth provided some information at a county meeting and he stated that the primary need at this time is that each Developer be required to drill a test well to determine if there is adequate water to sustain a household. This well will determine if a home can be built on five, ten, twenty, or greater acreage. I would like to ask the County to put this requirement into the ordinances and to give the people living over the Trinity Aquifer time to bring in surface water in a way that is beneficial to all. If landowners, developers, or property rights advocates have difficulty with this idea, please tell them to work with us to bring in surface water as soon as possible. And consider this, it is the property right of all people to know whether or not there is an adequate amount of water to sustain life on the property that they buy and that it is not a law in the State of Texas, then it certainty ought to be. Dee Dee Stevenson invited everyone in Hays County to attend the public meeting to be held in February - date and place to be announced later. Commissioner Barton spoke of subdivision committee will be presenting their final recommendations on the new subdivision ordinance - not sure if there are specific recommendations for test holes, however, there will be additional requirements on developers - spoke of water quantity and water quality - the Edwards and the Trinity both face problems of quantity. Commissioner Molenaar spoke of committee discussions regarding minimum lot sizes (three acres for the Trinity and five acres for the Edwards). Judge Etheredge spoke of money that has been spent for studies - need to develop a plan and move forward - the problem with the Trinity formation is that we can do whatever we want to in Hays County, however, they don't recharge in our county - in his opinion surface water is the end solution, however, water treatment will be very expensive. Dee Dee Stevenson spoke of minimum lot sizes will not solve our current problems - what we are doing now is shortsighted. Commissioner Molenaar spoke of not having the power for retention/detention - we can't tell a developer to put back what he is taking - we have to sit at the mercy of the developer until they give us authority to tend to this.

**EXECUTIVE SESSION \* CONTEMPLATED LITIGATION**

The Court convened into closed Executive Session to discuss contemplated litigation. Upon completion of Executive Session the court reconvened into open meeting.

**14697 REQUEST THE DISTRICT ATTORNEY TO REPRESENT HAYS COUNTY IN LITIGATION INVOLVING TOM SAPP V. HAYS COUNTY AND DEVELOP A SETTLEMENT OFFER**

The following conversation took place prior to the Executive Session [T1-368]. Judge Etheredge spoke of litigation for contested right of way on Bliss Spillar Road involving Tom Sapp - this was a condemnation case for right-of-way. Commissioner Barton spoke of dangerous curve that was straighten and required property of Tom Sapp - the citizen commissioners delivered handwritten notes suggesting certain other awards be made relating to the roads, rebuilding the fence, and a survey - the problem, according to Gene Majors (Attorney representing Hays County), was that they were not empowered to do that and also their handwritten notes were not made a part of the formal

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record - Mr. Sapp feels like he should get everything that the condemnation commissioners had mentioned. District Attorney Marcos Hernandez advised that in general the commission can only give an appraised value for the property - the adjoining land owners have the right of first refusal to obtain this property at fair market value - they may want part of the road that was abandoned - not sure of the history of this particular property. Commissioner Barton spoke of fair market price paid for the land - the road has been built and they Sapps have drawn down on the cash settlement and they are threatening to take legal action to get additional settlement - suggested paying for survey and replace fence - Mr. Sapp want the land on both sides of the road. A letter was submitted from Attorney Gene Majors advising the Court that we have the authority to pay for a new survey of Mr. Sapp's property as consideration for his dismissal of his appeal, however, he does not believe the county should convey the abandoned road to him without researching the statutory procedures that deals with that issue. Court decided to go into executive session to discuss this matter further. Upon completion of that executive session the following action took place:[T1-1190]

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to ask District Attorney Marcos Hernandez to represent Hays County and confer with Right-of-Way Attorney Gene Majors about the issue in more detail and authorize them to develop a settlement offer to bring back to the Commissioners' Court for approval. All present voting "Aye". Commissioner Molenaar requested that a prescriptive easement not be allowed.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 20<sup>TH</sup> DAY OF FEBRUARY, 1996.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 23rd DAY OF JANUARY A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14698 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 281,224.80 as presented by the County Auditor. All voting "Aye".

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**14699 APPROVE BUDGET AMENDMENT NO. 96-010**

The following budget amendments were proposed:

Adult Probation Operating Fund - Transfer to budget unemployment payments from personnel costs.  
County Court at Law #1 & #2 & JP Court - Transfer between departments to allow printing and one time set up for county courts at law.  
TCADA/DARE(DA) Officer - Rebudget funds carry-over from FY95 into FY96 budget. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve budget amendment No. 96-010. All voting "Aye".

**14700 AWARD CONTRACT TO KAY HINDES ON FINAL PHASE OF COUNTYWIDE HISTORIC RESOURCES SURVEY AS RECOMMENDED**

Purchasing Agent Cindy Casparis advised that on January 11, 1996 a committee comprised of Richard Salmon, Lamarr Peterson, Lila Knight and herself met to review the proposal received from Kay Hindes, Research Historian, on the final phase of the countywide survey - it was unanimous that this person was qualified and could also work within our budget (\$8,743.00). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to award contract to Kay Hindes on final phase of Countywide Historic Resources Survey as recommended by the Committee. All voting "Aye".

**14701 CANCEL MOWING CONTRACT IN ROAD & BRIDGE DEPARTMENT AND AWARD CONTRACT TO NEXT LOWEST BIDDER**

Purchasing Agent Cindy Casparis submitted a memo regarding the mowing contract that was awarded on August 7, 1995 to ELJ Contractors for the mowing of r-o-w east of IH35 - the Road Department has called for one cycle mowing from this company and noted and submitted the following list of problems:

- a) The contractor failed to meet specs in the number of mowers to be running and the date contractor should begin mowing after notified by county.
- b) Large strips were left uncut.
- c) Hand trimming was not kept up with mowers.
- d) Ron Bischoff contacted the owner for a meeting to discuss these problems and try to resolve them and the owner has yet to contact us or show up for any of the scheduled meetings.

The owner has submitted an invoice for payment that has not been approved by Ron Bischoff until the problems have been corrected. It has been several months since we have been in contact with ELJ Contractors and that is what has led Ron Bischoff and Cindy Casparis to ask the Court to cancel this contract based on non-performance and award it to the next low bidder "LL&N Contractors" - Eddie Lloyd, owner of LL&N has said he will honor his bid of \$5,210.00 per cycle. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to cancel mowing contract with ELJ Contractors due to non-performance and award mowing contract to LL&N Contractors, the next low bidder, in the amount of \$5,210.00 out of the Road & Bridge Department budget. All voting "Aye".

**14702 APPROVE LINE ITEM TRANSFER OF FUNDS IN COMPUTER SERVICES BUDGET FOR CABLING FOR THE JUVENILE PROBATION OFFICE**

Data Processing Administrator requested approval to transfer funds from the Computer Services budget line item #456-5221 (data processing supplies) to #456-5628 (cabling expense) - funds transferred will be used to cable the Juvenile Probation office. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve line item transfers in Computer Services budget to fund cabling for the Juvenile Probation Office - transfer \$825.00 from line item #456-5221 to line item #456-5628. All voting "Aye".

**14703 APPROVE UTILITY PERMITS #96-401, #96-402, #96-201, & 96-202 ISSUED BY THE ROAD DEPARTMENT**

The Hays County Road Department presented the following Utility Permits for approval:

- |         |                                                            |
|---------|------------------------------------------------------------|
| #96-401 | to PEC for a single phase line within CR194 r-o-w          |
| #96-402 | to PEC for a single phase line within CR194 r-o-w          |
| #96-201 | to GTE for a buried drop within CR138 r-o-w                |
| #96-202 | to SW Bell Telephone for a buried cable within CR120 r-o-w |

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Utility Permits #96-401, #96-402, #96-201, and #96-202 issued by the Road Department. All voting "Aye".

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**14704 APPROVE APPOINTMENTS AND RE-APPOINTMENTS TO THE NORTHWEST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #4**

Commissioner Molenaar recommended approval for the re-appointment of Tom Ahrens and Robert Labenski for a two year term and appoint Don Cormier for the remaining term of Rod Holloway who has resigned. Commissioner Payne spoke of need for annual report to be submitted prior to making appointments. Commissioner Barton advised that the law indicates that the annual reports are due by February 1st of each year, however, appointments are to be made in January - there is still time for the fire districts to file their annual reports. Commissioner Molenaar requested that the court approve the recommended appointments and he will make sure that the annual report is filed. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve appointment of Don Cormier to fill the unexpired term of Rod Holloway (term expires 12/31/96) and to furthermore approve the re-appointments of Tom Ahrens and Robert Labenski for another two year term expiring in 1998. All voting "Aye".

**14705 ADOPT RESOLUTION EXTENDING THE DISASTER DECLARATION - THREAT OF WILDFIRES**

Fire Marshal A.D. Carroll requested that the court extend the Disaster Declaration - Threat of Wildfire (AKA the Burn Ban). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to adopt resolution extending the Disaster Declaration - Threat of Wildfires that was initiated by the County Judge on January 16, 1996. All voting "Aye".

**RESOLUTION**

STATE OF TEXAS \*  
COUNTY OF HAYS \*

WHEREAS, Hays county has not had any appreciable rainfall for an extended period; and

WHEREAS, weather forecasters offer little promise of a change in these hot, dry conditions in the near future; and

WHEREAS, these hot, dry conditions pose the threat of large, fast-moving wild fires; and

WHEREAS, such fires have the potential of endangering lives and damaging property on a wide scale; and

WHEREAS, the Texas Disaster Act of 1975, Vernon's Texas Codes Annotated Government Code Chapter 418, and the Order of the Hays County Commissioners' Court dated May 23, 1994, authorize declaration of a state of disaster "if the threat of disaster is imminent"; and

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such a disaster authorized the imposition of controls on activities which tend to increase the likelihood of such fires; and

WHEREAS, such controls, once implemented have the potential of protecting lives and property by mitigating the threat of dangerous fires; and

WHEREAS, Eddy A. Etheredge, County Judge, on the 16TH day of JANUARY, 1996, declared a state of disaster based on the threat of large wildfires in Hays County; and

WHEREAS, that state of disaster will be void at the end of seven days following its issuance without authorization by the Hays County Commissioners' Court;

NOW, THEREFORE, BE IT RESOLVED that this state of disaster is hereby continued until it is rescinded by the County Judge or by action of the Commissioners' Court; and

BE IT FURTHER RESOLVED that the issue of the continuance of this state of disaster shall be placed on the agenda of each regularly scheduled meeting of the Commissioners' Court until it is rescinded.

**14706 APPROVE APPOINTMENT OF LOU TURLEY AS DEPUTY CONSTABLE PCT. 4**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve appointment of Lou Turley as Deputy Constable Pct. 4 (a non-paid position). All voting "Aye".

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**14707 LOST VALLEY BLOCK A REPLAT OF LOT 11 \* SECOND READING APPROVAL** [T1-71]

Environmental Health Director Allen Walther advised that Lot 11 is being divided into two Lots (11A & 11B) - staff recommends approval on second reading - public hearing will be held next week. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lost Valley Block A Replat of Lot 11" subdivision on second reading. All voting "Aye".

**14708 THARP SUBDIVISION REPLAT OF LOT 1 \* SECOND READING APPROVAL** [T1-83]

Environmental Health Director Allen Walther gave staff recommendation for approval on second reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Tharp Subdivision Replat of Lot 1" on second reading. All voting "Aye".

**14709 PIONEER RANCH NO. 1 RESUB OF TRACTS 18 & 20 \* FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING** [T1-91]

Commissioner Barton spoke of fact that he may object in the future to flag lots that are contiguous. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Pioneer Ranch No. 1 Resub of Tracts 18 & 20" on first reading and call for a public hearing to be held on February 6, 1996. All voting "Aye".

**14710 PEABODY PLAZA SECTION 1 \* THIRD READING APPROVAL** [T1-109]

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Peabody Plaza Section 1" on third reading. All voting "Aye".

**14711 KIRBY SPRINGS RANCH ESTATES SECTION 1 REPLAT OF LOT 7 \* PUBLIC HEARING AND TABLE THIRD READING** [T1-120]

Judge Etheredge called the public hearing open - no one appeared representing this subdivision. Allen Walther, Environmental Health Director, spoke of minor changes that have not be made - no final plat has been submitted for review. Public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to table third reading until a final plat is submitted for review. All voting "Aye".

**HAYS COUNTRY OAKS SECTION 1 BLOCK A RESUBDIVISION OF LOT 5 \* HOLD A PUBLIC HEARING** [T1-157]

Judge Etheredge called the public hearing open regarding the resubdivision of Lot 5 Block A of Hays Country Oaks subdivision - creates Lots 5A & 5B. Commissioner Barton advised that the City of Hays has not had time to review this resubdivision and adjoining property owners have not yet been notified - he will not recommend approval on third reading at this time. Public hearing was closed.

**14712 MADRONE RANCH III PHASE I \* APPROVE PLAT CORRECTION** [T1-189]

H. W. Curington requested, in writing, permission to allow adding a dimension of 582.08 L.F. to the final plat of Madrone Ranch III Phase I which has already been filed for record in the County Clerk's office - this dimension was accidentally left off when the Plat received final approval. Plat was filed December 14, 1995 in Volume 7 Pages 61-62 of the Hays County Plat Records. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve Madrone Ranch III Phase I Plat Correction as proposed (add dimension of 582.08 L.F. to northwest corner of Lot 1). All voting "Aye".

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**14713 AUTHORIZE INCREASE IN HAYS COUNTY CONTRIBUTION FOR SALARY FOR EACH COUNTY  
EXTENSION SERVICE POSITION TO \$8,000.00 EACH PER YEAR EFFECTIVE FY97 [T1-225]**

Summary: A&M projects a deficit at the state level of funding because the State "Higher Education Budget" took a cut - the State's Higher Education budget includes funds for the County Extension Service positions - A&M is asking county government to fund \$8,000 per agent at the Category 5 level for the first two agents per year effective October 1, 1996. Bottom Line: Amount of county money increase per year is marginal - \$907 annually to accomplish the A&M goal - the reason is Billy Kniffen's salary is now \$7,768.00 and Susan Schramm's is \$7,329.00 per year. Commissioner Rodriguez recommends approval to increase Hays County's contribution to \$8,000 annually for each of the County Extension Agents.

**14714 AUTHORIZE FUNDING NECESSARY TO PLAT THE OLD HOSPITAL PROPERTY OFF IH35 NORTH  
[T1-258]**

Judge Etheredge spoke of City of San Marcos issuing a building permit for the EMS building contingent on the County platting the property - advised the City that we were not sure what we were going to do with that property, therefore, we didn't know whether we wanted to plat it as a single piece of property or as multiple pieces - the best thing to do at this time is to plat it as a single piece of property and if we decide to sell off part we can go back and replat it - Court approval of platting is necessary - estimated cost is \$1500. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize county staff to move forward with platting property in accordance with City of San Marcos regulations and authorize the County Judge to act on the Commissioners' Court behalf. All voting "Aye".

**14715 AUTHORIZE THE PURCHASING AGENT TO OBTAIN PROPOSALS FOR APPRAISAL SERVICES  
REGARDING THE HAYS COUNTY CIVIC CENTER PROPERTY [T1-321]**

Judge Etheredge spoke of Civic Center Committee meeting - consensus was that before they made any recommendations for the civic center they would like to have an appraisal of the land and the improvements - requested approval by the Court to move forward with getting appraisal out of the \$15,000 funded in the Civic Center budget. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to authorize the County Purchasing Agent to obtain proposals and move forward with appraising the Hays County Civic Center property and improvements. Commissioner Payne stated that he is not in favor of selling the property. Judge Etheredge spoke of fact that the Hays County Livestock Exposition, Inc. (Deed Volume 290 Pg. 16) owns 40.59 acres and the county owns only 15 acres - it would be foolish for the county to spent a large amount of money on improvements if the Hays County Livestock Expo decides to sell off their acreage and we are without parking area - it is fair to determine what all the property is worth - we don't know what we are dealing with at this point. Commissioner Molenaar spoke of rumor going around that we are going to sell the Civic Center property. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Molenaar voting "No". \*PASSED\*

**14716 AWARD CONTRACT FOR PUBLIC OFFICIALS ERRORS & OMISSIONS LIABILITY INSURANCE  
TO THE TEXAS ASSOCIATION OF COUNTIES [T1-413]**

John Gray - Consultant with Risk Management Group, Inc.- spoke of Public Officials & Law Enforcement policies are the most difficult types of policy to comprehend - there are no two policies which are exact between competitors - there are differences - he has reviewed all the proposals - looking for the policy that has the most positive aspects and the least negative aspects - narrowed the proposals down to Texas Association of Counties and Mondics/Greenhaw - Benchmark Insurance Group does not consider it a duty to defend you (only the right) - Aim Insurance Agency limits each claim to \$1,000,000 per occurrence. Discussion was had regarding premiums (ranging from \$ 42,591 - \$63,827) and deductibles (\$5,000 or \$25,000) - went through breakdown of coverage - discussed exclusions. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to award contract for Public Officials Errors & Omissions Liability Insurance to The Texas Association of Counties with \$2,000,000.00 claim limit and \$5,000.00 deductible. All voting "Aye". A discussion was had regarding Law Enforcement Liability Insurance - the current insurance coverage is not available for renewal - proposals were received from Benchmark Insurance Group (\$67,249 premium with a \$25,000 deductible), Texas Associations of Counties (\$109,998 premium with a \$25,000 deductible), and Aim Insurance Agency (\$74,238 with a \$25,000 deductible) - discussed property covered while in the custody and control of the county - TAC excludes property of others such as vehicles, aircraft or watercraft when damaged in the county's control - Aim Insurance Agency covers only property on persons at the time of arrest - TAC excludes Officer's moonlighting on extra jobs and Aim Insurance will not cover an Officer moonlighting where alcoholic beverages are served. Court advised that they need more time to decide on the amount of coverage (\$1 mil. or \$2 mil.).

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**WIMBERLEY RURAL FIRE PREVENTION DISTRICT #1 - ANNUAL REPORT** [11-1612]

Wimberley RFPD President Raymond Czichos appeared before the Court and presented the following Annual District Report:

Hays County Commissioners Court  
San Marcos, TX 78666

In accordance with Vernon Statute 2341A-6 Sect. 14 relating to the formation of a fire district, we are pleased to present the Wimberley Rural Fire Prevention District #1 annual report for the calendar year of 1995.

In our contractual agreement with the Wimberley Vol. Fire Dept. they have responded to 1109 calls for the year of 1995. This represents a reduction of 16 calls under 1994 or about 16%. (see attached graphs)

If you will refer to page 3 situation found report, you will note that there are six vehicle (6) fires and forty five (45) extrication (wrecks) for 1995. A total of fifty one (51) vehicle emergency calls. As in 1994 this represents over 50% of our total emergency calls and is a costly factor in time and equipment expenses. Since many of these incidents are not by local residents but are out of town individuals we are attempting to recuperate some of our costs by direct contact with the insure of the vehicles. This is a practice now followed by fire departments nation wide. At the local level some insurance companies have voluntarily contributed to our fire department for their assistance. As pointed out in our 1994 report, this continuing high level of vehicle incidents should provoke some study for Hays County by the Texas Dept. of Public Safety.

In studying the attached (pp.4) selected statistics report, it will be noted that the quick response efforts of the fire dept. have kept the property loss value at under 1% of the involved structures.

After five years of careful planning the fire district has completed their new central fire station. In 1991 the Wimberley Fire Dept. sold their #2 fire station and donated \$103,000 to the district for the construction of a new station. The building comprises an eight bay truck and workshop area of 5160 sq. ft. with an eight office complex with rest rooms, kitchen and a 1100 sq. ft. lecture and training room.

This 8100 sq. ft. complex was built at a cost of \$30 a sq. ft. Furnishing for the offices, kitchen, lecture and library room were largely made possible by local organization and low cost acquisitions from the Texas Surplus Agency.

The only outstanding indebtedness is the \$60,000 note from our bank payable at \$20,000 annually for the next three years. The increase in the districts tax base of over \$46,236.900 will offset most of the districts cost at the 3 cent per \$100 tax rate. This will also make it possible for us to continue to upgrade and replace old and outdated equipment and trucks. Pct. 3 property, all stations, ie. Rolling Oaks, Jacobs Well, new central stations are now property of the Fire Dist. The old #1 station has been turned over to Pct. 3 and the Hays County Road division for their use as offices. You will note in a study of our 1994-1995 audit, the Wimberley Fire Dist. #1 now has capital assets of over \$676,849 including three stations, six fire trucks and major rescue and fire fighting equipment.

A copy of our first quarter budget balance (Oct., Nov., Dec. 1995 on page 5 will show the district to be in excellent financial condition. A separate copy of our final audit for the fiscal year (Oct. 1994 to Sept. 30, 1995) will cover the construction period of the new building as well as operational figures that speaks for itself. The 3 cent per \$100 continues to be the minimum amount the district can operate on and still meet the minimum requirements of the Texas Commission for Fire Protection. With the cooperation of the Wimberley Water Supply Corporation in providing water and fire hydrants to meet state requirements we have been able to qualify for a low key rate and savings to the Wimberley area. Adequate and properly equipped trucks operated by fully trained personnel is also the final key to low insurance premium rates.

Our fire training field, initially made possible by the Hays County Commissioners in 1981, continues to be the major bases for a successful fire organization. Besides providing in-house training for our own Wimberley Vol. Fire Dept. members, over a dozen other agencies throughout Central Texas also train here. Now our Swiftwater and Rescue training program under Rescue III continues to be a most successful venture. Our qualified instructors have provided training to over 120 personnel this past year and at present is one of three schools in Texas of this type.

The terms of three Fire Commissioners expire this month, ie., Mike Boni, Carl Scudder, and Raymond Czichos. They have expressed their willingness and desire to serve another two year term.

We deeply appreciate the support of the Hays County Commissioners over past years in helping to make Hays County a showplace of fire prevention and protection.

Sincerely,

s/ Raymond L. Czichos, Pres.

Commissioner Craig Payne advised Mr. Czichos that the Court appreciates the men and women who serve their community - the Court will accept the Annual Report at next weeks meeting and make the necessary appointments.



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14717 ACTION TO REQUEST DISTRICT ATTORNEY TO MAKE EVERY EFFORT TO FILE IN SUPPORT OF TRAVIS COUNTY FOR A RE-HEARING IN THE ELGIN BANK CASE [T1-1895]

Commissioner Barton spoke of Elgin Bank Case - this is the case where Elgin Bank sued Travis County because they felt like they did not fall under the Travis County subdivision rules - Judge McGowan ruled in favor of Travis County and that ruling was overturned by the Third Court of Appeals - Travis County and a number of counties are concerned that this ruling undermines the authority of counties to regulate subdivisions and protect the health and welfare of our constituents either directly or indirectly from flood, pollution, and unscrupulous developers - a number of counties have filed "friend of the court briefs" (including Hays County) - attempting to overturn the supreme court ruling - Travis county has been informed that the Supreme Court denied the motion for a hearing. Commissioner Barton stated that the case centers around whether County's have the power to even require plats for subdivisions where no new roads or other public improvements are involved - if you pay county taxes, or drink water, or enjoy your neighbor, and care about your property values then this is an important decision - the county will have to decide how we perceive and envision our subdivision rules, what do we do with new plats - do we need to review these subdivisions? - has contacted other counties to see how they are going to respond to new development- the Supreme Court decision is binding on us and we might want to consider joining in a petition for rehearing - feels like we do have significant authority that the Court of Appeals failed to take into adequate consideration. Commissioner Barton spoke of Water Code Chapter 16 § 312 counties are charged with promoting public interest by providing appropriate protection against perils from flood loss and encouraging sound land use, etc. and further 16.315 allows counties to be authorized to take all necessary and reasonable actions to comply with requirements of the National Flood Program including adopting permanent land use and control measures with enforcement provisions consistent with criteria of land management - in addition we are delegated by the Texas Natural Resources Conservation Commission (TNRCC) to enforce on-site wastewater rules - we should use these two tools to at least have a cursory review of new development - spoke of flag lots that will be created to get around building real roads - Travis county is looking at enforcement of spacing between flag lots - if we get numerous flag lots, it will make county road maintenance impossible. District Attorney Marcos Hernandez spoke of need to look at other sections of health and safety codes which would give us authority to regulate development - we are obligated to follow the opinion of the Court of Appeals. Commissioner Barton spoke of this decision promoting developments of 500 acres or more putting one road in the middle of the subdivision for 250 lots with very little regulatory review - could create a tremendous burden on our road system and endanger our ground/drinking water supply - we are charged with enforcing the Edwards rules which restrict lots over the Edward Aquifer, however, a developer could divide land up into less than one acre and sell these lots which would then not be eligible for septic tank and water well permits. Judge Etheredge spoke of concerns about over aggressive annexation of unincorporated areas by home rule cities (ie City of Austin) - would obligate them to annex anything they could possibly annex so they could provide protection for aquifer - existing subdivisions and new subdivision that could qualify for general law incorporation would do so - subdivisions should not incorporate for the reason of protecting their water only - they may not realize they must also provide street maintenance, law enforcement protection, must have liability insurance, must have a place to meet, etc. Marcos Hernandez spoke of continuing looking at developments covered by other codes and regulate under those statutes. Allen Walther, Environmental Health Director, spoke of looking at situations in other counties (i.e. flag lots, etc.) - cannot address properly for emergency services - water code does not require plats but would make it difficult to review without a plat. Commissioner Barton spoke of requiring a map document for review of floodplain on new development. Judge Etheredge spoke of investigation by the Attorney General's Office into unscrupulous developments. Commissioner Molenaar spoke resubdivision of existing subdivisions would require platting - need to have legislation passed to require plat review process. Judge Etheredge spoke of need to get the word out to other counties to get involved in this case. Discussion was had regarding different ways to get the attention of the Court of Appeals to listen to county concerns. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to request the District Attorney to make every effort to file in support of Travis County a motion for re-hearing if possible in the Elgin Bank lawsuit against Travis County. All voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 20<sup>th</sup> DAY OF FEBRUARY, 1996.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



JANUARY 30, 1996

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 30th DAY OF JANUARY A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14718 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 184,624.41 as presented by the County Auditor. All voting "Aye".

|                    |               |                    |              |                    |              |
|--------------------|---------------|--------------------|--------------|--------------------|--------------|
| Fines              | \$ 128.00     | Auditor            | \$ 259.12    | Treasurer          | \$ 382.19    |
| Extension Office   | \$ 428.44     | Grants Admin       | \$ 129.55    | Juvenile Probation | \$ 5,657.65  |
| Election Admin     | \$ 941.67     | Indigent Care      | \$ 49,819.43 | Transfer Station   | \$ 305.00    |
| Bldg. Maint.       | \$ 889.49     | Environ Health     | \$ 689.45    | Personal Health    | \$ 438.10    |
| Civic Center       | \$ 428.86     | Countywide Oper    | \$ 11,260.14 | Tax A/C            | \$ 335.24    |
| District Clerk     | \$ 1,037.45   | County Clerk       | \$ 708.67    | Sheriffs Office    | \$ 7,154.26  |
| Jail Operations    | \$ 18,613.32  | County Judge       | \$ 576.58    | Human Resources    | \$ 64.17     |
| District Attorney  | \$ 3,011.90   | J.P. 1-1           | \$ 106.23    | J.P. 1-2           | \$ 450.79    |
| J.P. 2             | \$ 8.92       | J.P. 4             | \$ 96.00     | DPS/135 Substation | \$ 641.74    |
| Constable 1        | \$ 169.33     | Constable 5        | \$ 291.66    | Dist Cr Oper       | \$ 596.25    |
| Co & JP Cr Oper    | \$ 31.32      | Veterans Admin     | \$ 68.28     | Computer Svcs      | \$ 1,462.59  |
| Juv Svcs Grant     | \$ 400.00     | Fire Marshal/EMC   | \$ 41.36     | TABC               | \$ 43.34     |
| Dist Cr Reporters  | \$ 54.03      | TJPC CCAP Grant    | \$ 25,685.80 | Animal Control     | \$ 193.45    |
| CJD/VOCA Grant     | \$ 445.95     | DARE DA Grant      | \$ 41.97     | 911 Signs Grant    | \$ 226.39    |
| *Gen Fund Credit*  | * \$ 210.95 * | R&B Operating      | \$ 6,274.30  | Precinct 1         | \$ 280.00    |
| Precinct 2         | \$ 95.21      | Anticip Notes      | \$ 4,014.88  | Rec Mng/Co Clk     | \$ 775.87    |
| Health Svcs Grants | \$ 1,691.94   | Juvenile Detention | \$ 26,056.00 | Road Construction  | \$ 15,336.18 |
| Courthouse Renov   | \$ 3,195.83   | Crthouse Security  | \$ 441.67    | Adult Prob Oper    | \$ 1,485.46  |
| Adult Prob Fac     | \$ 873.93     |                    |              |                    |              |

14719 APPROVE NOVEMBER 1995 TREASURER'S REPORT

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve November 1995 Treasurer's Report as submitted. All voting "Aye".

HAYS COUNTY TREASURER'S REPORT

FOR THE MONTH OF NOVEMBER 1995

CHECKING

| OPERATING FUNDS;                  | BEGINNING BALANCE | Interest  | Revenues      | Deposits From Investments | Disbursements   | Transfer to Investments | ENDING BALANCE | TOTAL Investments | TOTAL FUND      |
|-----------------------------------|-------------------|-----------|---------------|---------------------------|-----------------|-------------------------|----------------|-------------------|-----------------|
| General                           | \$ 29,913.22      | \$ 340.37 | \$ 736,762.41 | \$ 723,657.64             | \$ 1,106,059.04 | \$ 370,000.00           | \$ 14,614.60   | \$ 2,402,060.89   | \$ 2,416,675.49 |
| Road and Bridge General           | \$ 23,768.14      | \$ 60.45  | \$ 113,762.51 | \$ 213,440.81             | \$ 280,973.66   | \$ 68,585.56            | \$ 1,472.69    | \$ 553,043.12     | \$ 554,515.81   |
| Wise Enterprises Bond Fund        | \$ -              | \$ 9.07   | \$ 4,800.00   |                           |                 |                         | \$ 4,809.07    | \$ 4,809.07       | \$ 4,809.07     |
| Hot Check Fee Fund                | \$ 586.00         | \$ -      | \$ 1,408.83   | \$ 1,980.13               | \$ 2,578.41     | \$ 1,221.55             | \$ 175.00      | \$ 4,645.53       | \$ 4,820.53     |
| Law Library                       | \$ 1.00           |           | \$ 1,830.00   | \$ 878.10                 | \$ 878.10       | \$ 1,830.00             | \$ 1.00        | \$ 18,424.00      | \$ 18,425.00    |
| Medical and Dental Fund           | \$ 2,892.85       | \$ 88.43  | \$ 118,222.38 | \$ 105,050.00             | \$ 136,663.82   | \$ 88,000.00            | \$ 1,589.82    | \$ 405,709.92     | \$ 407,299.74   |
| Adult Probation Operating         | \$ 10,634.58      | \$ 47.38  | \$ 116,744.51 | \$ 129,153.19             | \$ 199,784.06   | \$ 49,058.01            | \$ 7,737.59    | \$ 510,749.29     | \$ 518,486.88   |
| Adult Probation Facilities        | \$ 1.00           | \$ -      | \$ 40.00      | \$ 2,405.65               | \$ 2,405.65     |                         | \$ 41.00       | \$ 18,538.47      | \$ 18,579.47    |
| Courthouse Security               | \$ 41.21          | \$ -      | \$ 3,148.97   | \$ 4,829.84               | \$ 4,893.18     | \$ 3,123.27             | \$ 3.67        | \$ 53,537.05      | \$ 53,540.72    |
| Records Management                | \$ 53.95          | \$ -      | \$ 11,359.98  | \$ 10,428.60              | \$ 10,583.08    | \$ 11,253.09            | \$ 6.34        | \$ 32,409.07      | \$ 32,415.41    |
| Records Preservation              | \$ 1.00           | \$ -      | \$ 1,270.00   | \$ -                      | \$ -            | \$ 1,270.00             | \$ 1.00        | \$ 20,470.39      | \$ 20,471.39    |
| Sheriff's Drug Forfeiture         | \$ 1.00           | \$ -      | \$ -          | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 1,605.78       | \$ 1,606.78     |
| District Attorney Drug Forfeiture | \$ 1.00           | \$ -      | \$ -          | \$ 1,939.85               | \$ 1,939.85     | \$ -                    | \$ 1.00        | \$ 892.33         | \$ 893.33       |
| District Attorney Reimbursement   | \$ 6,397.74       | \$ -      | \$ 8,967.58   | \$ 13,187.92              | \$ 13,613.60    | \$ 10,444.39            | \$ 4,495.25    | \$ 124,652.01     | \$ 129,147.26   |
| Health Services Grants            | \$ 2,340.13       | \$ 14.25  | \$ 44,152.86  | \$ 42,482.45              | \$ 55,843.98    | \$ 26,136.13            | \$ 7,009.58    | \$ 46,493.91      | \$ 53,503.49    |
| Historical Commission Trust Fund  | \$ 1.00           | \$ -      | \$ -          | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 9,080.57       | \$ 9,081.57     |
| Foster Care                       | \$ 18,574.08      | \$ -      | \$ 18,075.50  | \$ -                      | \$ 21,708.27    | \$ -                    | \$ 14,941.31   | \$ -              | \$ 14,941.31    |

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| CONSTRUCTION FUNDS:              |             |         |              |               |               |      |              |                 |                 |
|----------------------------------|-------------|---------|--------------|---------------|---------------|------|--------------|-----------------|-----------------|
| Jail Construction (Juvenile Det) | \$ 1,649.45 | \$ 4.12 | \$ -         | \$ 2,832.53   | \$ 2,981.98   | \$ - | \$ 1,504.12  | \$ 197,324.18   | \$ 198,828.30   |
| Crths Ren & Rd Const 1994        | \$ 1.00     | \$ -    | \$ 76,443.68 | \$ 192,129.73 | \$ 192,129.73 | \$ - | \$ 76,444.68 | \$ 4,260,509.30 | \$ 4,336,953.98 |
| Road Construction Bond 1995      | \$ 1.00     | \$ -    | \$ -         | \$ -          | \$ -          | \$ - | \$ 1.00      | \$ 8,102,299.98 | \$ 8,102,300.98 |
| Anticipation Notes 1995          | \$ 1.00     | \$ -    | \$ -         | \$ 90,374.38  | \$ 90,374.38  | \$ - | \$ 1.00      | \$ 1,908,004.89 | \$ 1,908,005.89 |
| Texas Capital Fund/New Canaan    | \$ -        | \$ -    | \$ 2,643.38  | \$ -          | \$ 2,643.38   | \$ - | \$ -         | \$ -            | \$ -            |
| Wimberley Water System           | \$ 3,850.00 | \$ -    | \$ 2,200.00  | \$ -          | \$ -          | \$ - | \$ 6,050.00  | \$ -            | \$ 6,050.00     |

HAYS COUNTY TREASURER'S REPORT

FOR THE MONTH OF NOVEMBER 1995

Page 2

CHECKING

| INTEREST AND SINKING FUNDS    | BEGINNING BALANCE              | Interest        | Revenues              | Deposits From Investments | Disbursements         | Transfer to Investments | ENDING BALANCE      | TOTAL Investments      | TOTAL FUND             |
|-------------------------------|--------------------------------|-----------------|-----------------------|---------------------------|-----------------------|-------------------------|---------------------|------------------------|------------------------|
|                               | Crths Ren & Rd Const. I&S 1994 | \$ 1.00         | \$ -                  | \$ 1,698.34               | \$ -                  | \$ -                    | \$ 1,698.34         | \$ 1.00                | \$ 63,623.75           |
| Road Const. Bond I & S 1995   | \$ 1.00                        | \$ -            | \$ 2,707.34           | \$ -                      | \$ -                  | \$ 2,707.34             | \$ 1.00             | \$ 45,174.53           | \$ 45,175.53           |
| Limited Tax Refunding         | \$ 1.00                        | \$ -            | \$ 777.93             | \$ -                      | \$ -                  | \$ 777.93               | \$ 1.00             | \$ 248,344.94          | \$ 248,345.94          |
| Jail I & S                    | \$ 1.00                        | \$ -            | \$ -                  | \$ -                      | \$ -                  | \$ -                    | \$ 1.00             | \$ 377,158.41          | \$ 377,159.41          |
| Jail Addition I & S           | \$ 1.00                        | \$ -            | \$ 854.94             | \$ -                      | \$ -                  | \$ 854.94               | \$ 1.00             | \$ 36,817.05           | \$ 36,818.05           |
| Hays County I & S             | \$ 1.00                        | \$ -            | \$ 670.09             | \$ 17,133.45              | \$ 17,133.45          | \$ 670.09               | \$ 1.00             | \$ 14,559.09           | \$ 14,560.09           |
| Public Works I & S            | \$ 1.00                        | \$ -            | \$ 831.84             | \$ -                      | \$ -                  | \$ 831.84               | \$ 1.00             | \$ 30,421.99           | \$ 30,422.99           |
| Springlake I & S              | \$ 1.00                        | \$ -            | \$ 37.61              | \$ -                      | \$ -                  | \$ 37.61                | \$ 1.00             | \$ 8,946.52            | \$ 8,947.52            |
| Pioneer Trails I & S          | \$ 1.00                        | \$ -            | \$ -                  | \$ 1,200.00               | \$ -                  | \$ -                    | \$ 1,201.00         | \$ 14,719.30           | \$ 15,920.30           |
| Burnett Road I & S            | \$ 1.00                        | \$ -            | \$ 117.52             | \$ -                      | \$ -                  | \$ 117.52               | \$ 1.00             | \$ 2,103.67            | \$ 2,104.67            |
| Anticipation Notes I & S 1994 | \$ 43.69                       | \$ -            | \$ 1,363.29           | \$ 42.69                  | \$ 42.69              | \$ 1,405.98             | \$ 1.00             | \$ 33,817.66           | \$ 33,818.66           |
| Anticipation Notes I & S 1995 | \$ 1.00                        | \$ -            | \$ 2,114.26           | \$ -                      | \$ -                  | \$ 2,114.26             | \$ 1.00             | \$ 16,280.65           | \$ 16,281.65           |
| <b>GRAND TOTALS:</b>          | <b>\$100,765.04</b>            | <b>\$564.07</b> | <b>\$1,273,005.71</b> | <b>\$1,553,147.06</b>     | <b>\$2,143,230.31</b> | <b>\$642,137.85</b>     | <b>\$142,113.72</b> | <b>\$19,562,418.24</b> | <b>\$19,704,531.96</b> |

Transfers Outstanding:  
1-96 11/22/96 General to Foster Care \$3134.19

*Michele Tuttle*  
Michele Tuttle, Hays County Treasurer

**14720 AUTHORIZE THE COUNTY TO SUBMIT A CONTINUATION GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION - VICTIMS OF CRIME PREVENTION FOR UP TO \$50,000.00**

This is a grant application to the Office of the Governor, Criminal Justice Division - Victims of Crime Program. Carmen Castro is the current victims assistance officer under the District Attorney's office. The Grant she is currently being paid out of does not expire for another six months - a comprehensive community plan is part of the grant application - all applications to this agency have to be included in the plan - no administration monies are included in the grant. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the county to submit a continuation grant application to the Office of the Governor, Criminal Justice Division - Victims of Crime Prevention for up to \$50,000.00. All voting "Aye".

**14721 AUTHORIZE THE COUNTY TO SUBMIT A CONTINUATION GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION - SAFE & DRUG FREE SCHOOLS (D.A.R.E.) FOR UP TO \$50,000.00**

This is a grant application to the Office of the Governor, Criminal Justice Division - Safe & Drug Free Schools Program - this DARE grant was formerly with the Texas Commission on Alcohol and Drug Abuse and all DARE grants were transferred to the Office of the Governor, Criminal Justice Division in January 1996 - a comprehensive community plan is part of the grant application - all applications to the Office of the Governor have to be included in the plans - no administration monies allowed in the grant - John Ropollo is the current DARE office and is supervised by the Hays County District Attorney. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the county to submit a continuation grant application to the Office of the Governor, Criminal Justice Division - Safe & Drug Free Schools (DARE) for up to \$50,000.00. All voting "Aye".

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**14722 ACCEPT ANNUAL REPORT FROM THE WIMBERLEY RURAL FIRE PREVENTION DISTRICT #1 AND RE-APPOINT MIKE BONI, CARL SCUDDER AND RAYMOND CZICHOS TO THE BOARD**

Commissioner Payne reminded the Court that Raymond Czichos presented the Wimberley RFPD annual report on January 23, 1996 - formal acceptance is needed and reappointment of Fire Commissioners. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Wimberley Rural Fire Prevention District #1 Annual Report and re-appoint Mike Boni, Carl Scudder, and Raymond Czichos to the Board of Directors. All voting "Aye".

**14723 RELEASE MAINTENANCE BOND ON FRIENDSHIP RANCH PHASE II SUBDIVISION**

A maintenance bond was filed for record November 14, 1994 for excavation, drainage, and road improvements in the Friendship Ranch Phase II subdivision (Document #369898 Volume 1113 Pages 339-341). Road Director Ron Bischoff advised that his department has inspected the roads and they meet county road requirements for exception and that the bond needs to be released. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to release the Maintenance Bond on Friendship Ranch Phase II Subdivision as recommended. All voting "Aye".

**14724 ACCEPT ANNUAL AFFIRMATION ACTION REPORT**

Human Resources Director George Aitken submitted a comparison of the 1990 census "Civilian Labor Force" (CLF) with Hays County Employees - comparison is (A) by group: White, Black, Hispanic and (B) by category of employment such as Administrative, Technician or Protective Service Field. See copy in file. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept Annual Affirmation Action Report as presented by Human Resources. All voting "Aye".

**14725 APPROVE PURCHASE OF AN EASEL FOR THE COMMISSIONERS' COURT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve purchase of an easel for the Commissioners' Court to be paid out of Line Item #01-608-5391. All voting "Aye".

**14726 AUTHORIZE COUNTY TREASURER TO REQUEST TWO MONTH EXTENSION ON DEPOSITORY CONTRACT FROM FROST BANK (FKA STATE BANK & TRUST COMPANY)**

County Treasurer Michele Tuttle advised that the current depository contract will expire March 10, 1996 - Amendment to the Local Government Code: § 116.021 (a) The commissioners court of a county at its May regular term immediately following each general election for state and county officers shall contract with one or more banks in the county for the deposit of the county's public funds. The county shall contract with a bank under this section for a two-year or four-year contract term. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Treasurer to request a two month extension on the current depository contract from Frost Bank (FKA State Bank & Trust Company). All voting "Aye".

**14727 AUTHORIZE CONTINUATION OF DARE GRANT/FIFTH YEAR FOR THE SHERIFF'S DEPT.**

This is the last year of the Sheriff's Department D.A.R.E. Grant - county participation is 80%. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize continuation of DARE Grant (Fifth Year funding) for the Sheriff's Department. All voting "Aye".

**14728 APPROVE APPOINTMENTS TO THE NORTHEAST HAYS COUNTY EMS DISTRICT #2**

Commissioner Barton recommended appointment of the following to the Northeast Hays County EMS District #2 to represent the Buda area: Terri Bomberger - 103 Old West Trail, Buda (475-4717 or 295-3311) Sandy Liberman - P.O. box 1525, Buda. Pursuant to Subsection 776.035 of Vernon/s Civil Statutes their annual report was filed regarding the district's administration for the calendar year ending December 31, 1995. Total assets are \$141,658.94 with zero liabilities - there were a total of 213 responses - 100 were classified as medical (heart attacks, respiratory problems, choking, etc.) and 113 were classified as Trauma (auto accidents, gunshots, stabbings, etc. ). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve appointment of Terri Bomberger and Sandy Liberman to the Northeast Hays County EMS District #2. All voting "Aye".

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**14729 APPROVE APPOINTMENTS TO THE NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT**

Commissioner Barton recommended the reappointment of Robert Guinn (295-2926) and the appointment of Donna Franklin (5875 Dacy Lane, Buda 295-4094) to the Northeast Hays County Rural Fire Prevention District. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve reappointment of Robert Guinn and appointment of Donna Franklin to the Northeast Hays County Rural Fire Prevention District. All voting "Aye".

**14730 APPROVE APPOINTMENTS TO THE HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #5 AND ACCEPT THE ANNUAL REPORT**

Commissioner Barton recommended the reappointment of Beth Smith (Mountain City), Frank Hernandez (Kyle), and Lyle Bolinger (Sunrise Acres) and the appointment of Ted Arabian to fill the unexpired term of Fred Sturdivant (expires in 1997). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve reappointment of Beth Smith, Frank Hernandez, and Lyle Bolinger and the appointment of Ted Arabian (to fill unexpired term of Fred Sturdivant) to the Hays County Rural Fire Prevention District #5 and to furthermore accept the Annual Report as submitted. All voting "Aye".

**14731 APPROVE CHANGES TO PROPOSED INTERLOCAL AGREEMENT WITH HAYS CISD AND HAYS COUNTY FOR A SCHOOL RESOURCE OFFICER AT HAYS HIGH SCHOOL AND AUTHORIZE THE COUNTY JUDGE AND THE SHERIFF TO EXECUTE THE AGREEMENT**

Commissioner Barton advised that the county has already approved an Interlocal Agreement - the Hays school has suggested several minor changes and the Sheriff's office recommends accepting those changes. Clerks Note: No list of changes was presented for the record) A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve changes to proposed interlocal agreement with Hays CISD and Hays County for a School Resource Officer at Hays High School and authorize the County Judge and Sheriff to execute the agreement. All voting "Aye".

**14732 ACCEPT INTERNAL AUDIT REPORT OF CONSTABLE PCT. 1**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept Internal Audit Report of Constable Pct. 1. All voting "Aye".

**14733 AMEND LEASE AGREEMENT WITH HI-LO TO REFLECT THE CHANGE IN TAX RENT**

Currently Hi-Lo is required by our lease to pay Hays County \$557.55 per month as tax rent which was the agreement originally made with Century Telephone. Now that Hays County (a tax exempt entity) owns the property, Hi-Lo is to pay taxes based upon the value of the lease as opposed to the value of the land and improvements. This change allows for a major reduction in taxes on the property which is a big benefit to Hi-Lo. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend lease agreement with Hi-Lo to reflect the change in tax rent. All voting "Aye".

**14734 RESCIND COMMISSIONERS' COURT ACTION OF JANUARY 8, 1996 GRANTING A TAX ABATEMENT TO CAPITAL CITY CONTAINER**

In further review of the Capital City Container tax abatement, it was discovered that problems arose because of the delay between the first discussion of an abatement and the final application. When Capital City Container first applied they were not in the city limits of Buda. They have now been annexed by the City of Buda, meaning the City Council must designate the area a "reinvestment zone" before any entity may grant an abatement. Bickerstaff, Heath & Smiley recommends we rescind our action of January 8, 1996 and let Capital City Container approach the City of Buda if they so choose. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to rescind Commissioners' Court action of January 8, 1996 (Resolution #14668 Volume P Page 772) granting a tax abatement to Capital City Container. All voting "Aye".

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**14735 AUTHORIZE PURCHASE OF NEW OFFICE CHAIR FOR THE SHERIFF'S**

Sheriff Hastings advises that there is allocated \$450 for a TV cart in his furniture line item - instead of the cart they would like to take \$251.93 from the \$450 to purchase a chair. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize purchase of new office chair for the Sheriff's office. All voting "Aye".

**14736 ACCEPT ROADWAY CONSTRUCTION FOR SOUTHERN WOODS SUBDIVISION**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept roadway construction for Southern Woods Subdivision. All voting "Aye".

**14737 ACCEPT ROADWAY CONSTRUCTION FOR HERITAGE COUNTRY SUBDIVISION**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept roadway construction for Heritage Country Subdivision. All voting "Aye".

**14738 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION: STOP SIGN ON UHLAND ROAD AT THE INTERSECTION OF HARRIS HILL**

Commissioner Rodriguez advised that the road department is reworking the intersection of Umland Road and Harris Hill Road and need to replace the Yield sign with a Stop sign. A public hearing is required. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held February 13, 1996 at 9:00 A.M. to consider establishing traffic regulation of a STOP sign at the intersection of Umland Road and Harris Hill Road. All voting "Aye".

**14739 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATION: SPEED LIMITS IN SKYLINE RANCHES ESTATES**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held February 13, 1996 at 9:00 A.M. to consider establishing traffic regulation of setting speed limits in Skyline Ranches Estates subdivision. All voting "Aye".

**14740 LOS ENCINOS RANCH - REQUEST TO VACATE LOT 3 DENIED [1-87]**

Commissioner Payne spoke of public input that was received regarding the request to vacate Lot 3 of Los Encinos Ranch - was not going to support unless he had 100% property owner agreement. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to deny request to vacate Lot 3 of Los Encinos Ranch. All voting "Aye".

**14741 PIONEER RANCH NO. 1 RESUB OF TRACTS 18 & 20 \* SECOND READING APPROVAL [1-113]**

Two lots are being divided into four (Lots 18-A, 18-B, 20-A, & 20-B) - right of way is being dedicated from the center of the existing roadway - a letter is required from the City of Dripping Springs to determine ETJ. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Pioneer Ranch No. 1 Resub of Tracts 18 & 20" on second reading. All voting "Aye".

**14742 MCCARTY RANCH ESTATES \* FIRST READING APPROVAL [1-138]**

This is a 34 lot subdivision which will have access on McCarty Lane - 30 ft. dedicated for right-of-way - the City of San Marcos wants to review this subdivision. Judge Etheredge advised that we will probably see a different plan at the next reading - this will be a gated private road subdivision. Allen Walther advised that it may require city approval because of roads being dedicated - the master plan does show a future road to future lots. Additional right-of-way is necessary because McCarty Lane is a bond program road. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "McCarty Ranch Estates" on first reading. All voting "Aye".

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**PLATTING VARIANCE REQUEST FROM RICHARD DUNCAN RE: THREE TRACTS ON LOOP 165**

[T1-249]

Richard Duncan requested a platting variance for a 12.5 acre tract, 14 acre tract, and a 18 acre tract on Loop 165. Allen Walther, Director of Environmental Health, advised that this partition does not meet our variance criteria - two of the tracts do not have roadway access (only an easement) - could create a roadway with a homeowners association for road maintenance. Commissioner Molenaar suggested a 30 foot r-o-w with a homeowners association - needs to have a restriction that will not allow re-subdivision. Commissioner Payne suggested a 40 foot easement or roadway. Commissioner Barton suggested a 40 foot private road. Court agreed an easement would be acceptable but a private road was recommended. Commissioner Molenaar asked Mr. Duncan to come by his office and they can discuss this matter further.

**14743 MOUNTAIN CREST UNIT 3 \* FIRST READING APPROVAL** [T1-521]

This is a 5 lot subdivision (Lots 88-92) - City of Woodcreek has approved the plat - Staff recommends approval. Commissioner Payne requested that this subdivision be put on the agenda for second and third readings next week. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Mountain Crest Unit 3" subdivision on first reading. All voting "Aye".

**14744 LONE MAN CREEK DEVELOPMENT \* FIRST READING APPROVAL** [T1-546]

This is a four lot subdivision (large acreage tracts) with access on existing paved private roads - there is road maintenance agreements and no floodplain or ETJ. Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lone Man Creek Development" on first reading. All voting "Aye".

**14745 SOUTHBEND I RESUBDIVISION OF LOT 11 \* FIRST READING AND CALL FOR A PUBLIC HEARING** [T1-582]

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Southbend I Resubdivision of Lot 11" on first reading and call for a public hearing to be held February 13, 1996 at 9:00 A.M. All voting "Aye".

**14746 C. M. ROGERS RESUBDIVISION OF LOT 3 \* PUBLIC HEARING AND SECOND READING APPROVAL** [T1-648]

Judge Etheredge called the public hearing open. Commissioner Barton advised that the City of Niederwald needs to consider this plat prior to final approval. Public hearing was closed. Commissioner Barton advised that Paul Herrera (property owner) will build an easement to county standards and a road maintenance agreement will be in place - this is a family division of property and there will be no further re-subdivision. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve the "C.M. Rogers Resubdivision of Lot 3" on second reading. All voting "Aye".

**14747 LOST VALLEY BLOCK A RESUBDIVISION OF LOT 11 \* PUBLIC HEARING AND THIRD READING APPROVAL** [T1-740]

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Lost Valley Block A Resubdivision of Lot 11" on third reading. All voting "Aye".

**14748 KIRBY SPRINGS RANCH ESTATES SECTION 1 RESUBDIVISION OF LOT 7 \* THIRD READING APPROVAL** [T1-763]

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Kirby Springs Ranch Estates Section 1 Resubdivision of Lot 7 (Lots 7-A & 7-B). All voting "Aye".

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**THARP SUBDIVISION RESUBDIVISION OF LOT 1 \* PUBLIC HEARING** [T1-776]

Judge Etheredge called the public hearing open - no input received - public hearing was closed. Action was postponed because no final plat has been submitted.

**14749 RIVER MEADOWS LOT II - REQUEST FOR VARIANCE TO MINIMUM BASE FLOOD ELEVATION REQUIREMENTS** [T1-822]

Richard Kinas, owner of Lot II River Meadows Subdivision, appeared requesting a variance to the minimum base flood elevation so that he can move forward with renovations to his home (3 foot variance) . Allen Walther, Environmental Health Dept. spoke of his concerns - we have a binding agreement with FEMA in which we agreed not to use the preliminary maps - would open the door for more requests for variances. Commissioner Payne advised that we would be giving a variance using existing maps. Judge Etheredge spoke of not being sure when the FEMA representatives will show up for a public hearing - once the public hearing is held property owners will have the opportunity to appeal the new maps. A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant Richard Kinas a variance to minimum base flood elevation requirements for Lot II of River Meadows. Commissioner Barton, Judge Etheredge, and Commissioner Payne voting "Aye". Commissioner Rodriguez and Commissioner Molenaar voting "No".

**DISCUSSION REGARDING FUNDING ISSUES FOR THE HAYS COUNTY HEALTH DEPARTMENT**

[T1-1065]

Julie Hornberger, Hays County Health Dept. Director of Nursing, spoke of number of clients served: 1994 = 17,830 1995 = 20,800 - spoke of the new age of managed care for Medicaid - the push is for private providers to provide all services to all the population - creates competitive markets to decrease the cost of health care. Julie stated that the Health Department should not compete in the competitive market for direct services - we would lose sight of the needs/protection of the population as a whole and lose our identity (unable to be advocates for health). As managed care unfolds we may see a shift of our services from provider of Medicaid services to promotion of health, advocates to special needs population, health education providers, quality assurance, special initiative drives, and outreach/tracking of services. Judge Etheredge spoke of need for someone from the State to tell us what we can do rather than what we cannot do. Julie Hornberger advised that the county will still be responsible for indigent care. Commissioner Barton spoke of changes that have been made in our health department since 1993 - added a physician - there was a need for Medicaid services since local providers were not taking on any new patients. Julie spoke of letters which have been submitted by HMO's - we will have to apply for funding in February and we need goals and projections for 1997 - it is difficult to determine the dollars needed.

**14750 AWARD CONTRACT FOR LAW ENFORCEMENT LIABILITY INSURANCE TO NATIONAL CASUALTY IN THE AMOUNT OF \$74,238.00** [T1-1506]

Texas Association of Counties representative Kelly Crews spoke of training programs provided by TAC that would help to eliminate problems - spoke of discounts. [T1-3172] Don Gray, Risk Management Group, Inc., discussed the differences between coverage offered by Texas Assoc. of Counties and AIM Insurance Agency - current coverage will be increased by any new policy - AIM (National Casualty) will cover actions of the Drug Task Force (does not cover the task force itself) - property damage caused by the county's action is not covered pursuant to state law - motor vehicle damage is covered by your auto insurance coverage - National Casualty limits coverage to what is on the person physically - National Casualty defense cost is unlimited and does not affect the aggregate. Moonlighting is excluded by Texas Assoc. of Counties and National Casualty will provide coverage except at places where alcoholic beverages are consumed. Don Gray recommended that the county award law enforcement liability insurance contract to AIM Insurance Agency (National Casualty) in the amount of \$74,238.00 (\$1M/OCC, \$2M/AGG \$25,000 Deductible). A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to award contract for Law Enforcement Liability Insurance to AIM Insurance Agency (National Casualty) in the amount of \$74,238.00 (\$1M/OCC, \$2M/AGG \$25,000 Deductible). All voting "Aye".

**14751 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATION: SPEED LIMIT OF 40MPH ON CR220 FROM CR190 TO CR189** [T1-1952]

Judge Etheredge called the public hearing open - no input was received - the public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to establish traffic regulation of 40MPH Speed limit on CR220 from CR190 to CR189. All voting "Aye".



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**14752 ESTABLISHED A COMMITTEE TO REVISE THE HAYS COUNTY RULES FOR ON-SITE WASTE WATER FACILITIES [T1-1997]**

The current Hays County Rules (adopted in 1984) are outdated, contain errors, and do not reflect the current needs of Hays County. Allen Walther, Director of Environmental Health, proposes a committee comprised of one appointment by each Commissioner Court Member, three technical appointments by the EHD, one member from the Commissioners' Court, and the Director of Environmental Health - the Hays County On-site Wastewater Rules Committee will serve for the 1996 calendar year. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to establish a Hays County On-site Wastewater Rules Committee to serve for a one year term as recommended by Environmental Health Director. All voting "Aye". A motion was made by Commissioner Barton, seconded by Commissioner Payne to appoint Commissioner Rodriguez as the Commissioners' Court representative to this committee. All voting "Aye".

**14753 REJECT ALL BIDS ON PARADISE VALLEY DRAINAGE PROJECT (PCT. 3) [T1-2096]**

Commissioner Payne spoke of negotiations with low bidder - bid was more than our estimate (\$96,388). John Doucet spoke of other similar projects (\$70,000 estimate) - property owners in the area were not agreeable with the project. A motion was made by Commissioner Payne, seconded by Commissioner Barton to reject all bids on Paradise Valley Drainage Project. All voting "Aye".

**14754 APPROVE ADDING FOUR NEW ROAD WORKER I POSITIONS TO THE ROAD DEPT [T1-2170]**

Commissioner Molenaar spoke of getting behind on maintenance in his precinct - the new reclaimer is keeping staff busy in Pct. 3 and he doesn't want to stop this work - suggested adding four new RWI positions to the road department - funds could come out of contract services line item (\$48,483.74) - this would allow crews to trim and patch roads. Road Director Ron Bischoff spoke of re-work crews in all precincts - spoke of new equipment that has been purchased and is being utilized - he does not want to pull them off this equipment - would like to hire four road workers - would use 2 for pothole repairs and 2 for brush trimming countywide. A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to approve adding four new permanent Road Worker I positions to the Road Department effective February 1, 1996 with funding of \$48,483.74 to come out of contract services line item. All voting "Aye". A discussion was had regarding public and private road signs being put up by the road department.

**14755 AUTHORIZE THE COUNTY TREASURER TO SET UP A PAYROLL DEDUCTION FOR THE TEXAS TOMORROW FUND [T1-2446]**

County Treasurer Michele Tuttle requested authorization to add the Texas Tomorrow Fund deduction to the list of exceptions listed on the payroll deduction policy. The Texas Tomorrow Fund allows Texas families to lock in the cost of tomorrow's college tuition and required fees at today's prices - it covers the tuition and required fees at any state supported college and university in Texas - you must sign up by March 31, 1996 with the first payment due May 1st - the fund is flexible and offers a variety of plans and payment options - it is not a savings plan. Commissioner Molenaar spoke in support of this program. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the County Treasurer to set up a payroll deduction for the Texas Tomorrow Fund. All voting "Aye".

**14756 AUTHORIZE DARE OFFICER IN D.A.'S OFFICE TO CONTINUE EMPLOYMENT BEYOND THE END OF THE GRANT (JAN 31, 1996) [T1-2578]**

District Attorney Marcos Hernandez spoke of TCADA advising that they will no longer fund the DARE Officer Grant past January 31, 1996 - the San Marcos CISD has agreed to fund this position for one more month and a private provider has agreed to fund for one additional month - advised that he does not have enough money in his discretionary fund to continue the employment for a third month - requested that the county fund this position to the end of May so that the DARE Officer can complete his classes at the School District - spoke of work being done by the DARE Officer and revenue that is brought in by seminars he performs. Commissioner Molenaar spoke in support of the DARE Officer. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to authorize the District Attorney's DARE Officer to continue employment beyond the end of the Grant (grant ends January 31, 1996). All voting "Aye".

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**14757 AUTHORIZE PURCHASE OF A SHREDDER FOR THE JUSTICE CENTER \* DENY REQUEST FOR PURCHASE OF A FAX MACHINE FOR J.P. 1-2 [T1-2752]**

Judge Etheredge spoke of previous meeting where Commissioners considered requests for purchase of shredders for several offices in the Justice Center - the court discussed this matter and preferred to have one commercial type shredder to be used jointly rather than several small shredders - JP1-2 has requested a fax machine for their office (combined cost of \$1700 - funds are available in anticipation notes). Commissioner Payne stated that he supports the shredder but not the fax machine. Judge Etheredge stated that JP Sierra would say that she receives confidential information regarding autopsy reports, etc. and that is why she has need of a fax in her office. District Attorney Marcos Hernandez and County Clerk Margie Villalpando stated that they both had fax machines in their offices at the Justice Center. Commissioner Barton advised that his JP's share faxes with other offices and they also have confidential information - he will not support the fax machine. A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to authorize purchase of a shredder for the Justice Center to be funded out of anticipation notes. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "Aye". A motion was made by Commissioner Rodriguez, seconded by Judge Etheredge to authorize purchase of a fax machine for the Justice of the Peace Pct. 1 Place 2. Commissioner Rodriguez voting "Aye". Commissioner Barton, Commissioner Payne, Commissioner Molenaar, and Judge Etheredge voting "No". Motion Failed.

**DISCUSSION REGARDING HILLTOP PLACE TRACT 46-B SEPTIC TANK PERMIT [T1-2886]**

Commissioner Payne spoke of Hilltop Place Subdivision filed in 1977 & 1978 - the original plat of Phase I was approved by the Commissioners Court in 1977 and it consists of 68 lots - a replat was filed in the County Clerk's office in 1978 and it contains only 46 lots (Lots 44-68 were combined and re-drawn into Lots 44-46) - the replat was never considered or approved by the Commissioners' Court and it is unclear why it was allowed to be recorded - since that time Lot 46 has been resubdivided into three Lots (Lot 46-A, 46-B, & 46-C) and the property owner of Lot 46-B is requesting a septic tank permit. Commissioner Payne spoke of options to correct the problem - the property owner of Lot 46-B does not want to bear the expense of platting the other lots. Allen Walther, Environmental Health Director, advised that statute requires a plat and a public hearing. Discussion was had regarding allowing the replat for Lot 46-B with requirement that metes & bounds and survey are recorded. Commissioner Payne spoke of need to approve the replat of Hilltop Place Phase I that was filed in 1978 for the record.

**UPDATE ON ROAD BOND IMPROVEMENT PROGRAM BY DOUCET & ASSOCIATES [T2-268]**

John Doucet presented an update on the Road Bond Improvement Program Phase I roads, spreadsheets of the budgets, and a schedule of time-lines for the various roads. Went quickly through the report.

**CR225 (Lime Kiln Road)**

R-O-W maps, land descriptions & sketches are complete - Civil construction plans have been submitted for final review - three parcels left to be acquired - actively contacting utility companies to coordinate utility relocation - construction bid documents are currently being reviewed.

**CR228 (West Goforth)**

Initial surveying effort is complete and preliminary ROW maps have been prepared - road widening is being delayed by the City of Buda's sewer line project - Engineers and officials for both the county and city have met to discuss the project - acquisition, utility relocation, and construction is on hold.

**CR131**

R-O-W maps, land descriptions and sketches are complete and are being used for acquisition - civil construction plans have been submitted for final review and approval - only two parcels left to be acquired - Utility companies are finalizing their plans to relocate their respective facilities - construction documents are currently being prepared.

**CR222 (Hilliard Road)**

R-O-W maps, land descriptions and sketches are complete with exception of drainage easement - civil constructions plans have been submitted for final review - 15 parcels left to be acquired - coordinating with utility companies for utility relocation - construction (bid) documents currently being prepared.

**CR122**

R-O-W maps, land descriptions and sketches are complete and being used for acquisition - civil construction plans have been submitted for final review - four parcels remain to be acquired - GTE has begun to move their utility lines - PEC has maps and plans for their utility relocation - Goforth Water is finalizing their plans - construction documents are being prepared.

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**CR215 (Purgatory Road)**

Mapping is complete - D&A has reviewed final design plans - 100% acquisition & utility relocation - contract construction documents are being prepared.

**CR266 (North & South)**

R-O-W maps, land descriptions, and sketches are complete and being used for acquisition - final civil construction drawings are being prepared - little progress has been made with acquisition - PEC & GTE have plans and are beginning utility relocation work - construction on hold.

**CR179 (Wayside)**

R-O-W maps, land descriptions, and sketches are complete and are being used for acquisition - final civil construction drawing are being prepared - thirteen parcels remain to be acquired - PEC & GTE are currently working together on utility relocation - preparation of contract documents are awaiting final design review.

**CR101 (Fitzhugh Road)**

R-O-W maps, land descriptions, and sketches are complete and are being used for acquisition - final civil construction drawings are being reviewed - thirteen parcels have been acquired - PEC & GTE are actively planning the relocation of their utilities - contract construction documents are being prepared.

**CR181 (Fischer Store Road)**

R-O-W maps, land descriptions, and sketches are complete and are being used for acquisition - final construction civil drawings are being prepared - four parcels remain to be acquired - PEC & GTE are currently working together on relocating utilities - preparation of contract documents are awaiting final design review of construction civil plans.

**CR234 (Centerpoint Road)**

R-O-W maps, land descriptions, and sketches are complete and are being used for acquisition - final construction civil drawings are being prepared - coordination with PEC and other utility companies to begin relocation - eight parcels left to acquire - contract bid documents are waiting on final design review.

Discussion was had regarding difficulties in acquiring some of the parcels - may have to consider condemnation proceedings. Phase 2 is being surveyed - public hearings are needed.

Discussion was had with Right-of-Way Agents Rene Moulinet and Eric Moerbe and Attorney Mike Gossett regarding right-of-way acquisition. Discussed property values and trees in county right-of-way and possible condemnation of some properties.

MINUTES APPROVED IN OPEN COURT ON THE 30<sup>th</sup> DAY OF FEBRUARY, 1996.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 6TH DAY OF FEBRUARY A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14758 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 1,400,018.47 as presented by the County Auditor. All voting "Aye".

|                   |               |                    |                 |                   |               |
|-------------------|---------------|--------------------|-----------------|-------------------|---------------|
| State Shared Rev  | \$ 25.19      | Auditors Office    | \$ 30.62        | Grants Admin      | \$ 1,200.00   |
| Election Admin    | \$ 50.00      | Indigent Care      | \$ 26,344.91    | Transfer Station  | \$ 20.22      |
| Bldg. Maint.      | \$ 8,457.55   | Environ Health     | \$ 213.76       | Personal Health   | \$ 540.62     |
| Civic Center      | \$ 3,861.09   | Countywide Oper    | \$ 18,748.07    | Tax A/C           | \$ 81.05      |
| District Clerk    | \$ 7.00       | County Clerk       | \$ 78.17        | Sheriffs Ofc      | \$ 4,865.83   |
| Jail Operating    | \$ 14,120.48  | County Judge       | \$ 50.00        | Co Crt @ Law 1    | \$ 571.62     |
| District Office   | \$ 1,813.24   | J.P. 2             | \$ 10.00        | J.P. 3            | \$ 73.92      |
| J.P. 4            | \$ 166.93     | J.P. 5             | \$ 192.17       | DPS/135 Substa    | \$ 57.26      |
| Constable 1       | \$ 76.50      | Constable 2        | \$ 96.70        | Constable 3       | \$ 49.222     |
| Constable 5       | \$ 8.29       | District Crt Oper  | \$ 6,700.27     | Co & JP Crt Oper  | \$ 9,517.76   |
| Veterans Admin    | \$ 141.44     | Animal Control     | \$ 288.00       | DA DARE Grant     | \$ 274.77     |
| R&B Operating     | \$ 34,887.89  | Precinct 1         | \$ 886.00       | Precinct 3        | \$ 381.98     |
| Precinct 4        | \$ 213.94     | R&B G Fund Credit  | * \$ 1,740.42 * | Anticip Notes '95 | \$ 5,504.06   |
| Anticip Notes I&S | \$ 419,672.50 | Rec Mng/Co Clk     | \$ 3,035.74     | Health Svcs Grant | \$ 2,3457.85  |
| Law Library       | \$ 75.00      | Juvenile Detention | \$ 36,872.00    | Jail Construction | \$ 13,525.00  |
| Hays Co I&S       | \$ 8,846.88   | Jail Addn I&S      | \$ 50,800.00    | Crth Renov& Roads | \$ 149,962.50 |
| Anticip Notes I&S | \$ 26,562.50  | Road Construction  | \$ 296,379.17   | Public Wrks I&S   | \$ 32,532.50  |
| Lmtd Tax Ref Bnds | \$ 211,188.75 | Courthouse Sec     | \$ 30.24        | Adult Prob Oper   | \$ 1,036.52   |
| Adult Prob Fac    | \$ 3,582.07   |                    |                 |                   |               |

**14759 APPROVE BUDGET AMENDMENT NO. 96-011**

The following budget amendments were proposed: Human Resources - transfer \$600 for policy manual cost from continuing education and public notices. Sheriffs Dept., Countywide Operating, & TxDot Step Grant - reduce Step Grant (2nd Year) expenditures, transfer part of savings county match to fund authorized school resource officer (25% of cost) in Sheriff Office for FY96, and rebudget remaining savings in contingencies. TJPC/CCAP Grant, TJPC/ISP Grant, and Countywide Operating - budget authorized new grant awards from TJPC & reduce contingencies to reflect county match (4,512) required for new TJPC/ISP grant. Road & Bridge General - transfer cost of authorized 4 each road maintenance workers from contract road word. Health Services Grants - transfer to separate travel cost from seminar fees.

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve budget amendments for Human Resources, Sheriff's Office, Countywide Operating, TxDot Grant, TJPC/CCAP Grant, TJPC/ISP Grant, and Road & Bridge General Fund Operating as proposed. All voting "Aye". Commissioner Barton voiced his concerns about the Health Services Grants budget amendment.

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve budget amendment as proposed for Health Services Grants Fund TDH/Family Practice. All voting "Aye".

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**14760 APPROVE REAPPOINTMENTS TO THE SOUTH HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #2 AND ACCEPT THE ANNUAL REPORT**

The following annual report was given for the South Hays County Rural Fire Prevention District #2:

As Per Chapter 794.035 Texas Health and Safety Code 1991, the following report is to the Commissioners' Court.

The South Hays county Rural Fire Prevention District #2, is operating on the tax rate of .03 cents per \$100 value, the same rate as was set in 1984. The District contracts service with the South Hays County Fire Department Inc. for fire prevention, fire suppression, rescue (all types), first response medical assistance, and for response to all types of emergencies within the district to protect and serve the citizens of the District. Taxes collected October 1, 1994 through September 30, 1995 was \$74,187.53.

The South Hays County Rural Fire Prevention District #2, serves approximately 144 square miles, and has a population of over 13,000 people residing and doing business within the District.

During the 1994-1995 operating year, the District and the Fire Department concentrated on training of new members to meet the standards of the Texas Commission on Fire Protection and the State Board of Insurance. No major purchases were made, repairs and update of equipment was done.

The Fire Department is now assisting in automatic mutual aid with other neighboring departments on large fires at time of call. New mutual aid contracts have been placed into operation and this enables both departments to benefit from use of equipment and manpower.

During the 1995 operating year, the South Hays County Fire Department trained 6 fireman to the level of hazardous material technician meeting the standards of OSHA and the EPA.

The Fire Department is training with the other county departments so when working together at a large fire both agencies know how each one operates.

2 additional EMT's were added to the department and additional training sites were approved by the Texas Commission on fire protection for local training of fire firefighters. The department will continue to train meeting the standards of the Texas Commission on fire protection.

No fire deaths occurred within the District or Department and no injuries were received by the Firefighters.

Extended plans for the fire department is to build a new central station on Hunter Road , and this is being planned with a builder at this time. During the 1995-96 year the department hopes to be able to purchase one additional chassis for use as a brush truck.

The South Hays County Rural Fire Prevention District #2, is in soluble condition and looks forward to another successful year in 1995-1996.

The terms of Anne Graves and Hugh Snellings expire in February 1996, both had expressed a desire to serve another two years.

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve re-appointment of Anne Graves and Hugh Snellings to the South Hays County Rural Fire Prevention District #2 and accept their annual report. All voting "Aye".

**14761 APPROVE UTILITY PERMITS #96-301 & 96-302 & 96-403**

The following permits were submitted:

- #96-301 to Wimberley Water Supply for a water line on CR179
- #96-302 to Wimberley Water Supply for a water line on Rockwood Drive
- #96-403 to Pedernales Electric Coop. for a single phase line on CR191 East

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve Utility Permit #96-301, #96-302, & 96-403. All voting "Aye".

**14762 AUTHORIZE REFUNDS OF OVERPAYMENTS TO THE TAX ASSESSOR-COLLECTOR'S OFFICE**

Luanne Caraway, Tax Assessor-Collector, requested authorization from the Court to refund the following: Double payment = \$ 4,113.84 made by James A. Irwin - Payment in error/reapply to correct account = \$ 2,570.32. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to authorize refund of overpayment and transfer as requested by the Tax Assessor-Collector. All voting "Aye".

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**14763 AUTHORIZE THE RENEWAL OF THE INTERAGENCY AGREEMENT BETWEEN HAYS COUNTY AND THE CAPITAL AREA NARCOTICS TASK FORCE**

A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to authorize renewal of the Interagency Agreement between Hays County and the Capital Area Narcotics Task Force. All voting "Aye".

**14764 AUTHORIZE CHANGE IN JOB DESCRIPTION AND POSITION TITLE FOR POSITION IN THE DISTRICT CLERK'S OFFICE**

Per District Clerk's request, Human Resources updated the "filing" position within the District Clerk's Office - position title and duties changed to reflect duties being performed - the Grade remains at Level 5 - a copy of the new job description was filed. Human Resources Director George Aitken advised that the new job description more adequately describes the duties of this position and includes such items as lifting boxes and climbing ladders. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to authorize change in job description and position title (File Room Clerk) for position in the District Clerk's office. All voting "Aye".

**14765 ADOPT RESOLUTION PROHIBITING WEAPONS ON COUNTY PROPERTY**

District Attorney Marcos Hernandez advised that if the court adopts a policy prohibiting weapons on county property it would also apply to property occupied by county personnel - spoke of people placing weapons in their vehicles located on county property (parking lots) would be subject to legal action, however, he does not anticipate prosecution these people (discretionary judgment will be used) - resolution covers concealed and unconcealed weapons - signs must be posted. Commissioner Barton spoke of need for this policy for the justice center, probation offices, etc. however he does not fully support prohibition in all county offices. Commissioner Molenaar stated that only good people will leave their weapons outside - the bad people will bring them in anyway if they intend to use them - the rules and regulations make it almost impossible to legally carry a weapon. Marcos Hernandez spoke of the liability factor being the primary reason for adopting a policy - if someone is shot on county property and we did not have a policy it would be argued that the county was negligent in not adopting a policy which could have in fact prevented that weapon from being in the building. Judge Etheredge advised that he would vote for this resolution, however, he believes the handgun legislation approved will be proven to be unconstitutional. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to adopt Resolution prohibiting weapons on county property. Commissioner Rodriguez, Commissioner Payne, Commissioner Molenaar and Judge Etheredge voting "Aye". Commissioner Barton voting "No".

The Commissioners' Court of Hays County hereby adopts the following resolution this 6th day of February, 1996.

IN ORDER TO PROMOTE the safety and welfare of Hays County employees, its clients and others who frequent any Hays County premises, we hereby declare that any firearms concealed and/or unconcealed shall be prohibited. This policy shall apply to all individuals other than authorized certified law enforcement personnel.

BE IT RESOLVED THAT designated signs be displayed in all Hays County occupied premises for public observation and that violation of this policy shall immediately be reported by the appropriate supervisory personnel to Law Enforcement Authority.

BE IT FURTHER RESOLVED that this resolution titled CONCEALED HANDGUN POLICY shall be established as the official policy of Hays County until such time as the Policy may be amended or deleted by the Hays County Commissioners' Court.

**14766 APPROVE PURCHASE OF INJECTOR GAUGE ASSEMBLY FOR SHERIFF'S AUTOMOBILES**

Sheriff Hastings requested authorization to purchase an injector gauge assembly (diagnostic equipment to be kept in the mechanic shop) from misc. equipment/unspecified line item #418-5719. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve purchase of injector gauge assembly for Sheriff's automobiles. All voting "Aye".

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**14767 SOUTHBEND I RESUBDIVISION OF LOT 11 \* SECOND READING APPROVAL [T1-326]**

Staff recommended approval on second reading. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Southbend I Resubdivision of Lot 11 (Lots 11-A & 11-B) on second reading. All voting "Aye".

**14768 OLSON ACRES \* FIRST READING APPROVAL [T1-338]**

Commissioner Payne advised that this is a three lot subdivision on a county road (Rockwood Drive) - meets minimum requirements (1/2 acre lots with water supplied by Wimberley Water Supply Corp.). Staff recommended approval. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Olson Acres" on first reading. All voting "Aye".

**14769 ACRES WILD \* FIRST READING APPROVAL [T1-351]**

Fred Feltner owns 51.43 acres in the James Alston Survey located off RM32 and is platting 6.07 acres (Lot 1) to be known as "Acres Wild" - land use for this tract is residential. Commissioner Barton questioned the fact that the larger parent tract was not made a part of this plat - would prefer a drawing or metes & bounds description of the parent tract. Commissioner Payne spoke of this tract not qualifying for the short form - should consider a variance to platting. Surveyor David Williamson spoke of additional costs that would be involved if the parent tract had to be surveyed and made a part of this plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Acres Wild" subdivision on first reading. All voting "Aye".

**14770 THE HIGHLANDS SECTION B RESUBDIVISION OF LOT 80 \* FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING [T1-441]**

David Williamson of Byrn & Associates presented "The Highlands Section B Resubdivision of Lot 80" on first reading - advised that this is a family partition - creates Lots 80-A & 80-B). Allen Walther, Environmental Health Director, asked about the water pollution abatement plan. David Williamson asked if that is a requirement for platting? would rather put a note on the plat requiring the plan before building on the property. Allen Walther advised that it is not a requirement for platting but will need to be done prior to building. Discussion was had regarding dedication of right-of-way - all property owners are not agreeable to dedicating r-o-w - no specific plans have been made to improve this roadway in the near future. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "The Highlands Section B Resubdivision of Lot 80" on first reading and call for a public hearing to be held February 20, 1996. All voting "Aye".

**PLATTING VARIANCE REQUEST FOR THREE TRACTS ON LOOP 165 (DUNCAN PROPERTY) [T1-594]**

Allen Walther, Environmental Health Director, advised that he had received a faxed copy of the road maintenance agreement from Robert Duncan - no survey has been submitted. Commissioner Payne spoke of need to have a survey drawing prior to granting the variance. No action taken this date.

**14771 MOUNTAIN CREST UNIT 3 \* SECOND AND THIRD READING APPROVAL [T1-638]**

Commissioner Payne advised that this subdivision has no new roads and has been approved by the city of Woodcreek. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Mountain Crest Unit 3" subdivision on second and third readings. All voting "Aye".

**PIONEER RANCH NO. 1 RESUB OF TRACTS 18 & 20 \* PUBLIC HEARING [T1-654]**

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. Court will consider on third reading next week. Right-of-way is being dedicated from center of existing roadway - letter is required from City of Dripping Springs to determine ETJ.

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**14772 ACCEPT OFFER FROM RANDY MEYERS REGARDING VARIOUS PARCELS HELD BY IN TRUST FOR DELINQUENT TAXES [T1-696]**

Randy Meyers presented his offer for delinquent tax properties being held in trust by Hays County:

|                                                                |                            |
|----------------------------------------------------------------|----------------------------|
| Timmeron Section 1 Block 1 Lots 5, 19, 37, 48, 68, 80, 81 & 82 |                            |
| Timmeron Section 1 Block 2 Lots 2, 8, 19, 23, 34, & 35         |                            |
| Timmeron Section 1 Block 3 Lots 1, 8, & 12                     | Total offer of \$ 5,000.00 |
| Ranch at Wimberley Lots 1D, 1I, & Reserve Lot                  | Total offer of \$ 1,000.00 |

Randy spoke of Timmeron Subdivision being undeveloped with no roads built and no utilities - lots are small and some lots are unbuildable due to slope of the land - there is \$15,650 due on these 17 lots (taxes, penalty & interest, and Attorney's fees) - spoke of difficulty in locating lots that are available through tax sales. Commissioner Payne spoke of difficulty in reaching some of these lot (requires a 4-wheel drive vehicle) - lots average 5/8 of an acre - roads were dedicated but never accepted for county maintenance. Allen Walther, Environmental Health Director, asked about status of this subdivision since it was never developed and roads were never built. Commissioner Payne felt like it would not have to meet current standards - does not feel like roads should have to be built to current county standards before a property owner can obtain a permit. Discussion was had regarding responsibility for roads - there was a homeowners association created at the time of developing the subdivision (149 lots total in the subdivision) - majority of lot owners live out of county and out of state (absent property owners). Randy Meyers advised that he will have to try and obtain adjoining lots before he can market them- spoke of putting in crushed limestone base for roadways to his lots. Commissioner Payne spoke in support of accepting Randy Meyer's offer - would like to get these lots back onto the tax rolls - approval will still be needed by the Wimberley ISD - Wimberley Realtors have tried to market these lots and have been unsuccessful even at \$500 per lot. Randy Meyers spoke of his expenses (survey costs, road construction, etc.) Discussion was had regarding the amount being offered for the lots. Randy Meyers re-submitted an offer of \$7,500 for all the lots proposed versus his previous offer of \$6,000. Commissioner Barton spoke of there being no warranties on the roads. Commissioner Molenaar advised that the roads will never be accepted by the county unless they are brought up to county standards. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to accept offer of Randy Meyers in the amount of \$7,500.00 for Lots in Timmeron and Ranch at Wimberley being held in trust by Hays County. Commissioner Barton, Commissioner Payne, Commissioner Molenaar and Judge Etheredge voting "Aye". Commissioner Rodriguez voting "No". Commissioner Barton advised that a binding homeowners agreement needs to be in place for road maintenance. Commissioner Payne advised Randy Meyers that some other property owners might have an interest in the Reserve Lot in the Ranch at Wimberley subdivision.

**14773 AUTHORIZE THE CENTRAL APPRAISAL DISTRICT TO JOIN THE HAYS COUNTY HEALTH INSURANCE PLAN [T1-1075]**

Jim Rotan, Blue Cross/Blue Shield Representative, spoke of the Central Appraisal District trying to get bids on medical & dental insurance - they have checked with local entities to see if they could join their plan - he has obtained information regarding the CAD evaluation and BC/BS sees no problem with their risk factor - the earliest they could be added would be April 1, 1996 - they would pay their own premiums - this will be similar to how Adult Probation participates in the health insurance program - they will received better insurance at a lower cost. County Auditor Bill Herzog voices his concerns about how this will affect our aggregate. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize the Central Appraisal District to join the Hays County Health Insurance Plan. All voting "Aye".

**DISCUSSION REGARDING ROOF CONTRACT AT THE JUSTICE CENTER [T1-1241]**

Kent Chatagnier, Roofing Consultant, spoke of roof repair bids - three skylights were broken out of the 30-40 on the roof - these broken skylights do not put water in the building and he feels like it is not necessary to replace them at this time - these particular skylights are obsolete, therefore, unrepairable - spoke of interior work needed due to raising the skylights (\$5,017) and need to think about repairing the HVAC units. No action taken this date.



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**14774 VARIANCE GRANTED TO MINIMUM BASE FLOOD ELEVATION REQUIREMENTS FOR LOT 15  
PARADISE VALLEY SUBDIVISION [T1-1559]**

Doug Stewart, Builder/Agent for Scott & Carol Price appeared before the Court requesting a variance to minimum base flood elevation requirements on Lot 15 of Paradise Valley subdivision - in order to proceed with an addition to the Price residence they need to be able to maintain the current elevation of the existing house which is seven inches lower than the current floodplain maps allows - the house is approximately 40 years old, undersized and bathroom deficient for the current number of occupants - the septic system has been upgraded to accommodate the addition of 2 bathrooms, additional kitchen space, and a master bedroom, but in order to accomplish this addition they need to tie into the existing structure, maintaining the current floor level - at the present elevation this house may well fall into an acceptable elevation when the revised FEMA maps are approved. Allen Walther, Environmental Health Director recommended denial of this variance - the settlement agreement with FEMA is that we enforce existing maps until such time those maps are official revised. Commissioner Payne spoke in support of this variance - we are considering this using the existing maps which in fact allows variances in some cases - feels like it deserves a variance. A motion was made by Commissioner Payne, seconded by Judge Etheredge to grant a variance to minimum base flood elevation requirements for Lot 15 of Paradise Valley subdivision. Commissioner Barton, Commissioner Payne and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Molenaar voting "No".

**14775 ROAD NAME DESIGNATION - CHANGE "OVERLOOK ROAD" IN BURNETT RANCHES TO  
"WOLF TRAIL" [T1-1738]**

Commissioner Payne advised that this road name change is being changed for 9-1-1 purposes - there is only one person living on this road. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve road name designation - change "Overlook Road" in Burnett Ranches Section 5 to "Wolf Trail". All voting "Aye".

**DISCUSSION REGARDING BID ON DELINQUENT TAX PROPERTY (LOT 7 & PT. 8 BLOCK 1 OF  
B. F. DONALDSON ADDITION [T1-1769])**

Tax Assessor-Collector Luanne Caraway spoke of delinquent tax property located on south Guadalupe Street (fka El Patio Bar)- a bid offer of \$15,000 was received - total taxes due are \$27,773.61 - the value of the property is \$73,170 (\$44,360 land \$28,810 improvements) - bid is based on the limited use of the property (an 8-inch sewer pipe runs across the lots) - there may be problems with the tax suit filed (possibility that not all property owners were notified) - spoke of San Marcos CISD taking a policy to not accept offers less than the taxes, penalty & interest owed. No action taken this date.

**DISCUSSION REGARDING ACCEPTANCE OF PRIVATE ROADS INTO COUNTY MAINTENANCE  
RE: BUTTERCUP LANE AND CEDAR HOLLOW [T1-2147]**

Commissioner Payne spoke of two private roads which he would like for the Court to consider taking over for county maintenance - there are no homeowners associations and the people are unable to take of them. Commissioner Payne spoke of Buttercup Lane - he reconditioned and surfaced approximately 1/2 mile of this roadway six years ago - the second half is a steep hill and there were very few people who lived there at that time - he would like for the court to consider taking over the rest of this road - would like to consider a cost sharing effort (possibly 50/50) - there are no property owner associations for Buttercup Lane or Cedar Hollow. Commissioner Payne spoke of Cedar Hollow neighborhood located off CR1492 - it is a low income neighborhood - was developed by Clyde Roco - water is supplied by Wimberley Water supply Corp. - lots are primarily 1/2 acre lots - a 50' right of way approximately 1,000 linear feet. Phil Hinze (property owner) spoke of habitat house being built in this neighborhood - feels like road improvements would be an incentive for people to improve their property - road is muddy and has potholes - should not be expensive to re-work this road - the people that can contribute will. Clarice Mullin spoke of her rent property in this neighborhood - she tries to maintain her property - spoke of difficulty in getting good renters because of road conditions. Road Director Ron Bischoff gave his estimates for re-grading, adding base, and paving Cedar Hollow Road = \$ 10,797.00 (reduce by \$2,000 if not paved). Commissioner Molenaar suggested paving. Commissioner Payne advised that he is willing to help those who will help themselves. Commissioner Barton stated that he had looked at both roads and they have legitimate problems - not sure what "can of worms" this would create - spoke of road conditions in his precinct. Commissioner Rodriguez spoke of Court's decision to take care of existing county roads first. Judge Etheredge spoke of having identified \$80 million dollars worth of county roads that need improvements - we are years away from getting roads up to county standards.

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Discussion was had regarding roads that were accepted years ago that were never up to county standards. Judge Etheredge spoke of not wanting to get into a situation where we accept all roads in the county for maintenance. Eva Pritchett (Buttercup Lane) spoke of having thought that this road was county maintained when they bought their property four years ago - there have been problems over the last four years with getting cooperation of other property owners on funding road maintenance - this approximately 4/10 of a mile should be considered an extension of CR286. Dr. James Saunders advised that he had dedicated this road to the county back in the 1970's (Clerk's Note: a dedication was executed on August 10, 1970 in Volume 239 Pg 40 of the Deed Records for streets and alleys shown on plat of Spoon Mountain Homesites) - spoke of property purchased and developed by Mary Bibb - spoke of work he did out of his own pocket and road materials used by Pct. 3 in return for paving. Ron Bischoff spoke of road work needed (new low water crossing, drainage, re-work road) - cost estimate is \$13,400 plus \$3,000 for paving. Commissioner Payne proposed accepting the roads for county maintenance if property owners can match estimated improvements 50% (Buttercup Lane = \$8,000 and Cedar Hollow = \$4,000). Commissioner Molenaar stated that he is not against this, but is concerned about roads in his precinct. Mrs. Pritchett spoke of property owners she has contacted are willing to contribute. Mrs. Mullin advised that property owners in Cedar Hollow will not be able to contribute \$4,000. Commissioner Payne spoke of need to dedicate right-of-way before roads can be accepted for county maintenance. Mrs. Pritchett spoke of property owners needing assurance that the county will do the work and what exactly will be done. Ron Bischoff spoke of condition of each road and work that would be required. Commissioner Barton spoke of fact that Homeowners Associations not being able to effectively raise enough money to maintain their roads. Judge Etheredge voiced his concerns about roads countywide - he supports the unitary road system - we need to make a decision to take care of county roads and not private roads - he is not opposed to taking roads in on an "as is" basis - willing to take in Buttercup Lane - spoke of the terrible need for housing for young couples in this county - spoke in support of Cedar Hollow Road improvements - a plan/proposed agreement is needed before the Court approves so that everyone will know what work will be done. Commissioner Barton felt like we have already made a decision to not take anymore private roads into county maintenance - there are many county roads that are not being properly maintained now. Commissioner Molenaar advised that he will support this issue, however, he is concerned about adding more roads to the road department - this will cause them to get further and further behind. Commissioner Rodriguez advised that he would support this request.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF March, 1996.

  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

  
 MARGIE C. VILLALPANDO, COUNTY CLERK  
 HAYS COUNTY, TEXAS



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STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 7th DAY OF FEBRUARY A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**PUBLIC PRESENTATION REGARDING FEMA MAPS (1:00 P.M.)**

Judge Etheredge called the meeting to order and introduced Jack Quarles (FEMA Representative). Jack Quarles explained that the first part of the meeting will be to discuss compliance activities. Diane Calhoun, Floodplain Management Representative out of the Denton office, spoke of 90 day appeal period - information has been sent to the county and communities - we are here to talk about the preliminary revised flood insurance study for Hays county and incorporated communities in the county - after this meeting we will report to our headquarters that we are ready to start the 90 day appeal period - there will be publications in the newspaper (2 notices 10 days apart) which will state that we have proposed base flood elevations and the second publication will officially begin the 90 day appeal period and any property owner that wants to appeal the base flood elevation on the proposed map will have the opportunity to appeal - after the 90 day appeal period then we go into the six month compliance period which gives communities time to adopt appropriate ordinances in regards to floodplain management criteria and to get maps printed - in November 1995 FEMA coordinated with Hays County to work out time frame period when all these things would happen and we are pretty much on schedule - technical data must be submitted by the property owner who wishes to appeal during the 90 day period - that information will be reviewed and the property owner will be notified as to whether FEMA agrees or disagrees with the information - communities with active ordinances will need to amend the section referring to the date of the study - has packets for communities who have not yet adopted an ordinance - these are preliminary maps and subject to change - for floodplain management purposes this is the map that should be used now for issuing development permits - lending institutions and insurance agents cannot use this preliminary map until it is officially published - they will require flood insurance until map is published - insurance can be re-evaluated after maps are published - the preliminary map should be published by December 1996 - the only way it can be published sooner would be if every single community in this county and the county agrees by letterhead that they do not want to appeal this map and adopt the correct ordinance before the six month compliance period it could cut the process by two months - if property is in the floodway it means no development can occur there until an engineer study has been completed and you prove that you will not have an adverse affect on raising the base flood water elevation - in the 500-year flood area we do not have building requirements - it is a floodplain management tool to say that you have flooding there of 1-2 feet so be cautious of it - spoke of book that goes with the map and must be used together for floodplain management. Jerry McCrory, US Army Corps of Engineers Asst. Chief/Planning Division, spoke of his being in charge of floodplain studies performed by the Corps of Engineers - used Corp. of Engineers criteria, available rainfall data, and the judgment of hydrologists for this area - maps were published in 1993 - there was concerns from area residents that maps did not represent the best floodplain delineation - as a result FEMA and Hays County entered into an agreement and had the Corps of Engineers restudy this area - Hays County funded part of the restudy - there were ground rules for the change and they were not just changed to make the maps come out better - particular concerns were voiced for three areas: (1) rainfall amounts (2) roughness phase/N value [i.e. concrete channel will let water flow quicker than a channel covered with trees and bushes] (3) floodways - the floodway width is a function of the 1 & 2 meaning that if you change the amount of rain that falls and you change how fast or how slow the water gets out, that affects how wide the floodway is - we agreed that we would not use the numbers they normally use - ground rules followed were: use weather service rainfall amounts based on their records for this area, use US Geological Survey equations as to amount of rainfall that fell and how it was spread out and how much actual flooding was caused, and agreed to have a concurrence on the N value - when all the new numbers were run through we came out with a changed floodplain map - data was evaluated by Contractor Michael Baker and they spent six months reviewing the data and printed the preliminary maps. Woodcreek Mayor Jeannine Poll spoke of errors on the map in regards to street names & locations and location of creeks. She was advised to note any changes and let them know so that corrections can be made. Allen Walther, Hays County Environmental Health Director, advised that maps and book are available in his office in San Marcos - maps are available in the Precinct offices out in the county and in the County Judge's office. Jack Quarles spoke of other areas being reconsidered (Onion Creek & areas in Caldwell County) - 240+ miles of streams were studied - nearly every area had a change in the floodplain - the general result was a decrease in the flood elevations. General discussion was had with members of the public.

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**JOINT MEETING WITH CITY OF SAN MARCOS AND SAN MARCOS CISD (7:00 P.M.)**

Judge Etheredge and Commissioner Payne were the only members present at this joint meeting (not a quorum). Mayor Kathy Morris, and Councilmen Ron Hart, Bob Mooney, Joe Cox, and Billy Moore were present representing the City of San Marcos. San Marcos CISD was represented by Ruben Garza, Bernard Callendar, and Lupe Castillo. Ruben Garza called the meeting to Order.

Discussion regarding 61.23 acres held in trust for delinquent taxes

A discussion was had regarding the 61.23 acre tract of property located adjacent to the Hays County Civic Center which is being held in trust by Hays County for delinquent tax sale. Frank Walker appeared representing the delinquent tax attorney firm of Calame, Linebarger, Graham, & Pena - he spoke of the survey of the property (two separate pieces of property were merged) - this property can be disposed of in two ways: (1) Public Sale (2) Private Sale - if sold at a private sale, it may not be sold for less than the opening bid (value set by the court in the judgment or the total amount of the judgment, whichever is less) without the consent of each of the taxing units that has an interest in the property - any sale is subject to the former owner's right of redemption. The value on the judgment is \$147,197.00 and the taxes due are \$256,363.56 - the appraised given by CAD is \$254,000. Ruben Garza spoke of selling property at the marketable value - spoke of need to recover as much as possible the taxes due on the property. Frank Walker advised that entities are not in the business to make a profit on the sale - any amount of taxes and P&I+ fees owed would go back to the previous taxpayer - purpose of the sale is to get the property back on the tax roll - it is exempt from taxes as long as it is in trust. Judge Etheredge spoke of advertising this property for sale since 1992 and we finally received a bid of \$110,000 which has since been increased to \$120,000. Ron Hart asked if the property could be turned over to the San Marcos CISD. Frank Walker advised that it could only be given to the school district if the taxes are paid - no one has the authority to forgive the taxes due totally - spoke of plan to offer "struck off" properties to get them back on the tax rolls. Judge Etheredge and Mayor Morris agreed that they want to get these properties back on the tax roll. Ruben Garza stated that he wants to get them back on the tax rolls but not at any cost - we want to recover as much taxes as possible. A brief discussion was had regarding the easement on the 61.23 acres - there are conditions to the City's approval - an easement would need to be provided to Clovis Barker Drive.

Discussion regarding social service needs from City, County, and SMCISD

Dolores Crittendon, Dept. of Human Resources, spoke of their job in determining eligibility for food stamps, aid to families with dependent children (AFDC), and Medicaid. A discussion was had regarding need to make these recipients employable adults - it is not always beneficial for recipients to go to work because sometimes their benefits exceed the income from minimum wage jobs. Dolores Crittendon spoke of self-sufficiency programs and penalties for those who refuse to participate - they are starting to put more emphasis on teens - rent and child care are their largest expenses - they would like to see vocational classes for older adults - slots are needed for child care - parenting classes are needed - survival skills classes are needed for teens - support groups and tutoring programs are also needed - she hopes the City, County, and School District will offer jobs above minimum wage to these recipients so they can gain job experience. Connie Williams, DHR Supervisor, gave an overview of HB 1863 - various agencies and programs will be combined and create the Texas Workforce Commission (TWC) which will replace TEC - they will concentrate on getting AFDC recipients in the work force - spoke of HB 779 (Work Experience Bill) - there are limited training sites - they want to concentrate on San Marcos with unpaid work experience sites - would provide 20 hours per week with no guaranteed employment.

San Marcos CISD Academic Decathlon Team Report

Team Coach Virginia Witte introduced members of the Team which has only been in existence for two years - team members won a total of 32 individual medals in addition to winning first place overall and qualifying for the state meet at regional competition - ten events make up the competition: mathematics, science, fine arts, social science, economics, language and literature, speech, essay and super quiz - a team is made up of 9 full time high school students: 3 "A" honor students, 3 "B" scholastic students, 3 "C" varsity students - all students compete in all ten events - students in each category compete only against students in that category - spoke of high school faculty and others who contributed their time to tutoring sessions - the team is currently conducting a fund raising campaign to help cover expenses for the trip to the state competition (near Houston on Feb. 23-25) - estimates indicate that it will take about \$12,000 to send the team and sponsors to the competition and to provide for study materials, registration fees, blazers, letter jackets, and other items for the program.

Report on Resource Officer Grant

San Marcos Police Chief Kendrick spoke of Officer Frank Calabrese (School Resource Officer) - he is a pro-active officer. Officer Calabrese advised that the San Marcos High School has a gang situation but not a gang problem - his job is education, training, counseling, and law enforcement - he teaches drug abuse, drug awareness, DWI, and search & seizure - he talks to faculty regarding their rights - counseling is his favorite part of the job and he has an open door policy - the hardest part is law enforcement but it is necessary when a crime is committed - citations are issued for disorderly conduct, trespassing, etc. - he is available for afterschool activities and he feels like the system is working better. City Councilman Billy Moore spoke of the various services that have been provided due to the effort of Officer Calabrese - he helped form basketball, football, volleyball, and track team programs and the punt-pass&kick events - he is also coordinator of the San Marcos High School Crimestopper program.

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Ruben Garza introduced Interim SMCISD Superintendent Gonzalo Garza.

A motion was made by Judge Etheredge, seconded by Mayor Morris to adjourn. All voting "Aye".

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF March, 1996.

*Eddy A. Etheredge*  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

*Margie T. Villalpando*  
 MARGIE T. VILLALPANDO, COUNTY CLERK  
 HAYS COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 13TH DAY OF FEBRUARY A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14776 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 362,995.35 as presented by the County Auditor. All voting "Aye".

|                   |               |                    |              |                    |               |
|-------------------|---------------|--------------------|--------------|--------------------|---------------|
| Auditors Office   | \$ 481.60     | Treasurers Office  | \$ 322.78    | Extension Office   | \$ 289.66     |
| Grants Admin      | \$ 2,300.63   | Juvenile Probation | \$ 737.87    | Election Admin     | \$ 26.29      |
| Indigent Care     | \$ 225.00     | Transfer Station   | \$ 300.58    | Bldg. Maintenance  | \$ 3,668.79   |
| Environ Health    | \$ 2,402.90   | Personal Health    | \$ 680.21    | Civic Center       | \$ 486.73     |
| Countywide Oper   | \$ 91,627.20  | Tax A/C            | \$ 1,090.67  | District Clerk     | \$ 1,007.68   |
| County Clerk      | \$ 575.56     | Sheriffs Office    | \$ 3,568.08  | Jail Operations    | \$ 18,427.18  |
| County Judge      | \$ 121.86     | Human Resources    | \$ 207.63    | District Attorney  | \$ 1,247.54   |
| J.P. 1-1          | \$ 43.66      | J.P. 1-2           | \$ 85.14     | J.P. 2             | \$ 342.28     |
| J.P. 3            | \$ 40.00      | J.P. 4             | \$ 156.90    | J.P. 5             | \$ 112.18     |
| DPS/Sub Station   | \$ 158.33     | Constable 1        | \$ 108.39    | Constable 2        | \$ 130.00     |
| Constable 4       | \$ 127.84     | District Crt Oper  | \$ 1,055.48  | Co & JP Crt Oper   | \$ 206.22     |
| Veterans Admin    | \$ 208.39     | Computer Svcs      | \$ 366.64    | DPS/L&W            | \$ 183.51     |
| Fire Marshal./EMC | \$ 9.37       | TABC               | \$ 109.25    | TJPC CCAP Grant    | \$ 1,420.00   |
| Animal Control    | \$ 189.63     | Comm Crt Expense   | \$ 210.00    | CJD CARE Proj 1    | \$ 21.67      |
| Gen Fund Credit   | * \$ 771.49 * | R&B Operations     | \$ 2,280.25  | Precinct 1         | \$ 245.75     |
| Precinct 2        | \$ 94.73      | Precinct 4         | \$ 21.75     | Right of Way       | \$ 23,049.70  |
| Anticip Notes '95 | \$ 8,605.95   | Rec Mng/Co Clerk   | \$ 120.39    | Health Svcs Grants | \$ 421.86     |
| Hays Co I&S       | \$ 50,750.56  | Road Construction  | \$ 12,872.06 | Anticip Note I&S   | \$ 123,216.74 |
| Adult Prob Oper   | \$ 6,773.16   | Adult prob Fac     | \$ 232.62    |                    |               |

14777 APPROVE BUDGET AMENDMENT NO. 96-012

The following budget amendments were proposed:  
Juvenile Probation - transfer 1/2 cost of juvenile probation computer cabling from juvenile probation budget to computer services budget (\$855).  
Tax Assessor-Collector - transfer \$200 from misc. line item to office equipment line item to purchase a cellular phone.  
 A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendment No. 96-012 as proposed by the County Auditor. All voting "Aye".

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AMENDMENT  
NO. 96-012  
FY 96 BUDGET  
02/13/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES                               | APPROPRIATION BEFORE AMENDMENT |           | AMENDMENT |       | APPROPRIATION AS AMENDED |
|--------------------------------------------------------|--------------------------------|-----------|-----------|-------|--------------------------|
|                                                        | AMENDMENT                      | INCREASES | DECREASES |       |                          |
| <b>JUVENILE PROBATION (405):</b>                       |                                |           |           |       |                          |
| 01-405-5391 MISCELLANEOUS                              |                                | 3,663     |           | (855) | 2,808                    |
| <b>COMPUTER SERVICES (456):</b>                        |                                |           |           |       |                          |
| 01-456-5628 CABLING                                    |                                | 825       | 855       |       | 1,680                    |
| TO PAY 1/2 COST OF PROBATION OFFICE COMPUTER CABELING. |                                |           |           |       |                          |
| <b>TAX OFFICE (415):</b>                               |                                |           |           |       |                          |
| 01-415-5391 MISC                                       |                                | 300       |           |       |                          |
| 01-415-5711 OFFICE EQUIPMENT                           |                                | -0-       | 200       | (200) | 100                      |
| TRANSFER FOR MOBILE PHONE                              |                                |           |           |       |                          |

**14778 APPROVE HAULING CONTRACT FOR ROAD DEPARTMENT OPERATIONS**

Purchasing Agent Cindy Casparis advised that bids were opened on January 30, 1996 on the annual hauling contract for the road department - bids were received from Earth Transport Inc., Saucedo Construction, Odeen Hibbs Trucking Co. and Thomas Trucking - after careful review of the bids along with Road Administrator Ron Bischoff, it is our conclusion that Thomas Trucking is the low bid meeting specifications and contract should be awarded to them. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award hauling contract for Road Department operations to Thomas Trucking. All voting "Aye".

**14779 AUTHORIZE DPS TO PURCHASE SOFTWARE OUT OF LAW ENFORCEMENT EQUIPMENT LINE**

DPS Sgt. Ralph Meyer requested authorization to purchase software out of law enforcement equipment line item = \$ 160.00. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize DPS to purchase software out of their law enforcement equipment line item. All voting "Aye".

**14780 APPROVE SPECIFICATIONS FOR BANK DEPOSITORY CONTRACT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications for Bank Depository Contract as presented by the County Auditor. All voting "Aye".

**14781 APPROVE CONTRACT WITH LOOMIS ARMORED CAR SERVICE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve contract with Loomis Armored Car Service. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No". (see contract on page \_\_\_\_)

**14782 APPROVE RE-APPOINTMENT OF PETE STONE TO THE NORTHEAST HAYS COUNTY EMS DISTRICT NO. 2**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve re-appointment of Pete Stone to the Northeast Hays County EMS District #2. All voting "Aye".

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**14783 APPROVE ANNUAL REPORT FOR THE NORTHEAST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT**

NEHCFPD President Ralph Pfluger presented their annual financial report for the year ended 9/30/95 - he advised that they remain solvent even with the addition of the substation at Tom Green Elementary School and have not incurred any unpaid debts. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approval the Annual Report for the Northeast Hays County Rural Fire Prevention District. All voting "Aye".

**14784 APPROVE UTILITY PERMITS #96-203 & 96-204 ISSUED BY THE ROAD DEPARTMENT**

The following Utility Permits were presented for approval:

#96-203 to GTE Southwest Inc. for buried communication line on CR157

#96-204 to Goforth Water Supply for water line on CR157

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve utility permits #96-203 & #96-204 as presented by the Road Department. All voting "Aye".

**14785 AUTHORIZE REFUNDS FOR OVERPAYMENTS TO THE TAX ASSESSOR-COLLECTORS OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize refunds for overpayments to the Tax Assessor-Collector office as requested by Luanne Caraway. All voting "Aye".

**14786 AUTHORIZE PURCHASE OF A CELLULAR PHONE FOR THE TAX ASSESSOR-COLLECTOR**

Luanne Caraway, Tax Assessor-Collector, requested authorization to purchase a cellular phone out of her misc. line item - feels like she needs a cellular phone due to the fact that she is on the road quite often transporting money that has been collected by subcontractors. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize purchase of a cellular phone for the Tax Assessor-Collector. All voting "Aye".

**14787 APPROVE CONTINUATION OF DISASTER DECLARATION-THREAT OF WILD FIRES (BURN BAN)**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve continuation of Disaster Declaration-Threat of Wild Fires (Burn Ban). All voting "Aye".

**14788 MC CARTY RANCH ESTATES \* FIRST READING APPROVAL [T1-110]**

Allen Walther, Environmental Health Director, spoke of plan having a different configuration that previously seen - curious as to why private road stops short of accessing McCarty Lane. David Williamson of Byrn & Associates advised that there will be one gated private road entrance and they other road that stops short of accessing McCarty Lane has an emergency access gate only - willingly to dedicate right-of-way on McCarty Lane. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "McCarty Ranch Estates" subdivision on first reading. All voting "Aye".

**14789 ROLLING OAKS REPLAT OF LOT 64 \* FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING [T1-179]**

Jim Henderson presented a replat of Lot 64 Rolling Oaks which will create two lots (Lots 64A & 64B)- Jones family owns two tracts (20.1 & 10 acres) with existing houses and existing permitted septic systems - would like to sell to the Anderson family a 20.3 acre tract (20.1 acres + .2 acre) to more evenly distribute the road frontage - no ETJ and no floodplain. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Rolling Oaks Replat of Lot 64" on first reading and call for a public hearing on February 27, 1996. All voting "Aye".

**14790 OAK FOREST SECTION 2 \* FIRST READING APPROVAL [T1-210]**

This is the second first reading as there have been substantial changes made - City of Dripping Springs has changed their regulations to not require curbs. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Oak Forest Section 2" subdivision on first reading. All voting "Aye".

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**14791 BEAR CREEK ESTATES SECTION 2 LOTS 34 & 35 \* ABANDON EASEMENT & COMMON SETBACK - FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING [T1-244]**

Patsy Greiner, Mapping/Planning Coord., spoke of PEC and SW Bell releasing their easement between Lots 34 & 35 of Bear Creek Estates Section 2. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Bear Creek Estates Section 2 Lots 34 & 35" on first reading and call for a public hearing on February 27,1996. Commissioner Payne spoke of need to combine lots if house is to be built on the property lines - he will not support next hearing if the lots are not combined.

**SOUTHBEND I RESUBDIVISION OF LOT 11 \* PUBLIC HEARING [T1-284]**

Judge Etheredge called the public hearing regarding resubdivision of Lot 11 of Southbend I subdivision - no input was received and public hearing was closed. Allen Walther, Environmental Health Director, advised that no final plat has been submitted, therefore, he does not recommend approval on third reading at this time.

**14792 ACRES WILD SUBDIVISION \* SECOND & THIRD READING APPROVAL [T1-294]**

Staff recommended approval. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Acres Wild" subdivision on second and third readings. All voting "Aye".

**14793 OLSON ACRES \* SECOND & THIRD READING APPROVAL [T1-307]**

Staff recommended approval. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Olson Acres" subdivision on second and third readings. All voting "Aye".

**14794 HILLTOP PLACE PHASE I REPLAT \* RATIFY PLAT FILED IN 1978 [T1-321]**

Commissioner Payne spoke of Hilltop Place Phase 1 replat that was discussed several weeks ago - no record that Commissioners' Court approved the replat, however, it was filed for record - would like to ratify the replat filed in Plat Cabinet 2 Page 7 - this would approve Lot 46 in general which is a consolidation of 11 half acre tracts - Lot 46 was subsequently divided into 3 lots 46A, 46B, & 46C - Lot 46B is trying to close on a deed which will be filed with metes & bounds description (pursuant to Section 232.004 - would also like to authorize issuance of a septic permit to Lot 46B. A motion as made by Commissioner Payne, seconded by Commissioner Molenaar to ratify plat filed in 1978 in Volume 2 Page 7 of Hilltop Place Phase I Replat. All voting "Aye".

**DISCUSSION REGARDING AMENDING LEASE FOR OFFICE SPACE IN KYLE [T1-363]**

Judge Etheredge spoke of new ownership of office space being leased in Kyle - Dale Gares has asked the court to amend the lease agreement which will shift maintenance responsibilities to the County - would lock in lease rate - no action this date.

**14795 AUTHORIZE MUTUAL RELEASE AGREEMENT WITH CENTURY TELEPHONE AND THE ICEHOUSE FOR COUNTY PARKING PRIVILEGES [T1-397]**

District Attorney Marcos Hernandez spoke of agreement with Century Telephone and The Icehouse to allow county employees to park on parts of their property during business hours - the agreement would indemnify Century and the Icehouse if a vehicle were to be damaged while parked on the lots - there is always the possibility that someone could sue them - county would intervene in suit on behalf of the defendant. Judge Etheredge spoke of District and County Court holding jury selection on the same date creating parking problems - we would park our employees cars on their parking lots. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County Judge to enter into mutual agreements with Century Telephone and The Icehouse for county parking privileges. All voting "Aye".



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14796 ADOPT POLICY FOR PAUPER BURIALS [T1-492]

Judge Etheredge spoke of proposed guidelines for pauper burials that was submitted by Pennington Funeral Home on behalf of themselves, Los Angeles Funeral Home, and Harrell Funeral Home - proposed guidelines are based on those currently in effect in Travis County - spoke of unique situations in which bodies have to be stored for a period of time and increased the cost - we periodically review the fees for pauper burials to consider changes. Commissioner Barton spoke of need to change wording on page 2 first paragraph (change Hays County Department of Human Resources to Hays County Health Department) to reflect proper department. A motion was made by Judge Etheredge, seconded by Commissioner Rodriguez to adopt fees and policy for Pauper Burials as recommended by local funeral homes and as amended this date. All voting "Aye".

HAYS COUNTY POLICY FOR PAUPER BURIALS

DUTIES AND RESPONSIBILITIES OF CONTRACTOR FUNERAL HOME SERVICES:

Contractor agrees that it will:

Refer to Department any clients which have been unable to make financial arrangements for funeral services using their own resources.

Remove the remains from the place of death (within Hays County).

NOT accept any payment for additional services other than those to be provided under the County's Burial Assistance Policies, with the exceptions of grave site preparation fees and out-of-town transportation fees as allowed under the Policies regarding the use of existing plots owned by family and/or burial in a military cemetery.

Prepare the remains for burial.

Provide the appropriate size casket meeting standards of the casket industry (no family selection).

As appropriate, provide viewing of deceased at the cemetery thirty minutes prior to service.

Provide transportation of body to cemetery as authorized under the County's Burial Assistance Policies.

Conduct brief graveside service.

File all required documentation.

Provide a temporary marker.

Burials will be limited to 10:00 a.m. to 3:00 p.m., Monday through Friday only, excluding Saturday's, Sunday's, and all holidays.

Provide all services without discrimination based on race, color, national origin, religious beliefs, sex, age, or handicap.

Make certain that the appropriate personnel at its property are aware of its guidelines.

Communicate with the Director should any problems develop.

DUTIES AND RESPONSIBILITIES OF COUNTY: FUNERAL HOME SERVICES:

County, through the Hays County Health Department agrees that it will:

Provide information to persons inquiring or applying for services.

Determine eligibility for indigent burial requests.

Provide funeral home reimbursement for approved cases in the amounts specified herein.

Submit necessary billing documentation to Contractor within five (5) working days of approval.

Not discriminate on the basis of race, color, national origin, religious beliefs, sex, age, or handicap.

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Communicate with Contractor should any problems develop.

Provide participants with a copy of "Hays County Burial Assistance Policies" and secure agreement by Participant to meet the responsibilities therein.

Families must be informed they have the right to choose another funeral home, other than the funeral home on rotation call.

Handle all contact with Contractor.

**SCHEDULE OF RATES/FEEES:  
FUNERAL HOME SERVICES:**

County shall provide contractor reimbursement for approved cases in the following amounts:

|           |                                      |
|-----------|--------------------------------------|
| \$ 800.00 | oversized adult                      |
| \$ 650.00 | adult (regular size)                 |
| \$ 300.00 | child (3 ft. to 5 ft. 6 inc. casket) |
| \$ 200.00 | infant (1 ft. 9 in. to 2 ft. casket) |

- A. Opening and closing of grave..... \$200.00  
Does not include tent and/or equipment at cemetery

County to provide a grave space in Section 1 of the Dixon Addition. Additional charges for O/C fee will be incurred for burial in any other cemetery in Hays County.

- B. Crash bag for deceased (if needed)..... \$ 95.00

- C. Direct Cremation request and authorization by next of kin.....\$ 650.00

**COUNTY ROTATION CALL**

- 1. First call and transport limited to Austin/San Antonio Medical Examiner's or within trade area (radius).....\$ 175.00
- 2. Transportation charges from Austin/San Antonio Medical Examiner's office (proof of charge will be attached to statement)
- 3. Shelter of remains.....\$ 75.00 per day

**DISCUSSION REGARDING COST OF PLATTING THE OLD HOSPITAL PROPERTY [T1-650]**

Judge Etheredge spoke of court already having approved platting the old hospital property - at that time the estimated cost was \$1500 but the exact cost is going to be \$3,300.00 - the City of San Marcos is requiring platting . David Williamson of Byrn & Associates spoke of research required and various easements on the property.

**14797 ADOPT PRELIMINARY FIRM MAPS AND BEGIN USING THEM AS "BEST AVAILABLE INFORMATION" FOR DEVELOPMENT PURPOSES EFFECTIVE IMMEDIATELY [T1-738]**

FEMA held its public hearing on the revised FIRM maps on February 7th - the court may adopt the new maps and begin using them as "best available information" for development purposes - spoke of discussions that were had and questions were addressed - feels like not all people will be satisfied with the results - 90 appeal period has begun. Allen Walther, Environmental Health Director, spoke of need to keep in mind that the new maps will be used for permitting but will not be used for insurance purposes. Jim Eikelberger spoke of his property - feels like the figures are incorrect based on history of the existing structures - original elevation figure was 915 and new elevation figure is 909, however, his house sits at an elevation of 904. Judge Etheredge advised that individual property owners must file an appeal with FEMA and they will look at it before they require technical scientific data - suggested that Mr. Eikelberger contact Jack Quarles (FEMA Chief Engineer). Commissioner Barton felt like the maps are going to become much more realistic and still provide reasonable use of property in most cases - thanked all those involved in making these new maps come about. Allen Walther spoke of additional reference marks were created by this survey and current reference marks were re-set - over 300 reference marks are now available. A motion was made by Commissioner Payne, seconded by Commissioner Barton to adopt the Hays County Preliminary FIRM maps and authorize their use as "best available information" effective immediately. All voting "Aye".

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**14798 ACCEPT OFFER FOR DELINQUENT TAX PROPERTY (LOT 7 & PT.8 BLOCK 1 B.F.DONALDSON ADDITION IN THE CITY OF SAN MARCOS) [T1-989]**

Tax Assessor-Collector Luanne Caraway advised that the Wimberley ISD accepted offer of Randy Meyer for \$5000 for Timmeron Lots and \$2500 for Lot 1D in Ranch at Wimberley. Commissioner Payne asked that the court not take action on this offer due to the fact that the \$2500 was offered for three lots in the Ranch at Wimberley subdivision. Luanne advised that a bid offer has been received in the amount of \$15,000 for Lot 7 & Pt. Lot 8 block 1 B.F. Donaldson Addition (El Patio Bar on Guadalupe Street) - property parties were served on the suit - not sure how the school district will vote on the offer - taxes due are \$27,773.61 - offer would be 54% recovery - no recommendation was received from the delinquent tax attorney. A motion was made by Judge Etheredge, seconded by Commissioner Payne to accept offer of \$15,000 for delinquent tax property known as Lot 7 & part of Lot 8 Block 1 B. F. Donaldson Addition in the City of San Marcos. All voting "Aye". Judge Etheredge spoke of \$1 million of delinquent taxes due - its not logical to take a policy that you won't sell a piece of property unless you get what is owed on taxes - the longer you hold it the less valuable the property becomes.

**14799 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR THE RECONSTRUCTION OF PURGATORY ROAD**

John Doucet (Doucet & Assoc.) recommended approval of drawings submitted for reconstruction of Purgatory Road - the road department had concerns about guard rails at the intersection of RM32- these guardrails were figured in based on state guidelines - we can delete as many as possible - detail on hot-mix needs to be changed from 1 inch to 1 1/2 and reduce base somewhat - spoke of black base being used so that traffic can be put back on it as soon as possible - bridge structure designates the load limits for this roadway - retainage of 5% to be changed to 10% (5% will be paid out on substantial completion and the other 5% on final completion). Discussed liquidated damages - court agreed to \$500.00. Commissioner Payne spoke of moving a fence line and adding a temporary gate. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve specifications and authorize the County Auditor to advertise for bids for reconstruction of Purgatory Road. All voting "Aye".

**14800 PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS (STOP SIGN) ON UHLAND ROAD AT HARRIS HILL [T1-1464]**

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to establish traffic regulations on Uhlund Road at Harris Hill by placement of a Stop sign. All voting "Aye".

**PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMITS) IN SKYLINE RANCH ESTATES [T1-1486]**

Judge Etheredge called the public hearing open. Bob Fulton, Member of the Skyline Ranch Estates Homeowners Association, appeared before the Court with proposed signage for their subdivision (proposal was given to the road director Ron Bischoff and Commissioner Payne). Public hearing was closed. No action this date.

**14801 1996 HAYS COUNTY GRIEVANCE COMMITTEE SELECTION [T1-1531]**

The following names were randomly selected from the 1995 Grand Jurors to service on the 1996 Hays County Grievance Committee: Tom Orton (Dripping Springs), Frank DeLeon Jr. (San Marcos), Fay Arlene Bedal (Wimberley), James L. Fletcher (Wimberley), Gloria Venegas (San Marcos), Harry M. Berry (Buda), Madeline Delong (San Marcos), Brenda Rice (San Marcos), Lori Brown (Kyle), Harry Miles (San Marcos), Charles Hensley (Dripping Springs), and Dale Cote (Buda).

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**DISCUSSION REGARDING COMMISSIONERS' COURTROOM DESIGN [T1-1584]**

Gary Hall (Project Manager) spoke of the Courthouse Management Team - spoke of dealing with TxDot who is in charge of ISTEAs funds - reinforcing the structure at this point - we are in the development of construction drawings - should go out to bid this coming summer - may be delayed during the review process by TxDot - we are working on platting for the courthouse area and removal of asbestos containing material - there is a little bit of lead base paint to remove - need to discuss the arrangement of the Commissioners' Court area. Proposed layouts were presented to the Court (Schemes A, B, & C) - presented two photographs that were taken in the early 1960's showing the gallery area and historical furniture - spoke of the bench and ornate backdrop being on the third floor in the courtroom - when we reopen the gallery and put the courtroom on the second floor we plan to move that furniture to the new courtroom. Discussed the three schemes for the courtroom utilizing the historic bench and backdrop - trying to keep the courtroom as authentic as possible. Court agreed to accept Scheme C as the courtroom design.

**DISCUSSION REGARDING JAIL REVENUE [T1-22133]**

Sheriff Paul Hastings appeared before the Court - advised that receipts are up in some areas - they have received promises from the Feds to bring in more inmates - there are federal budget shortfalls and they are reducing the number of arrests being made - spoke of juvenile space at the jail - we are currently unable to accept very many female inmates from the Feds - we are working on reclassification which would allow more space for females - there are 282 beds in the jail and 50 are empty today - in December they were averaging 20 federal prisoners per day - Feds had promised a minimum of 50 federal prisoners per day. Discussed personnel and shift changes. Discussion was had regarding personnel at the jail and security at the Justice Center. Discussed contracting out-of-state prisoners.

County Auditor Bill Herzog presented the following Jail Revenue Recap:



OFFICE OF THE COUNTY AUDITOR  
 COURTHOUSE ANNEX  
 102 N. LBJ DR.  
 SAN MARCOS, TEXAS 78666  
 Auditor 512-392-6128  
 Purchasing 512-392-7738  
 Fax 512-392-6661

PAULA FOND  
 Assistant County Auditor

BILL HERZOG, CPA  
 County Auditor

CINDY CASPARIS, CPPB  
 Purchasing Agent

February 13, 1996

**JAIL REVENUE RECAP**

| MONTH    | BUDGET    | ACTUAL | MONTHLY LOSS | ACCUMULATED LOSS |
|----------|-----------|--------|--------------|------------------|
| OCTOBER  | \$108,333 | 23,732 | 84,601       | 84,601           |
| NOVEMBER | \$108,333 | 26,055 | 82,278       | 166,879          |
| DECEMBER | \$108,333 | 26,323 | 82,010       | 248,889          |
| JANUARY  | \$108,333 | 36,636 | 71,697       | 320,586          |

Currently there are approximately 49 paying prisoners in the jail. If this number remains constant then our loss would be reduced to \$45,000 per month.

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14802 AUTHORIZE ROAD DIRECTOR TO PURCHASE ROAD EQUIPMENT [T1-2938]

Road Director Ron Bischoff spoke of road equipment that has been purchase - there is approximately \$100,000.00 left over - would like to purchase the following:

|                   |                                                                                 |             |
|-------------------|---------------------------------------------------------------------------------|-------------|
| 2 Pup Trailers    | Used = \$7-10,000 each New = \$17,500 each                                      | \$35,000.00 |
| 1 Motor grader    | \$110,00 new or apply \$15,000 down<br>with annual payment of \$23,000          | \$15,000.00 |
| 1 Oil Distributor | \$ 90,000 new or \$20 Trade-in plus \$10,000<br>with annual payment of \$17,000 | \$10,000.00 |
| 2 Pickup Trucks   | Last purchase = \$ 37,559                                                       | \$38,000.00 |
|                   |                                                                                 | =====       |
|                   |                                                                                 | \$98,000.00 |

Discussion was had regarding current equipment and equipment being requested. Ron Bischoff spoke of need for an oil distributor - motor grader would replace obsolete equipment - would like to purchase two new pickup trucks - will need to think about replacing some of the 8-yard dump trucks and rollers that a requiring constant repairs.

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize Road Director Ron Bischoff to purchase 2 pup trailers (used trailerrs NTE \$20,000), 1 motorgrader, 1 oil distributor, and 2 pickup trucks with annual payments not to exceed \$40,000.00 (for those purchases being financed). All voting "Aye".

Building funds - Ron Bischoff spoke of funds set aside for buildings - plans are for a new shop facility and two satelite offices - there is not enough space at the Kyle yard for the central shop - at least 10 acres is needed. Commissioner Molenaar spoke of need for a centralized location - suggested location somewhere in the vicinity of RM3237 & SH150 - feels like Environmental Health Department office needs to also be centralized . Discussion was had regarding street signs. Ron Bischoff spoke of goal being to get 50 miles of road paved this year

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF March, 1996.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 20TH DAY OF FEBRUARY A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
CRAIG D. PAYNE  
RUSS G. MOLENAAR  
MARGIE T. VILLALPANDO

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 3  
COMMISSIONER, PCT. 4  
COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14803 APPROVE PAYMENT OF COUNTY INVOCIES**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 366,205.33 as presented by the County Auditor. All voting "Aye".

|                     |               |                    |              |                    |              |
|---------------------|---------------|--------------------|--------------|--------------------|--------------|
| Tax Refund          | \$ 6,690.60   | State Share Rev    | \$ 745.43    | Grants Admin       | \$ 90.40     |
| Juvenile Prob       | \$ 311.40     | Election Admin     | \$ 352.50    | Indigent Care      | \$ 4,624.31  |
| Transfer Station    | \$ 4,080.00   | Bldg. Maint.       | \$ 5,665.15  | Environ Health     | \$ 325.78    |
| Personal Health     | \$ 481.86     | Civic Center       | \$ 1,170.08  | Countywide Oper    | \$ 16,488.73 |
| Tax A/C             | \$ 95.70      | District Clerk     | \$ 273.80    | County Clerk       | \$ 1,039.57  |
| Sheriff's Office    | \$ 1,433.43   | Jail Operations    | \$ 3,381.12  | County Judge       | \$ 150.00    |
| Human Resources     | \$ 269.90     | District Attorney  | \$ 875.98    | J.P. 1-2           | \$ 16.30     |
| J.P.3               | \$ 39.00      | J.P. 4             | \$ 31.50     | DPS/135 Substa     | \$ 37.98     |
| Constable 1         | \$ 1,029.70   | Constable 2        | \$ 45.76     | Constable 3        | \$ 50.00     |
| Constable 4         | \$ 143.29     | Constable 5        | \$ 201.50    | Dist Crt Oper      | \$ 1,636.61  |
| Veterans Admin      | \$ 25.75      | Computer Svcs      | \$ 2,343.00  | Dist Crt Reporter  | \$ 5.46      |
| TJPC CCAP Grant     | \$ 875.26     | Animal Control     | \$ 88.40     | Comm Crt Exp       | \$ 288.00    |
| CJD/VOCA Grant      | \$ 2,676.89   | DA DARE Grant      | \$ 53.72     | 911 Sign Grant     | \$ 5,774.00  |
| Pct. 2 Survey Grant | \$ 4,371.50   | *Gen Fund Credit * | * \$ 24.75 * | R&B General        | \$ 66,505.64 |
| Precinct 1          | \$ 456.00     | Precinct 2         | \$ 359.34    | Precinct 3         | \$ 1.00      |
| Anticip Notes '95   | \$ 105,932.61 | Rec Mng/Co Clk     | \$ 140.20    | Health Svcs Grants | \$ 1,658.79  |
| Law Library         | \$ 165.00     | Springlake Rd I&S  | \$ 15,468.75 | Road Construction  | \$ 34,650.78 |
| Courthouse Renov    | \$ 5,507.27   | Foster Care Fund   | \$ 10,039.10 | Crths Security     | \$ 203.10    |
| Adult Prob Oper     | \$ 2,298.14   | Adult Prob Fac     | \$ 592.60    |                    |              |

**14804 APPROVE BUDGET AMENDMENT NO. 96-013**

The following budget amendments were proposed:

Indigent Care & Personal Health - Due to Health Dept. & Indigent Health Care consolidation, expenses charged for postage and supplies are all paid out of Health Dept. - transfer \$175 from equipment maint. to office equipment for purchase of replacement chair for receptionist.

Human Resources - Transfer \$300 from data supplies to books for policy manual.

General Fund departments - Balance longevity expense from where budgeted to wherer actually charged (to account for employee transfers).

TJPC/CCAP Juvenile Probation Grant - Transfer additional grant award funds between line items.

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve Budget Amendment No. 96-013 as proposed by the County Auditor. All voting "Aye".

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| LINE ITEM - EXPENDITURES                                      | AMENDMENT        |                     | APPROPRIATION AS AMENDED |
|---------------------------------------------------------------|------------------|---------------------|--------------------------|
|                                                               | BEFORE AMENDMENT | INCREASES DECREASES |                          |
| FUND NO. 01<br>FUND TITLE GENERAL                             |                  |                     |                          |
| AMENDMENT NO. 36-013<br>FY 96 BUDGET<br>02/19/96              |                  |                     |                          |
| INDIGENT CARE (408):                                          |                  |                     |                          |
| 01-408-5211 OFFICE SUPPLY                                     | 700              | (558)               | 142                      |
| 01-408-5212 POSTAGE                                           | 450              | (450)               | -0-                      |
| 01-408-5461 PRINTING                                          | 100              | (100)               | -0-                      |
| PERSONAL HEALTH (412):                                        |                  |                     |                          |
| 01-412-5211 OFFICE SUPPLY                                     | 1,000            | 558                 | 1,558                    |
| 01-412-5212 POSTAGE                                           | 2,000            | 450                 | 2,450                    |
| 01-412-5461 PRINTING                                          | 200              | 100                 | 300                      |
| AS CONSOLIDATED, TRANSFER EXPENDITURES WHERE ACTUALLY CHARGED |                  |                     |                          |
| 01-412-5711 OFFICE EQUIPMENT                                  | -0-              | 175                 | 175                      |
| 01-412-5419 MISC. MAINT.                                      | 1,000            | (175)               | 825                      |
| TO REPLACE RECEPTIONIST CHAIR                                 |                  |                     |                          |
| HUMAN RESOURCES (421):                                        |                  |                     |                          |
| 01-421-5213 BOOKS                                             | 1,600            | 300                 | 1,900                    |
| 01-421-5221 DATA PROC. SUPPLY                                 | 500              | (300)               | 200                      |
| TRANSFER FOR POLICY MANUAL                                    |                  |                     |                          |
| TYPC/CCLP JUVENILE PROBATION GRANT (489):                     |                  |                     |                          |
| 01-489-5497 RESIDENTIAL EXP                                   | 122,057          | (6,686)             | 115,371                  |
| 01-489-5448 NON-RESIDENTIAL EXP                               | 9,921            | 6,686               | 16,607                   |
| TRANSFER ADDITIONAL GRANT AWARD                               |                  |                     |                          |

| LINE ITEM - EXPENDITURES                                   | AMENDMENT        |                     | APPROPRIATION AS AMENDED |
|------------------------------------------------------------|------------------|---------------------|--------------------------|
|                                                            | BEFORE AMENDMENT | INCREASES DECREASES |                          |
| FUND NO. 01<br>FUND TITLE GENERAL                          |                  |                     |                          |
| AMENDMENT NO. 36-013<br>FY 96 BUDGET<br>02/19/96           |                  |                     |                          |
| DISTRICT CLERK (416):                                      |                  |                     |                          |
| 01-416-5061 LONGEVITY                                      | 3,391            | 391                 | 3,782                    |
| COUNTY CLERK (417):                                        |                  |                     |                          |
| 01-417-5061 LONGEVITY                                      | 3,895            | (220)               | 3,675                    |
| COUNTY COURT & LAW CL (422):                               |                  |                     |                          |
| 01-422-5061 LONGEVITY                                      | 1,745            | 295                 | 2,040                    |
| SHERIFF OFFICE (418):                                      |                  |                     |                          |
| 01-418-5061 LONGEVITY                                      | 11,425           | 650                 | 12,075                   |
| JAIL OPERATIONS (419):                                     |                  |                     |                          |
| 01-419-5061 LONGEVITY                                      | 16,743           | (650)               | 16,093                   |
| TAX OFFICE (415):                                          |                  |                     |                          |
| 01-415-5061 LONGEVITY                                      | 3,956            | (466)               | 3,490                    |
|                                                            |                  | 1,336               | 1,336                    |
| TRANSFER BETWEEN DEPARTMENTS TO ADJUST LONGEVITY TO ACTUAL |                  |                     |                          |

**14805 INCREASE DOLLAR LIMIT ON ITEMS TO BE CLASSIFIED AS EQUIPMENT AND RECORDED IN INVENTORY**

County Auditor Bill Herzog advised that currently any equipment item which will last longer than one year and cost \$100 or more is included on our inventory - recommends increasing the dollar amount to \$300. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to increase dollar limit to \$300 for items that must be classified as equipment and recorded in inventory. All voting "Aye".

**14806 APPROVE PURCHASE OF COLOR PRINTER FOR COMMISSIONER PCT. 4 OFFICE**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve purchase of color printer for Commissioner Pct. 4 office (funds available in his office equipment line item). All voting "Aye".

**14807 APPROVE THE ANNUAL REPORT FOR THE NORTHEAST HAYS COUNTY EMS DIST. #2**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve the annual report for the Northeast Hays EMS District #2. All voting "Aye".

**14808 APPROVE COMMISSIONERS' COURT MINUTES FOR JANUARY 1996**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve Commissioners' Court Minutes for January 1996. All voting "Aye".

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**14809 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT FROM THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, U.S. DEPT. OF JUSTICE AND TO EXECUTE A CONTRACT**

This is a grant from the Office of Community Oriented Policing Services (COPS) - the COPS MORE grant will fund the purchase of desktop and laptop computers, hardware and software to provide Sheriff and Jail Management systems - this grant will alleviate the administrative workload and thereby increase the presence of existing sworn officers in community policing activities - the total federal funds requested under this proposal are \$273,829.00. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize the County Judge to accept grant from the Office of Community Oriented Policing Services, U.S. Dept. of Justice and to execute a contract for \$273,829.00. All voting "Aye".

**14810 APPROVE HILLTOP PLACE PHASE I RESUB LOT 46B**

Commissioner Payne requested approval of Hilltop Place Phase 1 Resub Lot 46B by metes and bounds description (no platting required). A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve Hilltop Place Phase I Revised Lot 46B by metes and bounds description. (Clerk's Note: no metes and bounds description was filed with the clerk this date) All voting "Aye".

**14811 AUTHORIZE REFUNDS FOR OVERPAYMENTS TO THE TAX ASSESSOR-COLLECTOR'S OFFICE**

Tax Assessor-Collector Luanne Caraway requested authorization to refund overpayment of taxes = \$2,993.01 to Gerald Raines - taxes were paid by the Mortgage company. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize refunds for overpayments to the Tax Assessor-Collectors office in the amount of \$2,993.01. All voting "Aye".

**14812 ACCEPT BIDS ON DELINQUENT PROPERTIES: TIMMERON LOTS & RANCH AT WIMBERLEY**

Tax A/C Luanne Caraway presented the following bid offers:

- Timmeron Lots (17 lots) = \$ 5,000.00 from Randy Myers
- Ranch at Wimberley Lot 1-D = \$ 3,650.00 from Barbara Ketchum

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to accept bid offers on delinquent properties as presented by the Tax Assessor Collector for 17 lots in Timmeron and 1 lot in Ranch at Wimberley. All voting "Aye".

**14813 ADOPT RESOLUTION PROCLAIMING FEBRUARY 28TH AS LAW ENFORCEMENT RECOGNITION DAY**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to adopt Resolution Proclaiming February 28th as Law Enforcement Recognition Day. All voting "Aye".

**14814 ADOPT RESOLUTION AUTHORIZE THE SUBMISSION OF A GRANT REQUEST TO GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING FOR PROGRAM KNOWN AS "PURCHASE OF JUVENILE SERVICES"**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to adopt resolution authorizing the submission of a Grant request to the Governor's Criminal Justice Division funding to the Hays County Juvenile Probation Department for a program known as "Purchase of Juvenile Services". All voting "Aye".



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RESOLUTION

A RESOLUTION BY THE HAYS COUNTY COMMISSIONER'S COURT, SAN MARCOS, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT REQUEST TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDING TO THE HAYS COUNTY JUVENILE PROBATION DEPARTMENT, FOR A PROGRAM KNOWN AS

"PURCHASE OF JUVENILE SERVICES"

WHEREAS, THE COMMISSIONERS OF HAYS COUNTY, TEXAS, has the moral obligation to the citizens and taxpayers of Hays County, Texas, to ensure that the juvenile justice system operates in the most efficient and coordinated way possible; and

WHEREAS, the Commissioners are aware there are limited special services available to or provided to juveniles in Hays County, Texas, and

WHEREAS, the Commissioners feel the addition of the program known as Purchase of Juvenile Services will materially enhance the administration of Juvenile Justice in Hays County, Texas, by making more resources available; and

WHEREAS, the opportunity exists to fund vital parts of this program through the office of the Governor of the State of Texas, Criminal Justice Division;

NOW, THEREFORE, BE IT RESOLVED, the Commissioners of Hays County, Texas that the County submit a grant request to the office of the Governor of Texas Criminal Justice Division, to assist in the funding of the program of Purchase of Juvenile Services at the Juvenile Probation Department of Hays County, Texas; and

BE IT FURTHER RESOLVED, that the Chief Juvenile Probation Officer be appointed Project Director of this Program, and Honorable Judge Eddy Etheredge, County Judge of Hays County, Texas, be and is hereby authorized to sign on behalf of the Commissioners of Hays County any documents, reapplication and continuation of this program.

PASSED AND APPROVED, this the 20<sup>th</sup> day of FEBRUARY A.D., 1996.

HAYS COUNTY, TEXAS

*Eddy Etheredge*  
COUNTY JUDGE

ATTEST:

*Ninda C. Sitsche*  
DEPUTY COUNTY CLERK

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STATE OF TEXAS \*  
COUNTY OF HAYS \*

I, Margie Villalpando, Clerk, County Court and ExOfficio Clerk of the Commissioners' Court of Hays County, Texas, do hereby certify that the foregoing contains a true and correct copy of a Resolution passed and adopted by the Commissioner's Court of Hays County, Texas, in a Regular Meeting held on February 20, 1996.

*Margie Villalpando*  
MARGIE VILLALPANDO, CLERK COUNTY COURT  
EXOFFICIO CLERK, COMMISSIONERS' COURT  
HAYS COUNTY, TEXAS



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**14815 HIGHLANDS SECTION B RESUBDIVISION OF LOT 80 \* PUBLIC HEARING AND SECOND READING APPROVAL [T1-74]**

Judge Etheredge called the public hearing open - no public input was received - public hearing was closed. Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "The Highlands Section B Resubdivision of Lot 80 (Lots 80A & 80B)" on second reading. All voting "Aye".

**14816 BEAR CREEK ESTATES SECTION 2 LOTS 34 & 35 \* SECOND READING APPROVAL [T1-98]**

Commissioner Payne advised that Lots 34 & 35 should be consolidated into one lot since house is located across the property lines. Commissioner Molenaar stated that one lot could not be sold without the other lot. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Bear Creek Estates Section 2 Lot 34 & 35" on second reading - abandon easements and setback on adjoining property line. Commissioner Rodriguez, Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne voting "No".

**14817 HAYS COUNTRY OAKS SECTION 1 RESUB OF LOT 5 \* THIRD READING APPROVAL [T1-133]**

Staff recommends approval - City of Hays has approved. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Hays Country Oaks Section 1 Resubdivision of Lot 5 (Lots 5A & 5B)" on third reading. All voting "Aye".

**14818 CALL FOR A PUBLIC HEARING TO CONSIDER ROAD NAME DESIGNATION - NAME A PRIVATE ROAD "HEITZLER LANE" LOCATED OFF WEST FM150 [T1-142]**

A request was received from property owners Rodney H. & Cora L. Klein, Phil & Michelle Hoggatt, and Jim & Sally Fletcher adjoined by a caliche road off Highway 150 W - they would like to name their road "Heitzler Lane". A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to call for a public hearing to be held March 5, 1996 to consider road name designation for a private road located off FM150 West - designate road name of "Heitzler Lane". All voting "Aye".

**DISCUSSION REGARDING ROAD NAME CHANGE - RENAME "SCARLET RIDGE" TO "SCARLET COVE" IN HERITAGE COUNTRY SUBDIVISION [T1-160]**

Commissioner Molenaar spoke of request to rename "Scarlet Ridge" to "Scarlet Cove" (there is a Scarlet Ridge in Heritage Oaks subdivision) - advised that he would prefer a different name entirely (not use "Scarlet") - using the name Scarlet would create problems with emergency services, etc. Michele Thompson, Heritage Oaks Property Owners Assoc. President, spoke of Judicial Courts decision regarding Heritage Oaks subdivision roadways - there needs to be two separate distinct names for roads in these two subdivisions. Bryan Edsel, resident of Heritage Country, spoke of potential confusion with similar road names. No action taken this date.

**14819 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS - STOP SIGNS IN PCT.4 [T1-228]**

Commissioner Molenaar spoke of need for Stop signs on Trails End at Trail Driver in Big Country Subdivision and on Dripping Springs Road at Foothills in Sunset Canyon South Subdivision. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to call for a public hearing on March 5, 1996 to consider establishing traffic regulations: Stop signs on Trails End at Trail Driver in Big Country Subdivision and on Dripping Springs Road at Foothills in Sunset Canyon South Subdivision. All voting "Aye".

**14820 APPROVE WAIVER OF DEVELOPMENT APPLICATION FEES (WITH EXCEPTION OF \$10 STATE FEE) FOR THE WIMBERLEY VALLEY HABITAT FOR HUMANITY [T1-261]**

The Wimberley Valley Habitat for Humanity is planning to build their second house located in Cedar Hollow - they are requesting waiver of the development application fees. Environmental Health Director Allen Walther has no problems with waiving the fees with the exception of the \$10 State fee which must be paid. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to waive the Development Application Fees - with exception of \$10.00 State Fee - for the Wimberley Valley Habitat for Humanity. All voting "Aye".

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**14821 APPROVE FIRST AMENDMENT TO AGREEMENT FOR ASSESSMENT & COLLECTION SERVICES**  
 [T1-280]

Judge Etheredge advised that the Wimberley ISD are requesting an amendment to agreement for assessment & collection services - they would like to have their own delinquent tax attorney. A motion was made by Judge Etheredge, seconded by Commissioner Payne to approve first amendment to agreement for assessment & collection services. All voting "Aye".

**FIRST AMENDMENT  
 TO  
 AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES**

WHEREAS, on the 30th day of July, 1990, the County of Hays, and the Wimberley Independent School District entered into an agreement that provided for Hays County to assess and collect taxes on behalf of the Wimberley Independent School District, said agreement being attached hereto and marked "Exhibit A", and

WHEREAS, the parties now wish to amend "DELINQUENT TAXES, section 1.(B)" of the Agreement as follows:

"(B) Pursuant to Section 6.30 of the Texas Property Tax Code, the School hereby reserves the right to contract with private legal counsel for the collection of delinquent taxes. The County agrees that such fee as is allowed by law and provided in the contract with private legal counsel will be paid from the delinquent taxes, penalty and interest collected for the School by such private legal counsel."

The effective date of this Amendment is February 1, 1996.

In all other respects the Agreement heretofore entered into shall remain in full force and effect.

**14822 ACTION REGARDING AMENDMENTS TO THE LEASE AGREEMENT FOR THE KYLE PCT. 2 OFFICES** [T1-302]

County Auditor Bill Herzog spoke of new ownership of property being lease by the County in Kyle - Landlord is proposing a commercial lease agreement for a term of five years - rent shall be \$3,135 per month - voiced his concerns about various terms of the lease: building maintenance shall be at Tenant's expenses including but not limited al all doors, door frames, locks, plumbing, plate glass, roof, and HVAC - in the event of default, Landlord may peaceably enter the leased premises and remove all property and dispose of same as Landlord sees fit. Commissioner Barton spoke of a five year lease being too long - spoke of limited rental property in Kyle - unsure what is going to happen with Health Department clinic. Commissioner Molenaar made a motion to advise the Landlord that we are not interested in amending the lease at this time - Commissioner Rodriguez seconded his motion. After a general discussion of lease terms Commissioner Molenaar and Commissioner Rodriguez withdrew their motion. Judge Etheredge suggested going with a three year lease, remove property seizure clause and major repairs. A motion was made by Commissioner Barton, seconded by Judge Etheredge to request the County Auditor and County Judge to contact Landlord Dale Gares regarding amendment to lease agreement - request deleting property seizure clause, provide a two year lease from April 1, 1996 and negotiate repairs - county will pick up increase in taxes. All voting "Aye".

**DISCUSSION REGARDING ESTABLISHING A POLICY TO REVIEW AND APPROVE PLAT APPLICATIONS FOR VOLUNTARY PLAT SUBMISSIONS** [T1-502]

Allen Walther, Environmental Health Director, spoke of need to address subdivision that do not require platting, however, there is a desire to file a plat document in the County Clerk's office - we could provide approval on one reading by the Court. Judge Etheredge spoke of fact that they can legally file it with the County Clerk regardless of whether we approve it or not . Allen Walther stated that if they chose to prepare a plat to be filed in the plat records, it needs to follow through our review process. Commissioner Barton spoke of filing a plat in the Official Public Records instead of the Plat Records. District Attorney Marcos Hernandez spoke of developer voluntarily filing a plat document should have to follow platting requirements - if they bring a plat directly to the Clerk it would have to be filed but would require a statement regarding exemption from municipal approval. Allen Walther spoke of need to simplify the process to allow these plats to be reviewed prior to filing.

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Commissioner Molenaar made a motion to allow platting of property not required to be platted with one reading only if no public improvements and no roads are being constructed (same as variances) with fees to be paid. Motion died for lack of a second. A motion was made by Commissioner Barton, seconded by Commissioner Payne to authorize Allen Walther to promulgate rules to deal with subdivisions which come under the Elgin Bank exception but where the owners wish to voluntarily comply with county platting requirements and at the same time request the County Clerk to not file subdivisions developed under Elgin Bank exceptions in the county plat records unless they have been through the voluntary process. Commissioner Molenaar stated that we cannot tell the County Clerk what she can or cannot file. Commissioner Barton stated that this is a request from the Court. District Attorney Marcos Hernandez spoke of County Clerk's duty to record documents presented to her for recording. Judge Etheredge suggested directing Environmental Health, District Attorney, and County Clerk's office to prepare a policy procedure for filing subdivision plats for court consideration. Motions withdrawn. No action this date.

**JUVENILE PROBATION - INTRODUCTION OF NEW EMPLOYEE [T1-850]**

Chief Juvenile Probation Officer Ed Cooper appeared before the Court to introduce his new employee Justin Jones (came from Victoria Adult Probation Dept.) - Justin is a Criminal Justice graduate of SWTSU - spoke of grants providing additional staffing.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF March, 1996.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 27th DAY OF February A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14823 APPROVE PAYMENT OF COUNTY INVOICES**

Commissioner Payne asked about invoice in the Sheriff's budget to pay for award plaque - with declining revenue they should make an effort to reduce expenditures - we do not spend this kind of money for countywide appreciation certificates - they should pay out of their discretionary funds. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices with the exception of \$506.48 invoice to Cesco Advertising Company out of the Sheriff's Office budget. All present voting "Aye".

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All Funds = \$ 269,508.81

|                    |               |                    |              |                    |              |
|--------------------|---------------|--------------------|--------------|--------------------|--------------|
| Fines              | \$ 48.00      | Interest Earnings  | \$ 213.52    | Auditors Office    | \$ 244.28    |
| Treasurers Office  | \$ 58.96      | Extension Office   | \$ 821.06    | Juvenile Probation | \$ 25.55     |
| Election Admin     | \$ 337.89     | Transfer Station   | \$ 575.00    | Bldg. Mtc.         | \$ 16,241.82 |
| Envion Health      | \$ 625.99     | Personal Health    | \$ 215.40    | Civic Center       | \$ 2,929.80  |
| Countywide Oper    | \$ 4,901.94   | Tax A/C            | \$ 112.80    | District Clerk     | \$ 761.34    |
| County Clerk       | \$ 621.89     | Sheriff's Office   | \$ 18,628.55 | Jail Operations    | \$ 24,629.37 |
| County Judge       | \$ 111.96     | Human Resources    | \$ 240.00    | Co Cr @ Law 1      | \$ 103.95    |
| District Attorney  | \$ 279.75     | J.P. 2             | \$ 274.00    | DPS/135 Substa     | \$ 27.80     |
| Constable 1        | \$ 17.75      | Constable 2        | \$ 9.95      | Constable 3        | \$ 138.56    |
| Constable 5        | \$ 262.10     | Dist Cr Operations | \$ 5,271.72  | Veterans Admin     | \$ 52.72     |
| Computer Svcs      | \$ 882.50     | Juv Svcs Grant     | \$ 2,800.00  | TJPC CCAP Grant    | \$ 27,369.56 |
| CJD DARE Proj      | \$ 1,075.86   | VOCA Grant         | \$ 13.70     | DA DARE Grant      | \$ 1,723.64  |
| R&B Operations     | \$ 16,717.14  | Precinct 1         | \$ 780.00    | Precinct 2         | \$ 1711.13   |
| Precinct 4         | \$ 1.00       | *R&B Gen Credit*   | * \$ 61.66 * | Anticip Notes '95  | \$ 7,146.79  |
| Health Svcs Grants | \$ 1,698.16   | Law Library Fund   | \$ 815.20    | Juv Detention Fac  | \$ 4,097.00  |
| Road Construction  | \$ 116,857.77 | Adult Prob Oper    | \$ 4,100.56  | Adult Prob Fac     | \$ 617.04    |
| Wimb Water Syst    | \$ 4,000.00   |                    |              |                    |              |

**14824 APPROVE BUDGET AMENDMENT NO. 96-014**

The following budget amendments were proposed:

Treasurer's Office - Transfer \$140.00 for computer upgrade and \$165.00 for investment guide from data processing supplies.

Countywide Operations - Transfer for authorized monthly armored car service to justice center and annex from contingencies.

District Clerk - Transfer for copier lease from maintenance and supplies.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 96-014 as proposed. All present voting "Aye".

AMENDMENT  
NO. 96-014  
FY 96 BUDGET  
02/27/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

**TREASURER OFFICE (402):**

|                                 |     |            |              |     |
|---------------------------------|-----|------------|--------------|-----|
| 01-402-5213 BOOKS & PERIODICALS | 245 | 165        |              | 410 |
| 01-402-5718 SOFTWARE            | -0- | 140        |              | 140 |
| 01-402-5221 DATA PROC SUPPLIES  | 760 |            | (305)        | 455 |
|                                 |     | <u>305</u> | <u>(305)</u> |     |

TRANSFER FOR INVESTMENT GUIDE AND COMPUTER UPGRADE

**COUNTYWIDE OPERATIONS (414):**

|                               |        |       |         |        |
|-------------------------------|--------|-------|---------|--------|
| 01-414-5416 ARMOR CAR SERVICE | -0-    | 6,200 |         | 6,200  |
| 01-414-5399 CONTINGENCIES     | 74,054 |       | (6,200) | 67,854 |

TRANSFER FOR AUTHORIZED SERVICE TO JUSTICE CENTER AND ANNEX

**DISTRICT CLERK (416):**

|                                  |       |              |                |       |
|----------------------------------|-------|--------------|----------------|-------|
| 01-416-5473 EQUIPMENT LEASE      | 3,500 | 2,300        |                | 5,800 |
| 01-416-5411 OFFICE EQPT. MAINT   | 2,175 |              | (1,800)        | 375   |
| 01-416-5221 DATA PROC SUPPLIES   | 800   |              | (300)          | 500   |
| 01-416-5215 PERM RECORD SUPPLIES | 1,800 |              | (200)          | 1,600 |
|                                  |       | <u>2,300</u> | <u>(2,300)</u> |       |

TRANSFER FOR REPLACEMENT COPIER LEASE

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**14825 CALL FOR A PUBLIC HEARING TO BE HELD MARCH 5, 1996 TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS ON CR 126 (AKA ROHDE ROAD) - SPEED LIMITS**

Commissioner Barton advised that he had a request from Keith Thrash to establish speed limits on CR126 (Rohde Road). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held March 5, 1996 to consider establishing traffic regulations on CR126 (AKA Rohde Road) to reduce the speed limit. All present voting "Aye".

**14826 APPROVE UTILITY PERMIT #96-206**

Utility Permit #96-206 issued to G.T.E. for buried communication line within r-o-w of CR157 was presented by the Road Department for approval. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permit #96-206. All present voting "Aye".

**14827 B B & C SUBDIVISION NO. THREE - FIRST READING APPROVAL [T1-55]**

Garland Warren & Janelle Warren propose to create a two lot subdivision at the corner of RM150 & RM2770 northwest of Kyle - the City of Kyle has approved - Staff recommends approval. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "B B & C Subdivision No. Three" on first reading. All present voting "Aye". Commissioner Barton requested that this subdivision be put on the agenda for second & third reading next week.

**ROLLING OAKS RESUBDIVISION OF LOT 64 (LOTS 64-A & 64-b) \* PUBLIC HEARING HELD [T1-88]**

Judge Etheredge called the public hearing open to consider resubdivision of Lot 64 in Rolling Oaks subdivision. Jim Henderson advised that he was unable to get the final plat - this resub consist of moving a property line to evenly distribute road frontage. Public hearing was closed. No action this date.

**14828 BEAR CREEK ESTATES SECTION 2 LOTS 34 & 35 - ABANDON EASEMENT & SETBACK \* PUBLIC HEARING HELD - THIRD READING FAILED [T1-105]**

Judge Etheredge called the public hearing open - no input was received - the public hearing was closed. Environmental Health Director Allen Walther recommended approval on third reading. Commissioner Payne stated that he did not feel that a house should be built on property lines - recommended that property owner replat the two lots into a single lot. A motion was made by Judge Etheredge, seconded by Commissioner Barton to approve abandonment of easement and setback between Lots 34 & 35 of Bear Creek Estates Section 2 on third reading. Judge Etheredge and Commissioner Barton voting "Aye". Commissioner Rodriguez and Commissioner Payne voting "No". MOTION FAILED.

**14829 C. M. ROGERS REPLAT OF LOT 3 \* THIRD READING APPROVAL [T1-134]**

Commissioner Barton spoke of this being the Herrera Family partition - City of Niederwald has issued a Letter of Exemption - there will be a road maintenance agreement (private road). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "C. M. Rogers Resubdivision of Lot 3 (creating 5 lots). All present voting "Aye".

**14830 SOUTHBEND I RESUBDIVISION OF LOT 11 \* THIRD READING APPROVAL [T1-174]**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve "Southbend I Resubdivision of Lot 11 (Lots 11-A & 11-B) on third reading. All present voting "Aye".

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**14831 ADOPT A CHILD ABUSE AND NEGLECT PREVENTION & PROTECTION PLAN FOR HAYS COUNTY AND AUTHORIZF. SUBMISSION OF PLAN TO THE TEXAS DEPT. OF PROTECTIVE & REGULATORY SERVICES**

Judge Etheredge spoke of appointment of a committee on January 8, 1996 consisting of the Child Welfare Board and other agencies within the community to come up with a mandated child abuse protection plan. Winton Porterfield spoke of meetings held with individuals from local CPS, DHR, Law Enforcement Agencies, School District, District Attorney's Office, Juvenile Probation Office, members of the Medical Community, Foster Parents and Child Advocates - everyone who deals with abused or "at risk" children submitted a description of what they do - compiled with statistical data and services offered by each of the social services agencies - consensus of the group was that we can identify the children but it is sometimes hard to find appropriate services for them. Judge Etheredge spoke of Protective Homemaker position that was done away with last year had been providing assistance to CPS - committee discussed the loss of that position and how it has affected the community. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to adopt a Child Abuse and Neglect Prevention & Protection Plan for Hays County and authorize submission of the plan to the Texas Department of Protective & Regulatory Services. All present voting "Aye".

**14832 ADOPT POLICY FOR THE REVIEW, APPROVAL, AND FILING OF SUBDIVISION PLATS AND UNPLATTED SURVEY DRAWINGS [T1-340]**

Environmental Health Director presented a Subdivision Plat Policy & Regulations for consideration - made reference to Texas Property Code Sec. 12.002 and Texas Local Government Code Chapter 232 - property owners who are not subject to platting requirements but who wish to have their subdivisions recorded in the plat records, must submit their proposals to the Hays County Environmental Health Department for review - approval by Commissioners' Court would be accomplished by Court approval at a single regularly scheduled meeting. Judge Etheredge asked about method to be used to notify individuals and encourage them to follow our process. Spoke of reducing costs involved in the process. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt policy for the review, approval, and filing of subdivision plats and unplatted survey drawings. All present voting "Aye".

**DISCUSSION REGARDING THREAT OF WILDFIRES [T1-553]**

Judge Etheredge spoke of need to discuss the hot dry weather and use of road department to assist fire departments in fighting fires. A. D. Carroll, Fire Marshal, spoke of resolution of August 23, 1993 authorizing the use of road department equipment and personnel to assist in fire fighting - spoke of recent use of road equipment to break up bales of hay to control a fire situation. Road Director Ron Bischoff spoke of equipment that could be used - specific instructions would be needed - most road workers are not trained in handling fires - they can move a lot more water than anything else with their water trucks - it takes more time to move heavy equipment. Commissioner Barton spoke of need to provide road workers with fire fighting training. A. D. Carroll advised that they would not expect road workers to fight the fires, they would cut fire guards, etc. and would be well away from the actual fires - spoke of bringing in resources from other areas (mutual aide) - the Fire Chief at the scene has the authority to call for mutual aide except in hazardous materials situations. Judge Etheredge spoke of his concerns about property damage by the road department during the course of fire fighting. Commissioner Barton spoke of concerns regarding taking down of trees and the liability involved. A. D. Carroll gave figures indicating the increased number of fire calls for 1996 vs. 1995 - discussed mutual aide agreements with Comal and Caldwell Counties.

**DISCUSSION WITH CURTIS JOHNSON REGARDING COUNTY ROAD IMPROVEMENT PROJECT ON BELL SPRINGS ROAD AND CR101 [T1-834]**

Judge Etheredge spoke of meeting with Commissioner Molenaar and Curtis Johnson regarding CR101 & CR169 - there has been some surveying done. Curtis Johnson appeared before the Court and spoke of road bond improvements to be made on CR101 and CR169 (Bell Springs Road) - CR169 splits his property and he would like for the county to relocate this roadway (approximate 1 mile length) to coincide with his property line - requested a cattle underpass at the low drainage area on CR101. Commissioner Barton spoke of problems with constructing a new road - would be tough to justify the cost - would prefer cost sharing. Judge Etheredge spoke of this area not having any real county roads (most are easements and property owners pay taxes on them) - there has to be some county roads to accommodate future growth.

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**BUDGET WORKSHOP**

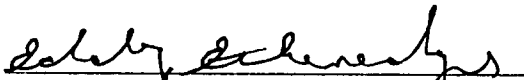
Judge Etheredge spoke of sending out forms in the next few weeks to Department Heads and the need to have an all day session to develop a budget policy statement (setting priorities & commitments) - spoke of revenue shortfalls = \$500,000-600,000 - we cannot afford to do nothing about this shortfall. Judge Etheredge spoke of having hit reserve funds for two years in a row - we need to consider future road bond issues. County Auditor Bill Herzog advised that there is \$3.6 million in reserves at this time. Judge Etheredge spoke of need to build our reserves for future road improvements (State projects require the County to purchase right-of-way) - surface water and wastewater issues will have to be addressed throughout the county - demands for services are increasing - we need to continue buying more vehicles for the Sheriff's Department. Judge Etheredge suggested a "hiring freeze" and ask each department to reduce their budget by a percentage of the shortfall - suggested a separate budget workshop for Department Heads and Elected Officials.

**EXECUTIVE SESSION REGARDING PERSONNEL MATTERS**

The Court convened into closed executive session to discuss personnel matters. Upon completion of this closed session the Court reconvened into open meeting. No action was taken.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 19th DAY OF March, 1996.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 5TH DAY OF MARCH A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14833 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$394,069.56 as presented by the County Auditor. All voting "Aye".

|                    |              |                     |              |                   |               |
|--------------------|--------------|---------------------|--------------|-------------------|---------------|
| Due to             | \$ 62,085.22 | Fines               | \$ 226.00    | Auditors Office   | \$ 247.25     |
| Treasurers Office  | \$ 162.88    | Extension Office    | \$ 162.88    | Grants Admin      | \$ 135.40     |
| Juvenile Prob      | \$ 560.21    | Election Admin      | \$ 491.05    | Indigent Care     | \$ 302.18     |
| Transfer Station   | \$ 39.70     | Bldg. Maint.        | \$ 2,456.45  | Environ Health    | \$ 11,865.21  |
| Civic Center       | \$ 1,568.02  | Countywide Oper     | \$ 80,345.27 | Tax A/C           | \$ 872.95     |
| District Clerk     | \$ 171.97    | County Clerk        | \$ 123.76    | Sheriff's Office  | \$ 4,712.29   |
| Jail Operating     | \$ 26,469.76 | County Judge        | \$ 484.92    | Human Resources   | \$ 827.99     |
| District Attorney  | \$ 530.38    | J.P. 1-1            | \$ 62.36     | J.P. 1-2          | \$ 133.24     |
| J.P. 2             | \$ 88.89     | J.P. 4              | \$ 137.48    | J.P. 5            | \$ 305.90     |
| D.P.S./135 Substa  | \$ 338.05    | Constable 1         | \$ 103.38    | Constable 3       | \$ 37.42      |
| Dist Court Oper    | \$ 9,633.07  | Co. & JP Crt Oper   | \$ 4,432.30  | Veterans Admin    | \$ 122.66     |
| Computer Svcs      | \$ 11,069.00 | DPS/A.&W            | \$ 589.84    | Crths Renov Grant | \$ 51,585.23  |
| Fire Marshal/EMC   | \$ 48.46     | TABC                | \$ 20.89     | Dist Crt Reprtrs  | \$ 19.39      |
| Animal Control     | \$ 6.40      | Comm Crt Exp        | \$ 40.00     | CJD DARE Proj     | \$ 132.84     |
| DA DARE Grant      | \$ 312.42    | D.S. Triangle Grant | \$ 4,832.77  | Gen Fund Credit   | * \$ 287.10 * |
| R&B Operations     | \$ 10,133.68 | Precinct 1          | \$ 564.00    | Precinct 2        | \$ 233.68     |
| R&B Gen Credit     | * \$ 6.40 *  | Anticip Notes '95   | \$ 45,527.19 | Rec Mng/Co Clk    | \$ 2,817.57   |
| Health Svcs Grants | \$ 774.08    | Law Library         | \$ 75.00     | Juvenile Det Fac  | \$ 694.85     |
| Road Construction  | \$ 34,960.26 | Crths Renov/Co      | \$ 13,288.85 | Adult Prob Oper   | \$ 2,844.74   |
| Adult Prob Fac     | \$ 1,976.34  | New Canaan Grant    | \$ 1,321.69  |                   |               |

**14834 APPROVE BUDGET AMENDMENT NO. 96-015**

The following budget amendments were proposed:

Tax Office & District Clerk - Transfer \$500 to increase tax office change fund - Fund employee transferred to Tax Office from District Clerk for balance of FY96.

TJPC/ISP (Juvenile Probation) Grant - Transfer personnel costs to residential expense per Agency.

TJPC/Juvenile Probation Officer Salary Grant - Transfer salary to residential per Agency.

ISTEA/Courthouse Renovation Grant - Budget grant funds (\$435,075)

Courthouse Renovation/County Match - Transfer within county portion of matching funds to conform to grant required items.

\* A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Budget Amendment No. 96-015 as proposed by the County Auditor. All voting "Aye".

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AMENDMENT  
NO. 96-015  
FY 96 BUDGET  
03/05/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES         | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|----------------------------------|---------------|-----------|-----------|---------------|
|                                  | BEFORE        | INCREASES | DECREASES | AS            |
|                                  | AMENDMENT     |           |           | AMENDED       |
| <b>TAX OFFICE (415):</b>         |               |           |           |               |
| 01-415-5391 MISC.                | 100           | 500       |           | 600           |
| 01-415-5061 LONGEVITY            | 3,490         |           | (500)     | 2,990         |
| TRANSFER TO INCREASE CHANGE FUND |               |           |           |               |
| 01-415-5021 STAFF                | 307,226       | 3,136     |           | 310,362       |
| 01-415-5110 FICA                 | 25,599        | 240       |           | 25,839        |
| 01-415-5121 RETIREMENT           | 256,151       | 247       |           | 26,398        |
| 01-415-5061 LONGEVITY            | 2,990         |           | (81)      | 2,909         |

**DISTRICT CLERK (416):**

|                       |         |              |                |         |
|-----------------------|---------|--------------|----------------|---------|
| 01-416-5021 STAFF     | 183,063 |              | (1,693)        | 181,370 |
| 01-416-5160 INSURANCE | 25,015  |              | (1,849)        | 23,166  |
|                       |         | <u>4,123</u> | <u>(4,123)</u> |         |

FUND EMPLOYEE TRANSFERRED INTO TAX OFFICE FROM DISTRICT CLERK TO REMAIN FOR BALANCE OF FY96.

**TJPC/ISP (JUVENILE PROBATION) GRANT (734):**

|                             |        |              |                |        |
|-----------------------------|--------|--------------|----------------|--------|
| 01-734-5021 STAFF           | 25,258 |              | (8,603)        | 16,655 |
| 01-734-5110 FICA            | 1,730  |              | (251)          | 1,479  |
| 01-734-5121 RETIREMENT      | 1,776  |              | (243)          | 1,533  |
| 01-734-5160 INSURANCE       | 2,250  |              | (750)          | 1,500  |
| 01-734-5497 RESIDENTIAL EXP | -0-    | <u>9,847</u> |                | 9,847  |
|                             |        | <u>9,847</u> | <u>(9,847)</u> |        |

ADJUST COSTS DUE TO ACTUAL TIME REQUIRED TO HIRE PERSONNEL; PER AGENCY FUNDS CAN ONLY BE USED FOR RESIDENTIAL PLACEMENT.

**TJPC/JUVENILE OFFICERS SALARY (2) GRANT (735):**

|                             |        |       |         |        |
|-----------------------------|--------|-------|---------|--------|
| 01-735-5021 STAFF           | 44,358 |       | (8,847) | 35,511 |
| 01-735-5497 RESIDENTIAL EXP | -0-    | 8,847 |         | 8,847  |

TRANSFER BALANCE OF SALARY DUE TO ACTUAL TIME REQUIRED TO HIRE PERSONNEL; ONLY TO BE USED AS RESIDENTIAL PLACEMENT PER AGENCY.

**ISTEA/COURTHOUSE RENOVATION GRANT (471):**

|                                    |     |                |  |         |
|------------------------------------|-----|----------------|--|---------|
| 01-471-5391 OTHER EXP              | -0- | 800            |  | 800     |
| 01-471-5399 PROJECT MANAGER        | -0- | 54,000         |  | 54,000  |
| 01-471-5609 DEMOLITION & ABATEMENT | -0- | 12,500         |  | 12,500  |
| 01-471-5611 CONSTRUCTION           | -0- | 143,147        |  | 143,147 |
| 01-471-5621 ENGINEERING SVS        | -0- | 14,033         |  | 14,033  |
| 01-471-5622 ARCHITECTURAL SVS      | -0- | <u>210,595</u> |  | 210,595 |
|                                    |     | <u>435,075</u> |  |         |

**REVENUES:**

|                                               |     | DECREASE | INCREASE |         |
|-----------------------------------------------|-----|----------|----------|---------|
| 01-381-3471 ISTEA/COURTHOUSE RENOVATION GRANT | -0- |          | 435,075  | 435,075 |

BUDGET FY96 PORTION OF GRANT FUNDS.

AMENDMENT  
NO. 96-015  
FY 96 BUDGET  
03/05/96

FUND NO. 20

FUND TITLE COURTHOUSE RENOVATION & ROAD SERIES '94 CONSTRUCTION FUND

| LINE ITEM - EXPENDITURES                         | APPROPRIATION | AMENDMENT     |                 | APPROPRIATION |
|--------------------------------------------------|---------------|---------------|-----------------|---------------|
|                                                  | BEFORE        | INCREASES     | DECREASES       | AS            |
|                                                  | AMENDMENT     |               |                 | AMENDED       |
| <b>COURTHOUSE RENOVATION/COUNTY MATCH (459):</b> |               |               |                 |               |
| 20-459-5391 OTHER EXP                            | -0-           | 2,000         |                 | 2,000         |
| 20-459-5399 PROJECT MANAGER                      | -0-           | 10,800        |                 | 10,800        |
| 20-459-5609 DEMOLITION                           | -0-           | 2,500         |                 | 2,500         |
| 20-459-5611 CONSTRUCTION                         | 1,700,000     | 39,775        |                 | 1,739,775     |
| 20-459-5621 ENGINEERING                          | 100,000       |               | (97,194)        | 2,806         |
| 20-459-5622 ARCHITECTURAL                        | -0-           | <u>42,112</u> |                 | 42,119        |
|                                                  |               | <u>27,194</u> | <u>(97,194)</u> |               |

REBUDGET CONSTRUCTION FUNDS FOR FY96 PART OF COURTHOUSE RENOVATION: COUNTY MATCHING PORTION.

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**14835 APPROVE UTILITY PERMIT #96-101 TO ENTEX**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Utility Permit #96-101 issued to Entex Inc. for relocation of gas line in county right-of-way on Lime Kiln Road. All voting "Aye".

**14836 APPROVE UTILITY PERMITS #96-404, #96-405 & #96-207**

Utility Permits were proposed for the following:

- #96-404 to Century Telephone for telephone line on Hilliard Ranch Road
- #96-405 to Century Telephone for telephone line on Post Road (CR140)
- #96-207 to Goforth Water Supply for water line on CR157

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Utility Permits #96-404, #96-405, & #96-207 as proposed by the Road Department. All voting "Aye".

**14837 APPROVE ASSISTANCE TO HILL COUNTRY RECREATION ASSOCIATION TO MOW PART OF THE BALLPARK ON JACOBS WELL ROAD**

Commissioner Payne advised that Hill Country Recreation Association is a non-profit organization - their fund balance is such that they are asking for some assistance to help mow some of the high grass that has grown up at their ball fields - the transfer station has a long tractor that is use primarily for mowing the closed landfill. Commissioner Payne proposes to allow mowing of the ball fields with the landfill tractor - the county employee that would provide this service is a part-time person so would not exceed a 40-hour work week - estimates that this project should require four to five extra hours at \$6.50 per hour. A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve assistance to Hill Country Recreation Association to mow part of the ball park on Jacobs Well Road. All voting "Aye".

**14838 ADOPT PROCLAMATION RECOGNIZING THE WEEK OF MARCH 10-16, 1996 AS "HIRE THE OLDER WORKER WEEK" IN HAYS COUNTY**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to adopt Proclamation recognizing the Week of March 10-16, 1996 as "HIRE THE OLDER WORKER WEEK" in Hays County. All voting "Aye".

**PROCLAMATION**

As the year 2000 quickly approaches, Texas must conserve and nurture our natural resources in order to meet the economic and social challenges which lie ahead. Among our most valuable resources are the skills, talents, and abilities of our senior Texans. Older Texans want to stay in the mainstream of our state's economic and social development, they want to be active partners in the labors of tomorrow.

Texas must invest in the resourcefulness and talents of our older workers and older job seekers. They must be given the opportunity to share their years of experience, hard work, and dedication. Texas must recognize their contributions as productive members of our great state.

For over thirty years, the Senior Community Service Employment Program, through organizations such as Green Thumb, Inc., has provided older Texans with training and employment opportunities to showcase their strengths, their wisdom, and their productivity.

**THEREFORE, I, Eddy A. Etheredge, County Judge, Hays County, Texas DO HEREBY PROCLAIM THE WEEK OF MARCH 10-16, 1996 AS HIRE THE OLDER WORKER WEEK IN HAYS COUNTY.**

**14839 WHITE WINGS SUBDIVISION \* SECOND READING APPROVAL [T1-75]**

Allen Walther, Environmental Health Director, spoke of this being a three lot subdivision accessed by private roads - they are requesting a variance to road construction standards. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "White Wings Subdivision" on second reading and grant a variance to road construction standards. All voting "Aye".

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**14840 SUNSET ESTATES \* FIRST READING APPROVAL** [T1-111]

Gary Pennington presented "Sunset Estates" subdivision on first reading - consist of six lots with access off Shelton Ranch Road - they will be dedicating 30' of right-of-way - developer will provide 1/2 of cost to pave this road (2 course chip seal) - City of Dripping Springs is reviewing. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Sunset Estates" subdivision on first reading. All voting "Aye".

**14841 PLAZA DEL SOL REPLAT LOT 2-A \* FIRST READING APPROVAL** [T1-162]

Todd Routh is combining Lots 2-5 in an unrecorded subdivision for an existing shopping center - Lendor is requesting platting. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Plaza Del Sol Replat Lot 2-A" on first reading. All voting "Aye".

**14842 VALLEY OAK \* FIRST READING APPROVAL** [T1-180]

This is a 23 lot subdivision with new roads - developer will dedicate whatever right-of-way is necessary to provide 30' from center of the county roadway. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Valley Oak" subdivision on first reading. All voting "Aye".

**14843 BRUMLEY SUBDIVISION \* FIRST READING APPROVAL** [T1-215]

Harold Brumley presented a 12 lot subdivision off CR188 (Martin Road) - roads in the subdivision will be gated (private roads). Road Director Ron Bischoff spoke of need to create a flat lot or a cul-de-sac out of one of the proposed roadways. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Brumley Subdivision" on first reading. All voting "Aye".

**14844 MYSTIC CREEK REPLAT OF LOTS 11 & 12 \* FIRST READING APPROVAL AND CALL FOR PUBLIC HEARING** [T1-271]

Lots 11 & 12 are being replatted to relocated the common lot line due to recent construction - will create Lots 11A & 12A. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Mystic Creek Replat of Lots 11 & 12" on first reading and call for a public hearing to be held March 19, 1996. All voting "Aye".

**14845 TIMMERON SECTION ONE REPLAT OF RESERVES 1.2 & 1.3 \* FIRST READING APPROVAL AND CALL FOR PUBLIC HEARING** [T1-292]

Allen Walther, Environmental Health Director, advised that the lot lines did not meet the configuration on the recorded plat - replat will reflect the property lot lines. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Timmeron Section One Replat of Reserves 1.2 & 1.3" on first reading and call for a public hearing to be held March 19, 1996. All voting "Aye".

**14846 BEAR CREEK ESTATES SECTION TWO LOTS 34 & 35 \* THIRD READING APPROVAL** [T1-319]

Lawrence B. Swim owns Lots 34 & 35 and plans to build a home on the common lot line - we have no prohibition to building across a lot line. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Bear Creek Estates Section Two Lots 34 & 35" abandon easements and setbacks on third reading. Commissioner Barton, Commissioner Molenaar, and Judge Etheredge voting "Aye". Commissioner Payne and Commissioner Rodriguez voting "No".

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**14847 B B & C SUBDIVISION NO. THREE \* SECOND AND THIRD READING APPROVAL (T1-345)**

Commissioner Barton advised that this subdivision is subject to the Elgin Bank Case - they are on public roads and everything is in order and meets our guidelines. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "B B & C Subdivision No. Three" on second and third readings. All voting "Aye".

**14848 PUBLIC HEARING AND DESIGNATE ROAD NAME OF "HEITZLER LANE" TO A PRIVATE ROAD LOCATED OFF FM150 (T1-370)**

Judge Etheredge called the public hearing open to consider naming a private caliche roadway "Heitzler Lane" located off West FM150 to the west and 1/2 mile north of the intersection of West FM150 and FM1826 - no public input was received - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve road name designation of "Heitzler Lane" to a private caliche roadway located off West FM150 to the west and 1/2 mile north of the intersection of West FM150 and FM1826. All voting "Aye".

**PUBLIC HEARING REGARDING ESTABLISHING TRAFFIC REGULATIONS ON TRAIL DRIVER AND FOOTHILLS ROAD (STOP SIGNS) (T1-396)**

Commissioner Molenaar spoke of notice published regarding a public hearing to be held this date to establish traffic regulations in his Pct. - was not posted on the agenda. Judge Etheredge called the public hearing open regarding establishing Stop signs on Trails End at Trail Driver in Big Country Subdivision and on Dripping Springs Road at Foothills Road in Sunset Canyon South Subdivision - no one appeared. - public hearing was closed.

**14849 ADOPT AMENDED ENVIRONMENTAL HEALTH DEPARTMENT FEES FOR SUBDIVISION REVIEWS (T1-417)**

Allen Walther, Environmental Health Director, advised that the new amended fee schedule is much simpler than the current schedule, provides an incentive to those not required to plat, sets reasonable fees for both large and small subdivisions, and insures complete recovery of flood study review fees. A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to adopt Amended Environmental Health Department Fees for Subdivision Reviews as proposed. All voting "Aye".

| SUBDIVISION FEE SCHEDULE                                 |                                                                                                                                                                                                                                                    |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>REVIEW FEES:</b> (Payable to "Hays County Treasurer") |                                                                                                                                                                                                                                                    |
| \$ 50.00 + \$5.00 per lot                                | Short Form                                                                                                                                                                                                                                         |
| \$ 100.00 + \$5.00 per lot                               | If the following conditions are met:<br>a) two (2) lots or less<br>b) not over the Edwards Recharge Zone<br>c) no floodplain exists on the property<br>d) lots are greater than one (1) acre in size <u>and</u><br>e) no new roads are to be built |
| \$ 200.00 + \$5.00 per lot                               | All others                                                                                                                                                                                                                                         |
| Flood Study Review                                       | Based on actual review costs.                                                                                                                                                                                                                      |
| <b>LETTER OF CREDIT:</b>                                 |                                                                                                                                                                                                                                                    |
| County Maintained                                        | (Street length [feet] + 270 X number of cul-de-sacs) X \$15.00<br>Plus<br>Pipe diameter (inches) X Pipe length (feet) X \$ 0.75                                                                                                                    |
| Private Roads                                            | (Street length [feet] + 270 X number of cul-de-sacs) X \$ 7.50<br>Plus<br>Pipe diameter (inches) X Pipe length (feet) X \$ 0.75                                                                                                                    |

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| SUBDIVISION FEE SCHEDULE *continued*                |          |
|-----------------------------------------------------|----------|
| <b>FILING FEE: (Payable to "Hays County Clerk")</b> |          |
| First page                                          | \$ 50.00 |
| plus Records Management & Security Fee              | \$ 6.00  |
| Each additional page                                | \$ 50.00 |

**PUBLIC HEARING TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS ON CR126 (AKA ROHDE ROAD) [T1-493]**

Judge Etheredge called the public hearing open to consider establishing speed limits on Rohde Road (CR126) - no public input was received - public hearing was closed. Commissioner Barton spoke of request from Keith Thrash to set speed limits (requested 30 MPH) - part of this road is paved and part of it is gravel and he will have separate recommendations for each part (35MPH & 45MPH) at a later date. No action taken this date.

**GOFORTH WATER SUPPLY - DISCUSSION REGARDING COUNTY ROAD IMPROVEMENT PROJECTS WITHIN THE WATER SUPPLY AREA [T11-530]**

Clay Hodges (Goforth Water Supply) appeared before the Court regarding county road improvement projects on CR131 & CR122 - county will bear 1/2 cost to relocate water lines - projects were bid out - cost to the county is based on relocating existing 3" line - Goforth Water Supply will bear the expense of upgrading the water lines - this cost sharing is for water lines that were on private property that the county has now purchased for right-of-way - tried to get private easements whenever possible for relocation.

**LOCATION FOR POSTING NOTICES OF SALE [T1-649]**

Judge Etheredge spoke of Court having designating the place for official notices and sales to be the Hays County Records Building - Constable Billy Reeves has pointed out the Code definition of "Courthouse Door" alternate being main entrance to building in which the District Court is located. District Attorney Marcos spoke of need to research further - you have already designated a location other than the "courthouse door" and that may be sufficient.

**EXECUTIVE SESSION - PERSONNEL MATTERS & PROPERTY MATTERS**

The Court convened into closed executive session to discuss personnel matters and real property matters. Upon completion of the closed meeting they reconvened into open meeting.

**14850 EMPLOYEE AWARDS PROGRAM - COURT NOMINATIONS [T1-716]**

Judge Etheredge spoke of selection for the six month employee awards throughout the county - court nominates from the list of department heads - court's nominees will compete with other nominees. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to nominate Richard Salmon for Category 2 (Grades 9-14), Julie Hornberger for Category 3 (Grades 15-21), and the entire Data Processing Department for Category 4 (At Large). All voting "Aye".

**14851 ACCEPT QUITCLAIM DEED FOR R-O-W ON CARNEY LANE [T11-762]**

Commissioner Payne spoke of quitclaim deed from Doug Ramsay donating right-of-way on Carney Lane to widen the roadway. A motion was made by Commissioner Payne, seconded by Commissioner Barton to accept quitclaim deed for r-o-w on Carney Lane. Judge Etheredge asked if this item was posted properly. District Attorney Marcos Hernandez stated that it would fall under the executive session action item. Carney Lane is being widened to accommodate increased traffic and a right-hand turn lane for new school. All voting "Aye". Deputy County Clerk Linda Fritsche advised that the quitclaim deed conveys to the City of San Marcos instead of the County of Hays. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez that upon further consideration, having found errors on the deed, to authorize Commissioner Payne to obtain a correct deed to present at a future date. All voting "Aye".

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**INFORMATION DISCUSSION REGARDING VARIOUS MATTERS [T1-850]**

Judge Etheredge spoke of problems on Hays Country Acres Road - Mark McManus is moving mobile homes onto his property and we are getting telephone calls complaining about Mr. McManus removing private property fencing and widening the road in order to accomplish this. Commissioner Molenaar spoke of complaints he is getting - Mr. McManus told him that he feels like the decision was made to allow him to do this. Judge Etheredge stated that Mr. McManus' Attorney advises that there exist a section of the road that abuts one property owner whose fence is within the county easement - that fence obstructs the ability to move 80ft. mobile homes down the road - not able to verify that fences are in fact within county r-o-w. District Attorney Marcos Hernandez to look into this matter.

Commissioner Barton spoke of Pct. 2 Special Projects funds - he has engaged the Institute of Environmental and Technology Study at SWTSU to review tire burning at Texas Lehigh Cement - spoke of concerns and meetings - there will be professors who will review the information and specific technology will be used to make a report to the Commissioners' Court - should be ready in a couple of weeks.

District Attorney Marcos Hernandez spoke of DARE Officer Ropillo - he has received an invitation to conduct a two week seminar for the GREAT Program - he will be paid \$1200 per week - we have received funds from the SMCISD and the Telephone Company will be donating some funds to continue this position and we should hear from the Grant soon.

**DEPARTMENT HEAD MEETING (1:30 PM) [T1-957]**

Judge Etheredge spoke of revenue shortfall projected at \$500,000.00 - that is basically a result of not being unable to have as many federal prisoners in our jail as anticipated - Court has discussed this matter and we decided that we must make moves to stop the flow of red ink - the most responsible thing to do was to meet with Department Heads and Elected Officials - we have looked at all departments and everyone seems to be right on line with their budgets - we need to cut expenditures now - we are operating on a very tight budget this year - if you remove the voter approved bonds and anticipation notes from the budget you will see that we are operating on approximately \$800,000 or \$900,000 less than the previous budget - we want you to make decisions about your own budget - we are open to suggestions - spoke of proposed 60 day hiring freeze & straight line percentage reduction we could make arbitrary decisions and cut your budget but we would rather let you make the cuts. Discussion was had regarding paying back the overpayment received on Sales Tax. Discussion was had regarding the Jail - the Federal Marshal Service has not been generating enough prisoners and the State does not want us to get rid of available space for them in the future. Commissioner Barton spoke of need to do something in personnel - need to replace personnel more slowly to prevent layoffs and short weeks. Judge Etheredge advised that it would take 48 fulltime positions for six months to generate the total amount of projected shortfall. George Aitken, Human Resources Director, spoke of hiring freeze. Judge Etheredge spoke of problems built into this years budget which could create problems for the next budget year. Discussion was had regarding DPS Weigh Station - it will probably late summer before they get started (they are in the process of training officers). Commissioner Barton suggested allowing voluntary leave of absences or reduced work week - could possibly look at allowing flexibility to individual employees to reduce their work hours or take unpaid leave without losing seniority or benefits. Discussion with Data Processing on equipment or software that has not been purchased yet that could be postponed. Discussed a 4% straight line budget reduction in all departments. Judge Etheredge spoke of not allowing budget amendments. Commissioner Payne spoke of need to get a handle on long distance calls and mobile phone expenses. Judge Etheredge spoke of printing expenses - we need to utilize the Rizo machine in the purchasing department - asked the Dept. Heads to go back through their budgets and make cuts where possible and get it turned in by Monday to the Auditor's office.

**ELECTED OFFICIALS MEETING [T1-2000]**

Judge Etheredge spoke of discussions with Sheriff's Dept. to see how revenues can be increased at the Jail - that money goes to the general fund and is distributed to various departments - we are looking for a solution to make up the revenue shortfall - we have looked at taking in out-of-state prisoners - spoke of problems at the Federal Marshal Service (they have not been able to generate the prisoners) - the State may have overages but there are many county jails that were overbuilt and we may not get a large number of those prisoners - we could implement a hiring freeze (would take 8 fulltime employees not working at all to generate \$100,000.00) - could look at telephone, travel, office supplies, etc. to see if we could cut expenditures - would like feedback from the Elected Officials to see how you will be affected by these decisions - Ron Knott (Building Maintenance) has decided to scrap some projects planned for his department to save money - look at mobile phone expenses to see if you can limit the number of calls or limit the number of fax machines & copiers. Commissioner Barton spoke of personnel savings - could create a three person committee to review vacancies and make recommendation to the Commissioners' Court - could look at seasonal or part time employees -

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Judge Etheredge spoke of budget process last year requiring budget cuts - if you remove voter approved bonds and anticipation notes you will see that we have a reduced budget - spoke of problems built into that budget that could create further problems for the upcoming budget year - we have to eliminate the \$500,000 current shortfall in order to deal with the upcoming budget process - we are very conservative in estimating our revenues - we are open to discussion- we are asking that every department make cuts in their budgets - after those cuts have been made we will go back through the budget and make any other necessary cuts. J.P. 5 Lamont Ramage spoke of his tight budget - not sure how to whittle his budget any further - feels like staff is where the big cuts will have to be made to make a difference - spoke of how cutting staff in D.A.'s office would affect the JP's office - need to look at the picture as a whole and how various departments work together. Constable Pct. 5 Billy Reeves spoke of tight budgets. Judge Etheredge spoke of increased growth throughout the county which is putting a demand on county services. Commissioner Barton spoke of fixed costs and discretionary money - if everyone will make small cuts it will help. Luanne Caraway, Tax A/C, spoke of possible staff cuts in her office. Commissioner Barton spoke of getting serious about control of heating and cooling in county buildings to save money. District Attorney Marcos Hernandez spoke of reductions he made in his office supplies and telephone expenses since he's been in office - spoke of his current efforts to cut out the number of phones in his new offices. J.P.4 Rex Baker spoke of the J.P.'s effort to collect revenues. Discussion was had regarding confiscated vehicles, etc. and expenses for storage, towing, etc. - need to make sure we collect fees on all confiscated vehicles. Commissioner Molenaar spoke of savings in office supplies by utilizing the printing machine in the Purchasing Dept. for printing letterhead and envelopes - do not need to have fancy logos and seals. Judge Etheredge spoke of need for a list of possible savings - turn your list into the County Auditor - if you think you will be generating more revenue than was estimated please let us know - don't cut items and then come back later and ask for it back - the remaining shortfall will be determined by the Court. Constable Pct. 3 Don Amerson spoke of not having anywhere to cut in his budget - spoke of not having received the radar he had requested.

**14852 APPROVE TRAFFIC REGULATIONS IN SKYLINE RANCH ESTATES [T1-3378]**

A public hearing has already been held - the Road Department and Commissioner Payne have provided a list of regulatory and advisory signage in Skyline Ranch Estates subdivision as follows:

- 30MPH Speed Limit on ALL roads
- STOP sign at Skyline Summit Vista at Valley Vista
- STEEP GRADE at Skyline Summit Vista (down hill)
- CURVE Sign with speed advisory at Skyline Vista (down hill)
- Valley Vista NO OUTLET on Lot #23 on Valley Vista at cul-de-sac YIELD
- Valley Vista at Skyline Ridge Lookout STOP sign
- Stony Creek Vista RIGHT REVERSE CURVE Lot 38A east bound
- Stony Creek Vista LEFT REVERSE CURVE Lot 45 west bound
- Skyline Ridge Lookout east bound near end RIGHT WINDING ROAD
- Skyline Ridge Lookout RIGHT CURVE @ Lot 51
- Skyline Ridge Lookout LEFT CURVE @ Lot 52 or 53
- Skyline Ridge Lookout RIGHT CURVE @ Lot 85
- Skyline Ridge Lookout YIELD SIGN @ side road Lot 88
- Skyline Ridge Lookout NO OUTLET @ Lot 98
- Skyline Ridge Lookout NO OUTLET @ Lot 41B

A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve traffic regulations as proposed for Skyline Ranch Estates subdivision. All voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 16<sup>TH</sup> DAY OF APRIL, 1996.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
 HAYS COUNTY, TEXAS

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
 HAYS COUNTY, TEXAS





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 12TH DAY OF MARCH A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Note: Commissioner Payne was not present when meeting was called to order.

**14853 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 361,241.37 as presented by the County Auditor. All present voting "Aye".

|                    |              |                    |              |                    |               |
|--------------------|--------------|--------------------|--------------|--------------------|---------------|
| License & Permits  | \$ 292.00    | State Shared Rev   | \$ 697.17    | Auditors Office    | \$ 169.97     |
| Treasurers Office  | \$ 884.83    | Extension office   | \$ 480.97    | Grants Admin       | \$ 23.80      |
| Juvenile Prob      | \$ 189.95    | Indigent Care      | \$ 378.45    | Transfer Station   | \$ 217.15     |
| Bldg. Mtc. Dept.   | \$ 5,663.03  | Environ Health     | \$ 3,050.23  | Personal Health    | \$ 485.65     |
| Civic Center       | \$ 950.63    | Countywide Oper    | \$ 53,610.32 | Tax A/C            | \$ 751.36     |
| District Clerk     | \$ 1,133.31  | County Clerk       | \$ 77.50     | Sheriffs Office    | \$ 5,753.98   |
| Jail Operations    | \$ 10,013.64 | County Judge       | \$ 198.00    | Human Resources    | \$ 323.50     |
| County Crt @ Law 1 | \$ 57.74     | District Attorney  | \$ 270.62    | J.P. 1-1           | \$ 32.00      |
| J.P. 2             | \$ 13.71     | J.P. 4             | \$ 20.98     | DPS/I35 Substation | \$ 617.93     |
| Constable 2        | \$ 55.74     | Constable 3        | \$ 32.00     | Constable 5        | \$ 63.42      |
| Dist Crt Oper      | \$ 7,179.61  | Veterans Admin     | \$ 123.96    | Computer Svcs      | \$ 574.50     |
| Dist Crt Reprtrs   | \$ 38.49     | 911 Signs Grant    | \$ 1,782.00  | Gen Fund Credit    | * \$ 9.96 *   |
| R&B Operating      | \$ 8,814.53  | Precinct 1         | \$ 240.00    | Precinct 2         | \$ 73.40      |
| Precinct 3         | \$ 237.54    | Precinct 4         | \$ 135.44    | Anticip Notes '95  | \$ 162,688.48 |
| Rec Mng/Co Clk     | \$ 118.73    | Health Svcs Grants | \$ 1,020.43  | Law Library        | \$ 229.75     |
| Hays Co I&S        | \$ 11,319.51 | Road Construction  | \$ 65,119.80 | Foster Care Fund   | \$ 5,719.28   |
| Adult Prob Oper    | \$ 7,627.50  | Adult Prob Fac     | \$ 457.11    | New Canaan Grant   | \$ 1,321.69   |

**14854 APPROVE BUDGET AMENDMENT NO. 96-016**

The following budget amendments were proposed:

Building Maintenance - transfer for storage lease of courthouse items from janitorial service and adjust utilities.

Adult Probation Operating fund & CSR Grant - carryover fund balance from FY95 for programming & software maintenance and correct office supply and fiscal fee amount per CJAD.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Budget Amendment No. 96-016 as proposed by the County Auditor. All voting "Aye".

|                                    |                           |                  |                      |                     |
|------------------------------------|---------------------------|------------------|----------------------|---------------------|
|                                    |                           |                  |                      | <b>AMENDMENT</b>    |
|                                    |                           |                  |                      | <b>NO. 96-016</b>   |
|                                    |                           |                  |                      | <b>FY 96 BUDGET</b> |
|                                    |                           |                  |                      | <b>03/12/96</b>     |
|                                    | <b>FUND NO. 01</b>        |                  |                      |                     |
|                                    | <b>FUND TITLE GENERAL</b> |                  |                      |                     |
|                                    | <b>APPROPRIATION</b>      | <b>AMENDMENT</b> | <b>APPROPRIATION</b> |                     |
|                                    | <b>BEFORE</b>             |                  | <b>AS</b>            |                     |
| <b>LINE ITEM - EXPENDITURES</b>    | <b>AMENDMENT</b>          | <b>INCREASES</b> | <b>DECREASES</b>     | <b>AMENDED</b>      |
| <b>BUILDING MAINTENANCE (410):</b> |                           |                  |                      |                     |
| 01-410-5473 RENT/LEASE             | 500                       | 1,500            |                      | 2,000               |
| 01-410-5423 CONTRACT JANITORIAL    | 30,000                    |                  | (1,500)              | 28,500              |
| 01-410-5485 KYLE UTILITIES         | 2,100                     | 1,500            |                      | 3,600               |
| 01-410-5491 JUSTICE CTR UTIL.      | 22,000                    | 1,500            |                      | 23,500              |
| 01-410-5487 RECORDS BLDG UTIL      | 14,380                    |                  | (3,000)              | 11,380              |
| 01-410-5486 SMITH UTILITIES        | 5,300                     |                  | (500)                | 4,800               |
| 01-410-5489 TELEPHONE              | 1,028                     | 500              |                      | 1,528               |
|                                    |                           | <u>5,000</u>     | <u>(5,000)</u>       |                     |

TRANSFER FOR COURTHOUSE ITEMS STORAGE LEASE AND ADJUST UTILITIES

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AMENDMENT  
NO. 96-016  
FY 96 BUDGET  
03/12/96

FUND NO. 34

FUND TITLE ADULT PROBATION OPERATING FUND

| LINE ITEM - EXPENDITURES                 | APPROPRIATION | AMENDMENT     |               | APPROPRIATION |
|------------------------------------------|---------------|---------------|---------------|---------------|
|                                          | BEFORE        | INCREASES     | DECREASES     | AS AMENDED    |
| <b>OPERATING/SUPERVISION (486):</b>      |               |               |               |               |
| 34-486-5110 FICA                         | 114,157       | 38            |               | 114,195       |
| 34-486-5219 SUPPLY & OPERATING           | 58,000        | 5,000         |               | 63,000        |
| 34-486-5329 PROFESSIONAL FEES            | 56,096        | 9,317         |               | 65,413        |
| 34-486-5499 FACIL, UTIL & EQUIP          | 46,450        | 11,590        |               | 58,040        |
| 34-368-3688 PRIOR FY/USE OF FUND BALANCE | -0-           |               | 25,945        | 25,945        |
|                                          |               | <u>25,945</u> | <u>25,945</u> |               |

PER CJAD, AUTHORIZE PROGRAMMING & SOFTWARE MAINTENANCE FROM FY95 CARRYOVER OF FUND BALANCE

**ADULT PROBATION DTP GRANT FOR CSR (488):**

|                              |       |    |      |       |
|------------------------------|-------|----|------|-------|
| 34-488-5219 SPLY & OPERATING | 5,592 | 17 |      | 5,609 |
| 34-488-5329 PROF FEES        | 1,006 |    | (17) | 989   |

ADJUST PER CJAD TO CORRECT OFFICE SUPPLY AND FISCAL FEE AMOUNT

**14855 APPROVE UTILITY PERMIT #96-205**

The following Utility Permit was presented for approval: #96-205 to the City of Buda for an 8" PVC gravity sewer line on CR228 (West Goforth Road). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Utility Permit #96-205 presented by the Hays County Road Department. All present voting "Aye".

**14856 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR PURCHASE OF AN OIL DISTRIBUTOR**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve specifications and authorize the County Auditor to advertise for bids for purchase of an Oil Distributor. All present voting "Aye".

**14857 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR PURCHASE OF A MOTORGRADER**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve specifications and authorize the County Auditor to advertise for bids for purchase of a Motorgrader. All present voting "Aye".

**14858 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR FLEET CARD MANAGEMENT SYTEM**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve specifications and authorize the County Auditor to advertise for bids for Fleet Card Management System. All present voting "Aye".

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**14859 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO THE TDHCA - COMMUNITY DEVELOPMENT FUND FOR UP TO \$250,000 FOR WATER IMPROVEMENT IN NORTH HAYS CO.**

Grants Administrator Richard Salmon advised that grant funds will be used to connect residents in north Hays County to the Hill Country Water Supply System. Residents of the Bear Creek Oaks subdivision and surrounding area are on wells and they are going dry. Many of the residents are already hauling water. Public hearing will be held and the application put together in the coming month if approved by the Commissioners' Court. Residents of Bear Creek Oaks know they have to come up with the 5% matching funds. If the grant is funded, Hays County will receive administration funds and will not have to provide any funds other than the Grants Administrator's time. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize the county to submit a grant application to the TDHCA - Community Development Fund for up to \$250,000.00 for water improvement in north Hays County. All present voting "Aye".  
\*See Resolution in file\*

**14860 APPROVE REFUND OF OVERPAYMENTS ON 1995 TAXES**

Luanne Caraway, Tax Assessor-Collector, requested approval to refund the following overpayments on 1995 taxes:

- \$2,996.37 to Joseph A. & Jacquelyn Guerra
- \$ 700.96 to John Peter & Joann Beverley Maittlen-Harris

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve refund of overpayments on 1995 taxes as requested by the Tax Assessor-Collector. All present voting "Aye".

**14862 ACTION REGARDING BID OFFER ON .38 ACRE OUT OF THE J.M. VERAMENDI SURVEY (DELINQUENT TAX PROPERTY)**

Tax Assessor-Collector Luanne Caraway advised that a bid of \$10,023.50 was made on a .38 acre out of the J.M. Veramendi Survey, Abstract 17, which is held in trust by the County, San Marcos CISD, and the City of San Marcos - judgment was rendered on this property in July 1990 and it has been exempt since August 1995 - the bid amount would constitute a 60.75% recovery - bid would need to be approved by the school and city if approved by the county. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to accept bid offer of \$10,023.50 for a .38 acre tract out of the J.M. Veramendi Survey (delinquent tax property). All present voting "Aye". \*Note: later on during this meeting this item was reconsidered \* [11-2281] Judge Etheredge asked the court to reconsider this offer - offer covers only the tax accumulated and not the penalty and interest - this property is currently occupied - would like more information and reconsider this offer next week. A motion was made by Judge Etheredge, seconded by Commissioner Barton to rescind previous action accepting this offer and reconsider this item next week. All voting "Aye". (Note: Commissioner Payne was present for the later vote.

**14862 ADOPT PROCLAMATION RECOGNIZING WEEK OF MARCH 18-22, 1996 AS "TEXAS PUBLIC SCHOOLS WEEK" IN HAYS COUNTY**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to adopt Proclamation recognizing the week of March 18-22, 1996 as "Texas Public Schools Week" in Hays County. All present voting "Aye" (See Page \_\_\_\_ for Proclamation)

**14863 APPROVE INTERLOCAL AGREEMENT WITH CALDWELL COUNTY FOR EMERGENCY MANAGEMENT AND PREPAREDNESS**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve interlocal agreement with Caldwell County for Emergency Management and Preparedness as recommended by the Hays County Fire Marshall/Emergency Management Coordinator A.D. Carroll. All present voting "Aye".

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STATE OF TEXAS \*  
COUNTY OF HAYS \*

INTER-LOCAL AGREEMENT

WHEREAS, the County of Hays and the County of Caldwell have established similar programs of comprehensive emergency management which includes the mitigation, preparedness, response and recovery phases of emergency management; and

WHEREAS, the County of Hays and the County of Caldwell have established the Office of County Fire Marshal, whose duties includes Fire Protection, Fire Prevention, Fire Investigation, Arson Investigation, and Hazardous Material Response; and

WHEREAS, the County of Hays and the County of Caldwell find that the common goal of emergency management and the County Fire Marshal's office can best be achieved through sharing of combined resources,

THEREFORE, BE IT RESOLVED that in the event of any phase of activity of emergency management threatening or occurring in Hays County, the Hays County Emergency Management Coordinator may request assistance from the Caldwell County Emergency Management Coordinator for additional resources in Hays County, and BE IT RESOLVED that in the event of any phase of emergency management threatening or occurring in Caldwell County, the Caldwell County Emergency Management Coordinator may request assistance from the Hays county Emergency Management Coordinator for additional resources in Caldwell County,

BE IT FURTHER RESOLVED that in the event of any activity of the office of Hays County Fire Marshal in the area of fire protection, fire prevention, fire investigation, arson investigation, and hazardous material response, the Hays County Fire Marshal may request assistance in any of these activities, from the Caldwell County Fire Marshal's office, and in the event of any activity of the office of Caldwell County Fire Marshal in the areas of fire protection, fire prevention, fire investigation, arson investigation, and hazardous material response the office of Caldwell County Fire Marshal may request assistance in any of these activities from the Hays County Fire Marshal's office.

BE IT FURTHER RESOLVED that the powers, duties, and authority of the Hays County Fire Marshall shall extend to the Caldwell County Fire Marshal while acting in hays County and that the powers, duties, and authority of the Caldwell County Fire Marshal shall extend to the Hays County Fire Marshal while acting in Caldwell County in accordance with the Laws of the State of Texas.

This agreement shall be effective as of last date of signature hereof.

**14864 CALL FOR A PUBLIC HEARING TO BE HELD APRIL 2, 1996 TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS "SPEED LIMIT" ON CR138 (OPAL LANE) IN PRECINCT 2**

Commissioner Barton advised that there is no speed limit posted on CR138 and several constituents have called in their concerns for their children's safety. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to call for a public hearing to be held April 2, 1996 to consider establishing traffic regulations (Speed Limits) on CR138 (AKA Opal Lane) in Precinct 2. All present voting "Aye".

**14865 CALL FOR A PUBLIC HEARING TO BE HELD MARCH 19, 1996 TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS (STOP SIGNS) AT "TRAILS END" AT "TRAIL DRIVER" IN BIG COUNTRY SUBD. AND ON "DRIPPING SPRINGS ROAD" AT "FOOTHILLS" IN SUNSET CANYON SOUTH SUBDIVISION**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to call for a public hearing to be held March 19, 1996 to consider establishing traffic regulations (Stop signs) at Trails End at Trail Driver in Big Country Subdivision and on Dripping Springs Road at Foothills in Sunset Canyon South Subdivision. All present voting "Aye".

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**14866 AUTHORIZE RENEWAL OF CURRENT ANNUAL CONTRACTS FOR ONE YEAR FOR DUMPSTERS AND FOR HAULING OF SOLID WASTE**

Cindy Casparis, Purchasing Agent, advised that she had discussed with BFI the contract for hauling of solid waste - they have agreed to renew an additional year with no price increase (letter from BFI in file). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to authorize renewal of current annual contracts for one year for dumpsters and for hauling of solid waste. All present voting "Aye".

**14867 ROLLING OAKS SECTION THREE REPLAT OF LOT 64 (LOTS 64-A & 64-B) \* SECOND READING APPROVAL [T1-76]**

Jim Henderson presented "Rolling Oaks Section 3 Replat of Lot 64" on second reading - public hearing was held two weeks ago - approximately 20 acres being sold off of a 30 acre tract - right of way is being dedicated - property is not located within any cities ETJ. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Rolling Oaks Section Three Replat of Lot 64 (Lots 64-A & 64-B) on second reading. All present voting "Aye".

**14868 MYSTIC CREEK REPLAT OF LOTS 11 & 12 (LOTS 11-A & 12-A) \* SECOND READING APPROVAL [T1-104]**

Allen Walther, Environmental Health Director, advised that this is a realignment of common lot lines - being replated to accommodate development. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Mystic Creek Replat of Lots 11 & 12 (Lots 11-A & 12-A) on second reading. All present voting "Aye".

Note: Commissioner Payne came to the meeting at this time.

**14869 PLAZA DEL SOL \* SECOND AND THIRD READING APPROVAL [T1-114]**

Allen Walther, Environmental Health Director, advised that this is a plat of a previously sold lot that was not platted. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "Plaza Del Sol" subdivision on second and third readings. All voting "Aye".

**14870 WHITE WINGS SUBDIVISION \* THIRD READING APPROVAL [T1-123]**

Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "White Wings Subdivision" on third reading. All voting "Aye".

**14871 THE HIGHLANDS SECTION B REPLAT OF LOT 80 (LOTS 80-A & 80-B) \* THIRD READING [T1-129]**

Staff recommends approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "The Highlands Section B Replat of Lot 80 (Lots 80A & 80-B) on third reading. All voting "Aye".

**14872 HILLS OF TEXAS ESTATES SECTION TWO \* REDUCE EASEMENT ON LOT 60 [T1-155]**

Mark Johnson appeared regarding reduction of 15 foot utility easement on Lot 60 along its common lot line with Lot 59 (reduce 15 foot easement by 3 feet) - Utility Companies have signed releases. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to reduce the public utility easement on Lot 60 Hills of Texas Estates Section Two along its common lot line with Lot 59 from 15 feet to 12 feet. All voting "Aye".

**14873 AUTHORIZE ENVIRONMENTAL HEALTH DIRECTOR TO PURCHASE A MITA DC-3648 COPIER IN LIEU OF THE BLUE LINE COPIER CURRENTLY AUTHORIZED [T11-183]**

Allen Walther, Environmental Health Director, requested authorization to purchase a Mita DC-3648 copier in lieu of the blue line copier currently authorized in scheduled countywide equipment - spoke of Mita copier that would allow option of filming maps, archive the originals, and produce copies of aerial photographs - spoke of negotiations with CAPCO to budget this copier with grant funds - this

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copier cost may exceed \$15,000.00 and require bids. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize Environmental Health Director to purchase a Mita DC-3648 copier in lieu of the blue line copier currently authorize in scheduled countywide equipment. Purchase cannot be made without available grant funds. All voting "Aye".

**14874 ESTABLISH TRAFFIC REGULATIONS "SPEED LIMITS" ON CR126 (AKA ROHDE ROAD) [T1-313]**

A motion was made by Commissioner Barton, seconded by Commissioner Payne to establish traffic regulations on CR126 (AKA Rohde Road) of 30 MPH speed limit on the unpaved portion of CR126 and a 40MPH speed limit on the paved portion of CR126 with appropriate advisory signs. All voting "Aye".

**DISCUSSION REGARDING TRADING RIGHT-OF-WAY EASEMENT FOR SERVICES ON A PROPERTY OWNERS DRIVE IN PRECINCT 3 [T1-329]**

Road Director Ron Bischoff spoke of CR220 road widening project - property owner now does not want to sign a written agreement ( a verbal agreement only). Ron stated that he is not now willing to provide the service if he cannot receive an agreement in writing. District Attorney Marcos Hernandez spoke of prescriptive easement on CR220 - need a legal description for the right-of-way being traded or purchased. Commissioner Payne spoke of this not being a good policy to trade r-o-w for services - suggested paying for the r-o-w. and they can pay for blading of their private drive.

**COUNTY ROAD IMPROVEMENT PROJECTS - DISCUSSION [T-1-506]**

A proposal was submitted by John Doucet regarding CR234 - the paperwork that was received does not fit the agenda item listed. No action taken this date.

**DISCUSSION - CONSIDER REPEAL OF DISASTER DECLARATION (BURN BAN) [T-1-553]**

Commissioner Payne advised that he had requested that this item be placed on the agenda - we have not received sufficient amount of rainfall to repeal the burn ban at this time - asked that this item be placed on the agenda each week until repealed. Fire Marshal A. D. Carroll spoke of grass fires still being a problem and the windy weather we are currently experiencing.

**14875 REQUEST COUNTY AUDITOR TO MAKE A FINAL LEASE OFFER NOT TO EXCEED 3 YEARS AND COUNTY NOT TO BE RESPONSIBLE FOR MAJOR REPAIRS [T1-569]**

County Auditor Bill Herzog spoke of Court's request for a two year lease - Landlord prefers a four year lease and expects the County to make major repairs (plumbing, plateglass, roof, air conditioning) to the building. Commissioner Barton spoke of commercial leases normally have the landlord responsible for major repairs - spoke of having been contacted regarding other office space that might be available but are not suitable for our use - stated that he is not interested in a four year lease. Judge Etheredge stated that he would be willing to consider a three year lease but has no interest in taking over major A/C and heating repair work. A motion was made by Judge Etheredge, seconded by Commissioner Barton to request the County Auditor to make a final lease offer not to exceed three years and not to include major repairs. Commissioner Payne stated that he is not ready to negotiate a lease at all - we are not at the end of the current lease. Judge Etheredge, Commissioner Rodriguez, Commissioner Barton, and Commissioner Molenaar voting "Aye". Commissioner Payne voting "No".

**14876 AUTHORIZE PAYMENT FOR PLAQUE PURCHASED BY THE SHERIFF'S DEPARTMENT [T1-671]**

Summary: On February 27, 1996 the Commissioners' Court pulled an invoice & check in the amount of \$506.48 to CESCO for a plaque ordered by the Sheriff's Dept.. In response, Sheriff Hastings submitted a letter advising that the plaque in question was purchased to continue the annual "Best of the Best" awards honoring Sheriff's Dept. Employees and Citizens for outstanding service - he started this practice in 1990 and had purchased the first plaque himself (plaque has room for 5 years of award presentations) - each year he honors nine outstanding employees and one category is

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set aside to honor a citizen. Commissioner Payne spoke of the countywide awards program. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to deny payment for plaque purchased by the Sheriff's Department. Commissioner Molenaar spoke of this award program was started before the county adopted their awards program - supports recognizing Officers, Employees, and Citizens. Commissioner Payne can continue with this program but he should pay for it - asked where the Sheriff is going to make requested cuts in his budget to make up for the budget shortfall. Judge Etheredge advised that the Sheriff is not in his office at this time due to health reasons - his staff is working on preparation of budget cuts and he will have to review them when he returns to work. Judge Etheredge spoke of need for policy to address ongoing expenditures without approval by the Commissioners' Court. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize payment for plaque purchased by the Sheriff's Department (\$506.48) - there are sources for those plaques through the Purchasing Department that that would allow us to take advantages of fairly significant discounts that would have made that plaque much less expensive - any future purchases should go through the purchasing department. Judge Etheredge, Commissioner Barton, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez and Commissioner Payne voting "Aye".

**14877 DESIGNATE THE HAYS COUNTY JUSTICE CENTER AS LOCATION FOR POSTING PUBLIC NOTICES AND HOLD PUBLIC SALES OF REAL PROPERTY [T1-878]**

District Attorney Marcos Hernandez spoke of having previously cited the Texas Property Code in December for designating an area for posting public notices while the courthouse is being renovated - the problem encountered was under Section 51.002 stating that the Commissioners can decide a new area within the "courthouse confines" - Attorney General's Opinion JM-1044 states "A commissioners court may change the area at the courthouse previously designated for public sales of real property pursuant to the provisions of section 51.002(a) of the Property Code. The commissioners court is not authorized under such section to designate an alternate area for times when the designated area may become inaccessible to the public" - Constable Reeves has pointed out the Rules of Civil Procedure Rule 647-648 which designates the "courthouse door" - researched Case Law (23SW574) - we could continue using the courthouse or designate the Justice Center (building where the District Court is held) for holding public sales of real property - foreclosure postings can be done by newspaper or in three public places (one being the courthouse door). A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to designate the following location in Hays County as the "courthouse door" (as that term is used in Rule 647 & Rule 648 of the Rules of Civil Procedure to designate the located where District Court is to be held): the main entrance on the north side of the building at 110 East Martin Luther King Drive, San Marcos, Texas, otherwise known as the Hays County Justice Center. All voting "Aye". All Notices are to be posted at the Hays County Justice Center.

**14878 ESTABLISH THE TRANSFER STATION AS A COUNTY DEPARTMENT WITH JERRY PINNIX AS DEPARTMENT HEAD [T1-1104]**

Judge Etheredge spoke of streamlining management operations in the county and creating a public works department with the road department being the first department of public works - suggested placing the transfer station under the environmental health department before we begin the budget process for FY97. Jerry Pinnix, Transfer Station Manager, spoke of State Certification required and efficiency reports - stated that he feels like he does a good job for the county and will continue to do his job - if this is what is best for the county then lets do it - spoke of BFI's request for county to pay \$250 for each box of newspaper hauled off - no money is budgeted for this - we may need to discontinue recycling newspaper and we may need to discontinue other recycling until the market changes - spoke of cutting hours at the transfer station. Commissioner Payne is of the opinion that Allen Walther, Environmental Health Director, has a "full plate" and should not be required to take on this department - does not feel that Allen would want to make the snap decisions that are necessary for operation of the transfer station. Commissioner Molenaar feels like Allen Walther does not want this - Jerry is doing a fine job - should leave this department as is. Commissioner Barton stated this is not a reflection on Jerry - this would be a structural reorganization. Judge Etheredge spoke of consolidating departments so that we have fewer departments. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to establish the Transfer Station as a County Department with Jerry Pinnix as the Department Head. Commissioner Rodriguez, Commissioner Barton, Commissioner Payne, and Commissioner Molenaar voting "Aye". Judge Etheredge voting "No".

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**WORKSHOP DISCUSSION ON HAYS COUNTY INVESTMENT PLAN [T1-1438]**

County Treasurer Michele Tuttle made a presentation regarding investment plan for Hays County:

1. **INVESTMENT AUTHORITY AND SCOPE OF POLICY**  
General Statement to adopt annually (funds in custody of the County Treasurer)  
Investment Officer will be the County Treasurer
2. **INVESTMENT OBJECTIVES**  
Safety (Primary objective) Liquidity (to meet operating needs)  
Yield (maximum allowable) Maturity (1 yr. maximum)
3. **QUALITY & CAPABILITY OF INVESTMENT MANAGEMENT**  
Training required (mandatory) and Certification - Committee
4. **INVESTMENT STRATEGY**  
Types of funds: Operating Funds - Debt Services - Special Project  
Make sure we have funds available - spoke of laddering
5. **INVESTMENT TYPES**  
Long Version - Short Version
6. **RESPONSIBILITY & CONTROL**  
Defines "Investment Institutions" - Allows Savings & Loans to be used  
Must be FDIC insured - they must follow our investment policy and give proof that they are certified - discussed using Brokers
7. **INVESTMENT COLLATERAL & SECURITY**  
Safekeeping will be done by the Federal Reserve - Ethics & Conflict of Interest (recommends disclosing any personal bank dealings with the Texas Ethics Commission by letter)
8. **INVESTMENT REPORTING & PERFORMANCE EVALUATION**  
Full detail on investments will be reported - will provide graphs on investments quarterly
9. **EXAMPLE OF INVESTMENTS**  
Notes ♦ Money Markets ♦ T-Bills ♦ TexPool ♦ Logic

Commissioner Barton spoke of Investment Team needed in the policy - suggested having the County Judge on the Team and one of the Commissioners (could be rotated annually) -

Court was adjourned until Tuesday March 19, 1996 at 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 16<sup>th</sup> DAY OF April, 1996.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 19TH DAY OF MARCH A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EDDY A. ETHEREDGE  
PETER RODRIGUEZ  
JEFFERSON W. BARTON  
RUSS G. MOLENAAR  
LINDA C. FRITSCHÉ

COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 4  
DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14879 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$256,596.38 as presented by the County Auditor. All present voting "Aye".

|                    |               |                   |               |                   |              |
|--------------------|---------------|-------------------|---------------|-------------------|--------------|
| Fines              | \$ 457.00     | Auditors Office   | \$ 390.10     | Treasurers Ofc    | \$ 463.73    |
| Extension Ofc      | \$ 231.70     | Grants Admin      | \$ 291.59     | Juvenile Prob     | \$ 396.83    |
| Election Admin     | \$ 446.01     | Indigent Care     | \$ 4,000.00   | Transfer Station  | \$ 4,979.85  |
| Bldg Mtc. Dept     | \$ 1,888.67   | Environ Health    | \$ 912.79     | Personal Health   | \$ 331.64    |
| Civic Center       | \$ 1,388.42   | Countywide Oper   | \$ 6,261.39   | Tax A/C           | \$ 971.67    |
| District Clerk     | \$ 822.22     | County Clerk      | \$ 371.01     | Sheriffs Office   | \$ 4,064.80  |
| Jail Operations    | \$ 4,343.17   | County Judge      | \$ 225.01     | Human Resources   | \$ 333.98    |
| Co Crt @ Law 1     | \$ 149.45     | District Attorney | \$ 806.97     | J.P. 1-1          | \$ 305.68    |
| J.P. 1-2           | \$ 207.40     | J.P. 2            | \$ 298.92     | J.P. 3            | \$ 410.69    |
| J.P. 4             | \$ 169.17     | J.P. 5            | \$ 616.70     | DPS/135 Substa    | \$ 152.53    |
| Constable 1        | \$ 192.36     | Constable 2       | \$ 69.63      | Constable 3       | \$ 57.39     |
| Constable 4        | \$ 108.76     | Constable 5       | \$ 60.00      | Dist Crt Oper     | \$ 4,434.77  |
| Co & JP Crt Oper   | \$ 190.14     | Veterans Admin    | \$ 6.71       | Computer Svcs     | \$ 275.00    |
| Co Crt @ Law 2     | \$ 149.45     | DPS/L&W           | \$ 112.70     | Crthse Renov      | \$ 4,160.75  |
| Fire Marsha/EMC    | \$ 6.23       | TABC              | \$ 129.27     | Dist Crt Reprtr   | \$ 64.80     |
| TJPC CCAP Grant    | \$ 11.00      | Comm Crt Expense  | \$ 288.00     | VOCA Grant        | \$ 42.26     |
| 911 Signs Grant    | \$ 3,750.80   | *Gen fund Credit* | * \$ 288.12 * | R&B Oper          | \$ 20,303.93 |
| Precinct 1         | \$ 529.76     | Precinct 2        | \$ 240.10     | Precinct 3        | \$ 153.85    |
| *R&B Gen Credit*   | * \$ 550.46 * | Anticip Notes '95 | \$ 31,496.27  | Rec Mng/Co Clk    | \$ 124.05    |
| Health Svcs Grants | \$ 338.56     | Law Library       | \$ 106.30     | Jail Construction | \$ 480.00    |
| Road Construction  | \$ 40,270.25  | Crths Renovation  | \$ 1,255.98   | Foster Care       | \$ 8,021.95  |
| Crths Security     | \$ 18.16      | Adult Prob Oper   | \$ 101,128.09 | Adult Prob Fac    | \$ 2,158.60  |

14880 APPROVE BUDGET AMENDMENT NO. 96-017

The following budget amendments were proposed:

District Attorney - transfer witness expense from transcriptions

Justice of the Peace Pct. 3 - transfer for office equipment for courtroom chairs and seal from dues and continuing education - no equipment was budgeted for this office for FY96.

Health Services Grant, PPIP Grant - transfer for 3 week cancer screening training for Nurse III; use of grant funds only.

Commissioner Barton questioned the transfer of money between line items in J.P. Pct. 3 budget - spoke of Courts request to cut expenditures in all departments - does not support this budget amendment.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 96-017 with the exception of amendment to the Justice of the Peace Pct. 3 budget. All present voting "Aye".

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AMENDMENT  
NO. 96-017  
FY 96 BUDGET  
03/19/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

**DISTRICT ATTORNEY (423):**

|                             |       |    |      |     |
|-----------------------------|-------|----|------|-----|
| 01-423-5443 WITNESS EXPENSE | 200   | 50 |      | 250 |
| 01-423-5445 TRANSCRIPTIONS  | 1,000 |    | (50) | 950 |

TRANSFER FOR NEEDED EXPENSE

FUND NO. 10

FUND TITLE HEALTH SERVICES GRANTS FUND

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

**PIIP GRANT (725):**

|                           |        |              |                |        |
|---------------------------|--------|--------------|----------------|--------|
| 10-725-5311 TRAVEL        | 480    | 1,400        |                | 1,880  |
| 10-725-5391 OTHER EXPENSE | 500    | 3,600        |                | 4,100  |
| 10-725-5021 STAFF         | 43,701 |              | (3,085)        | 40,616 |
| 10-725-5110 FICA          | 3,343  |              | (236)          | 3,107  |
| 10-725-5121 RETIREMENT    | 3,415  |              | (243)          | 3,172  |
| 10-725-5160 INSURANCE     | 3,825  |              | (1,436)        | 2,389  |
|                           |        | <u>5,000</u> | <u>(5,000)</u> |        |

TRANSFER FOR 3 WEEK CANCER SCREENING TRAINING FOR NURSE III; USE OF GRANT FUNDS ONLY.

**14881 APPROVE UTILITY PERMIT #96-404**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permit #96-404 to Pedernales Electric Coop., Inc. for placement of single phase electric line with county r-o-w on CR101. All present voting "Aye".

**14882 APPROVE MINUTES OF FEBRUARY 1996**

Judge Etheredge spoke of requested changes to the minutes of February 6, 1996 made by Eva Pritchett. Assistant County Clerk Linda Fritsche has made a few minor adjustments and presented the suggested changes to the Court for consideration. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Minutes of February 1996 as presented by the County Clerk. All present voting "Aye".

**14883 AUTHORIZE THE COUNTY TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPT. OF HEALTH - MATERNAL & CHILD HEALTH GRANT PROGRAM FOR UP TO \$200,000.00**

Grants Administrator Richard Salmon advised that this grant application to the Texas Dept. of Health - Maternal & Child Health Grant Program does not require cash matching funds. The County had been receiving these funds in the past as a past-through program, and had received as much as \$400,000.00 yearly. For the last 12 months we will only receive approx. \$70,000 because payment is based on individuals served. This year it is competitive and if we get the grant we may be able to increase the amount to \$200,000.00 with disbursements based on quarterly draws. At this time the grant does not include administrative funds, but if we are approved we may be able to negotiate a fee. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the County to submit a grant application to the Texas Department of Health - Maternal & Child Health Grant Program for up to \$200,000.00. All present voting "Aye".

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**14884 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR PUP TRAILERS FOR THE ROAD DEPARTMENT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for pup trailers for the Road Department. All present voting "Aye".

**14885 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR ANNUAL LUBRICANT CONTRACT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for Annual Lubricant Contract. All present voting "Aye".

**14886 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR ANNUAL FUEL CONTRACT**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for Annual Fuel Contract. All present voting "Aye".

**14887 APPROVE SPECIFICATIONS AND AUTHORIZE THE COUNTY AUDITOR TO ADVERTISE FOR BIDS FOR BIDS FOR REGULATORY, WARNING AND OTHER ROAD SIGNS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve specifications and authorize the County Auditor to advertise for bids for Regulatory, Warning and Other Road Signs. All present voting "Aye".

**14888 ACCEPT CONSTRUCTION OF ROADWAYS IN QUAIL MEADOWS SUBDIVISION AND ACCEPT THE ONE YEAR MAINTENANCE BOND**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept construction of roadways in Quail Meadows Subdivision and One Year Maintenance Bond. All present voting "Aye".

**14889 VALLEY OAK SUBDIVISION - SECOND READING APPROVAL [T1-19]**

Staff recommended approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Valley Oak" subdivision on second reading. All present voting "Aye".

**14890 ROLLING OAKS SECTION THREE REPLAT OF LOT 64 - THIRD READING APPROVAL [T1-37]**

Jim Henderson presented this subdivision on third reading - ETJ note has been corrected as per request by Environmental Health. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Rolling Oaks Section Three Replat of Lot 64 (Lots 64-A & 64-B)" on third reading. All present voting "Aye".

**MYSTIC CREEK REPLAT OF LOTS 11 & 12 - PUBLIC HEARING [T1-33]**

Judge Etheredge called the public hearing open regarding the resubdivision of Lots 11 & 12 of Mystic Creek subdivision - no open appeared - public hearing was closed. Allen Walther, Environmental Health Director, advised that no final plat has been submitted for review, therefore, he requested that action be postponed on third reading. Court agreed to postpone action until a final plat is submitted for review.

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**TIMMERON SECTION 1 REPLAT OF RESERVE 1.2A & 1.3A - PUBLIC HEARING [T1-33]**

Judge Etheredge called the public hearing open regarding the replat of Reserve Lots 1.2A & 1.3A of Timmeron Section 1 subdivision - no open appeared - public hearing was closed. Allen Walther, Environmental Health Director, advised that no final plat has been submitted for review, therefore, he requested that action be postponed on third reading. Court agreed to postpone action until a final plat is submitted for review.

**14891 REJECT OFFER ON DELINQUENT TAX PROPERTY HELD IN TRUST BY HAYS COUNTY [T1-82]  
(.38 ACRE J.M. VERAMENDI SURVEY)**

Tax Assessor-Collector Luanne Caraway advised that a bid of \$10,023.50 was submitted for a .38 acre tract out of the J.M. Veramendi Survey (415 Staples Road in San Marcos) - this amount would constitute a 60.75% recovery - there is a family living in this house - recommends rejecting bid. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to reject bid offer for delinquent tax property held in Trust by Hays County (.38 acre J.M. Veramendi Survey). All present voting "Aye".

**14892 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON TRAILS END AND  
DRIPPING SPRINGS ROAD (STOP SIGNS) IN PRECINCT 4 [T1-102]**

Judge Etheredge called the public hearing open to consider establishing Stop Signs on Dripping Springs Road at Foothills Road in Sunset Canyon South and on Trails End at Trail Drive in Big Country Subdivision - no one appeared - public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to establish traffic regulations - STOP signs - on Dripping Springs Ranch Road at Foothills Road in Sunset Canyon South and on Trails End at Trail Driver in Big Country Subdivision. All present voting "Aye".

**14893 ADOPT QUITCLAIM DEEDS AND RESOLUTIONS FOR THE EDWARDS AND DACY TRACTS AS  
PART OF THE ROAD BOND IMPROVEMENT PROJECT [T1-125]**

John Doucet (Doucet & Associates Inc.) appeared before the Court and presented resolutions authorizing exchange of property and quitclaim deeds on a portion of occupied right-of-way on County Road 234 and County Road 131 - properties belonging to William F. Edwards & Sue Thompson Edwards (CR234) and Douglas Calvin Dacy (CR131). A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to adopt resolution quitclaiming 0.3033 acres on CR234 to William F. Edwards and Sue Thompson Edwards. All present voting "Aye". A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to adopt resolution quitclaiming 0.599 acres on CR131 to Douglas Calvin Dacy. All present voting "Aye".

Commissioner Barton spoke of right-of-way issue on CR122 involving a water well on an out parcel of land - landowner would like to acquire this property for the well and road frontage - the Road Dept. would like to keep the property for the water availability. Ron Bischoff spoke of using the property for stock piling and to fill up water trucks out of the well. The water is not drinkable but would be ideal for use on water trucks. (See Pages 848 & 849 for resolutions adopted)

**14894 AUTHORIZE RIGHT-OF-WAY AGENTS, LEGAL COUNSEL, ETAL TO ACQUIRE CERTAIN RIGHT  
OF WAY ON BEHALF OF HAYS COUNTY BY MEANS OF CONDEMNATION [T1-306]**

John Doucet (Doucet & Assoc. Inc.) spoke of agreement that they would obtain authorization from the Commissioners' Court before moving forward with condemnation proceedings related to bond improvement roads - the Commissioner of the Precinct will be notified prior to filing. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize right-of-way Agents, Legal Counsel, et al to acquire right-of-way on behalf of Hays County by means of condemnation if necessary. All present voting "Aye".

**CONSIDER REPEAL OF DISASTER DECLARATION - THREAT OF WILDFIRE [T1-332]**

Fire Marshal A.D. Carroll spoke of request to allow pear burning to feed cattle - stated that he is not sure we can make exceptions - he is waiting an opinion from the District Attorney - there has not been enough rain to repeal the burn ban at this time. District Attorney Marcos Hernandez advised that his opinion is that we cannot make exceptions - ban applies to all outdoor burning - the fire potential is there - you could lift the ban temporarily and notify the fire departments.

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STATE OF TEXAS

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BEFORE THE COMMISSIONERS

COURT OF

COUNTY OF HAYS

HAYS COUNTY, TEXAS

RESOLUTION

ON THIS DAY at a regular meeting of the Commissioners Court of Hays County, Texas, a resolution was proposed which was seconded and adopted by a majority vote of the commissioners, the Resolution being as follows:

WHEREAS, good faith negotiations have been consummated as evidence by that certain Right-of-Way Agreement and Closing Statement entered into on the 12th day of September of 1995, by and between William F. Edwards and Sue Thompson Edwards and Hays County, Texas;

WHEREAS, the offer to exchange said county land was accepted by William F. Edwards and Sue Thompson Edwards;

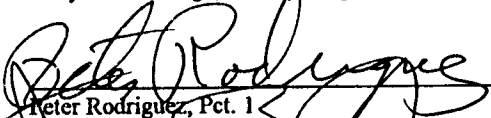
NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Hays County, Texas, that:

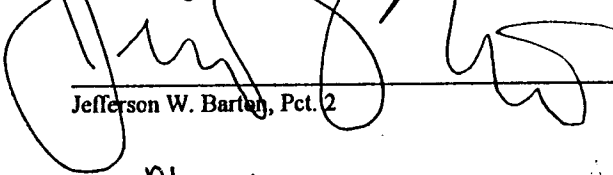
The exchange of this property has been completed and that a Quitclaim Deed be prepared on that property known as 0.3033 acres of land situated in the Edward Burleson Survey No. 16 and the Yearby Survey No. 506, Hays County, Texas, being a portion of the occupied right-of-way of Hays County Road No. 234 and that said Quitclaim Deed be retained in the possession of the County Clerk and filed for record after such time that the existing right-of-way is abandoned upon completion of the improvements to County Road No. 234.

RESOLUTION PASSED AND SECONDED ON THIS 19 DAY OF MARCH, 1996.

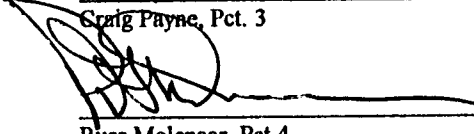
TO CERTIFY WHICH WITNESS OUR SIGNATURES BELOW:

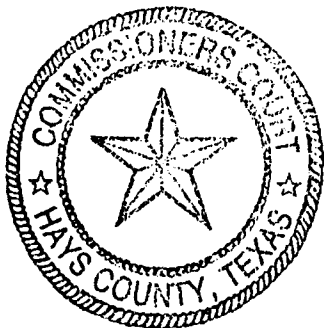
  
Eddy A. Etheredge, County Judge

  
Peter Rodriguez, Pct. 1

  
Jefferson W. Bartley, Pct. 2

Absent  
Craig Payne, Pct. 3

  
Russ Molenaar, Pct 4



ATTEST:

  
Margie Villalpando, County Clerk



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**14895 POSTPONE ACTION REGARDING ROAD CONSTRUCTION STANDARDS IN THE RIVER  
MOUNTAIN RANCH SUBDIVISION [T1-391]**

Commissioner Molenaar spoke of request from Road Director Ron Bischoff for direction from the Court on possible recourse for the county as he believes the roads in River Mountain Ranch were not constructed to county standards. Ron Bischoff advised that this is a private subdivision and still requires a base thickness test - the report shows that it fails to meet that thickness - the culverts did not match the plan approved by the Court and the cul-de-sacs do not meet county requirements. Commissioner Molenaar spoke of cul-de-sacs (required = 100 ft. diameter) being 55 ft. diameter. Ron spoke of these roads being paved - Mr. Mayo was to provide him with a revised culvert sizing report (installed 18" culverts vs. 36") - spoke of inspection done by himself and Will Miles - we were not notified when they were going to pave. Robert Mayo spoke - feels like they have exceeded the county requirements - 1.5 inches of hot mix - spoke of decreasing the size of the culverts due to the grade of the base - feels like its not fair to test on the edge of the road to determine the quality of the road - Engineering originally figured the culverts based on a 25 year flood rather than a 10 year flood and we have not finished that paperwork - there are no requirements on base material being tested - we have good roads - main road has 200 lots - was not aware of cul-de-sac requirements. Ron Bischoff spoke of testing the edge of the base for thickness and not density after they were paved. Commissioner Molenaar asked about inspections that were made. Will Miles advised that he had inspected the road periodically - he had advised the Contractor on the job of problems - the base thickness in places is not suitable. Discussion was had regarding coring the pavement to test for base thickness. Mr. Mayo stated that he was not required to notify the Road Department when he started paving and did not feel it was necessary - felt like he had gone by the subdivision ordinance. Ron spoke of bonds required on private roads. Commissioner Molenaar asked about base required out to the edges of the pavement - 26 ft. of base required (6" deep from outer edge to the center) - does not feel like its necessary to take core samples - not a clear policy or definition regarding the roads. Commissioner Molenaar made a motion to accept the roads and culverts "as is" and build the cul-de-sacs to county specifications. Commissioner Barton spoke of history of private road subdivisions with substandard roads and creating problems for property owners, fire departments and school buses - suggested a variance request in writing to the cul-de-sac requirements - does not feel like a 100' cul-de-sac is not necessary in this subdivision - concerned about the culverts and what kind of flow we will get from 18" vs. 36" - no authority by our inspectors that they could substitute the 18's for the 36 - requested that action be postponed at this time. Commissioner Molenaar withdrew his motion - spoke of need for road department inspector to keep better notes of inspections and actions taken. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to postpone action at this time. All present voting "Aye".

**14896 AUTHORIZE PURCHASE OF A MAIL BOX SORTER FOR THE JUSTICE CENTER [T1-956]**

District Judge Charles Ramsay has requested authorization to purchase a mail box sorter which would reduce postage expenses by providing notices, returning file-marked copies, etc. to local attorneys in-house instead of mailing them. Commissioner Barton asked if this would satisfy the law in regards to notification. District Attorney Marcos Hernandez stated that the Judges would have to amend the local rules regarding notification in order to make it legal and notify all the attorneys of the change. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize purchase of mail box sorter not to exceed \$200.00 out of anticipation note funds. All present voting "Aye".

**PURGATORY ROAD PROJECT - BIDS [T1-1055]**

John Doucet (Doucet & Associates Inc.) advised that the low bid was \$472,000 + \$6,000 (alternate) - funds available for this project is \$460,000.00 - requested that the court not reject bids at this time.

**14897 AUTHORIZE THE ROAD DEPARTMENT TO SPEND \$866.40 WITH CENTRAL TEXAS ROAD  
CO. TO IMPROVE HOOTS HOLLER [T1-1081]**

Road Director Ron Bischoff spoke of a water line that was run down Hoots Holler (paved) and tore up a large portion of the roadway - Central Texas Road Co. will do necessary repairs to bring it back to standards - he would like for them to re-do the road with a complete seal over everything and the road department will pay the difference - will come out of the Road Dept. subcontract line item. A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to authorize the Road Department to spend \$866.40 with Central Texas Road Company to improve Hoots Holler. All present voting "Aye".

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**DISCUSSION REGARDING LONG-RANGE TRANSPORTATION PLANNING, INCLUDING  
BLISS SPILLAR ROAD [T1-1180]**

Commissioner Barton spoke of Austin Transportation Study and how it affects Hays County (particularly Pct. 2 & 4) - they are going to invite Hays County to join the ATS - the northern part of Hays County are anticipated to be high growth areas (City of Hays & Buda areas) - this area of our county is located within the Austin ETJ and in a sensitive environmental area and over the recharge zone - spoke of traffic on FM1626 and safety issues that must be addressed - spoke of Bliss Spillar Road and new proposed development grandfathered by the City of Austin (Autumn Wood Section 2) - the corridor between FM1626 and FM1826 will be a high density area and we need to consider connecting these roadways - tentative plans are for developers to help construct roads connecting Bliss Spillar to FM1826 - we need to decide what standard of road and what standard of bridge to build if we want to proceed with this plan - spoke of proposed Loop 45 (Travis County) which will dip into Hays County - a lawsuit has been filed to try and limit access to Loop 45 (controlled access parkway). A discussion was had regarding fire and EMS district boundaries in this area and mutual aid. Mr. Hargis suggested creating another Fire/EMS District in this area in order to be able to handle the growth. Bill Couch spoke of the aquifer recharge zone - we need to decide access points and the amount of r-o-w needed in order to address runoff and protect our water quality - Bliss Spillar would not connect to Loop 45. Jim Camp stated that he would like to see plans up front. Carroll Walker, Developer, spoke of contributing right-of-way - he is willing to pay for road construction on part of this proposed roadway. Commissioner Barton spoke of connection to Freight Barker Road (Travis County) - we may want to consider a road bond issue to address Loop 45. He spoke of Hill Country Water Supply service provided (obtains water from the City of Austin) - we will need to address water service and we could possibly get surface water from Highland Lake - could be some problems with the City of Austin regarding this matter. Bill Couch advised that we would still have wastewater problems with higher density - we need to encourage public water systems. Commissioner Barton spoke of committee addressing our subdivision rules and we anticipate that the committee will recommend larger lot sizes than the current rules and we may provide incentives to those providing surface water. Judge Etheredge spoke of the San Marcos Loop project - the entire proposal lies outside the city limits of San Marcos and the taxpayers of the county will fund this project. The San Marcos Parkway Association was created to move this project forward (plan was for a 4-lane divided highway 26 miles long with limited access) - within the last two years the City of San Marcos requested that the plan be altered to include relocating the train tracks out of the City of San Marcos into the r-o-w of the eastern half of the Loop - went from 200 ft. of r-o-w to 500 ft. of r-o-w with even more limited access because of the rail situation - the Parkway Association voted recently to exclude the rail into that r-o-w. The Commissioners' Court has agreed that if we must acquire the right-of-way we will first have a bond issue that all the voters of the county would have the opportunity to vote either yes or no to the acquisition - we would have to have something offered to the rest of the county (bond issue to address Buda, Wimberley, Hays, etc). Commissioner Barton spoke of the Austin Transportation Study.

**HAYS COUNTRY ACRES ROAD - DISCUSSION (NOT AN AGENDA ITEM) [T1-2366]**

Judge Etheredge spoke of meeting with Ron Bischoff, Marcos Hernandez, and Mark McManus regarding Hays Country Acres Road (a county maintained substandard road) - this road is not on the five year plan, however, Mark McManus has developed a twenty acre mobile home park approximately 1.5 miles down this road - two weeks ago he started bringing in 16X80 ft. mobile homes and they cannot traverse that road - he blocked the road, removed some fence, and dumped several loads of fill material into our right-of-way so that he could get around a corner. At the meeting they discussed with Mr. McManus that this road was not in the county's five year plan. A fax transmittal was received on Monday where Mr. McManus has offered to contribute \$10,000.00 to the county to do the following: (1) remove and replace portions of fence in county right-of-way along the TORN property. (2) extend culvert pipe and add fill at turn abutting TORN property. The Hays County Road Administrator valued this work at approximately \$1,500. The balance of the money may be used at discretion of Road Administrator on improving the safety of Hays Country Acres Road for all who use said road. When items 1 & 2 are completed Mr. McManus will contribute the money to the county. District Attorney Marcos Hernandez advised that the county has no obligation to improve any road for any individual or private entity - people who purchase property have a right to develop their property but they do not have right to dictate to county government what they may need done to the road. The individual in this case sought to develop the property with the understanding of what type of road was out there. Need to consider if the improvements being proposed will improve the roadway for everyone or will it create a more dangerous situation. The county has a right to reject any kind of offer - must weigh what is best for the county and do we have the personnel to perform the work proposed. Marcos Hernandez advised that if we reject the offer we need to let Mr. McManus know that if he proceeds the county will seek an injunction and possible



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lawsuit for taking basically the law into his own hands and deciding what fences can stay and which ones can be removed and what roads need improved - he has no authority to do that - spoke of other situations in which the county participated in road improvements. Judge Etheredge stated that Mark McManus has advised that he will be moving two mobile homes in tomorrow - spoke of complaints from residents in the area. Commissioner Molenaar spoke of cases pending regarding the removal of fences - will not be dictated to by a developer - Mark has knowledge that these trailers will not fit down this roadway without removing fencing, however, he still plans on moving them. Discussion was had regarding differences in width of r-o-w and slopes. Commissioner Molenaar spoke of fence removal and replacement - property owners are paying taxes on the road and are entitled to place their fences where they exist now - not willing to use road department to improve this road at this time (no bus service or mail service on this road) - property owners want the county to maintain the road but not make improvements at this time - stated that he gets no complaints on the condition of this road - has notified the Sheriff's Dept. that the trailers will be moved and that fences should not be removed.

Court was adjourned until Tuesday March 26, 1996 at 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 16<sup>th</sup> DAY OF APRIL, 1996.

*Eddy A. Etheredge*  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 26th DAY OF March A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14898 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve payment of county invoices in the amount of \$ 209,076.13 as presented by the County Auditor. All voting "Aye".

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|                     |              |                     |              |                   |              |
|---------------------|--------------|---------------------|--------------|-------------------|--------------|
| Fines               | \$ 152.00    | Auditors Office     | \$433.30     | Extension Office  | \$ 197.68    |
| Grants Admin        | \$ 813.09    | Juvenile Prob       | \$ 47.38     | Election Admin    | \$2,247.06   |
| Transfer Station    | \$ 5.00      | Bldg. Maint         | \$ 9,607.59  | Environ Health    | \$ 2,225.16  |
| Personal Health     | \$ 69.13     | Civic Center        | \$ 2,292.46  | Countywide Oper   | \$ 64,262.86 |
| Tax A/C             | \$ 114.78    | District Clerk      | \$ 576.20    | County Clerk      | \$ 1,296.26  |
| Sheriffs Office     | \$ 2,898.26  | Jail Operations     | \$ 28,441.57 | County Judge      | \$ 185.71    |
| Human Resources     | \$ 174.00    | Co Cr @ Law 1       | \$ 368.73    | District Attorney | \$ 357.93    |
| J.P. 1-1            | \$ 438.81    | J.P. 1-2            | \$ 60.00     | J.P. 3            | \$ 66.92     |
| J.P. 4              | \$ 268.91    | J.P. 5              | \$ 86.35     | DPS/135 Substa    | \$ 22.69     |
| Constable 1         | \$ 124.50    | Constable 5         | \$ 134.21    | Dist Cr Oper      | \$ 5,428.88  |
| Co & JP Cr Oper     | \$ 9,020.70  | Veterans Admin      | \$ 69.17     | Computer Svcs     | \$ 644.51    |
| Co Cr @ Law 2       | \$ 195.43    | Crths Renov Grant   | \$ 19,072.87 | Dist Cr Reprtrs   | \$ 196.37    |
| TJPC CCAP Grant     | \$ 100.00    | CJD/VOCA Grant      | \$ 25.60     | *Gen Fund Credit* | * \$ 1.84 *  |
| R & B Operations    | \$ 16,323.23 | Precinct 1          | \$ 420.00    | Precinct 2        | \$ 330.00    |
| Precinct 4          | \$ 492.93    | Anticip Notes '95   | \$ 11,214.56 | Rec Mng/Co Clk    | \$ 249.10    |
| Health Svcs Grants  | \$ 2,289.65  | Burnett Rd Dist I&S | \$ 111.36    | Springlake Rd I&S | \$ 629.53    |
| Road Construction   | \$ 7,351.06  | Crths Renov/Co      | \$ 4,689.71  | Crths Security    | \$ 34.90     |
| Pioneer Rd Dist I&S | \$ 37.77     | Adult Prob Oper     | \$ 10,333.19 | Adult Prob Fac    | \$ 174.61    |

14899 APPROVE JANUARY 1996 TREASURER'S REPORT

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve the January 1996 Treasurer's Report as presented. All voting "Aye".

| HAYS COUNTY TREASURER'S REPORT    |                   |           |                 |                           |                 |                         |                |                   |                 |
|-----------------------------------|-------------------|-----------|-----------------|---------------------------|-----------------|-------------------------|----------------|-------------------|-----------------|
| FOR THE MONTH OF JANUARY 1996     |                   |           |                 |                           |                 |                         |                |                   |                 |
| CHECKING                          |                   |           |                 |                           |                 |                         |                |                   |                 |
| OPERATING FUNDS:                  | BEGINNING BALANCE | Interest  | Revenues        | Deposits From Investments | Disbursements   | Transfer to Investments | ENDING BALANCE | TOTAL Investments | TOTAL FUND      |
| General                           | \$ 37,350.76      | \$ 210.97 | \$ 3,910,971.12 | \$ 1,231,170.00           | \$ 1,527,687.91 | \$ 3,622,000.00         | \$ 30,014.94   | \$ 5,079,779.50   | \$ 5,109,794.44 |
| Road and Bridge General           | \$ 1,531.97       | \$ 32.77  | \$ 834,938.99   | \$ 121,725.00             | \$ 231,962.80   | \$ 724,730.00           | \$ 1,536.13    | \$ 1,055,464.09   | \$ 1,057,000.22 |
| Wise Enterprises Bond Fund        | \$ 4,820.52       | \$ 13.07  | \$ -            | \$ -                      | \$ -            | \$ -                    | \$ 4,833.59    | \$ -              | \$ 4,833.59     |
| Hot Check Fee Fund                | \$ 1.00           | \$ -      | \$ 1,919.00     | \$ 5,103.09               | \$ 2,031.83     | \$ 1,105.45             | \$ 3,885.81    | \$ -              | \$ 3,885.81     |
| Law Library                       | \$ 281.00         | \$ -      | \$ 1,537.50     | \$ -                      | \$ 685.80       | \$ 641.80               | \$ 471.00      | \$ 19,370.09      | \$ 19,841.09    |
| Medical and Dental Fund           | \$ 1,617.09       | \$ 34.26  | \$ 116,927.48   | \$ 139,046.37             | \$ 140,090.95   | \$ 116,000.00           | \$ 1,534.25    | \$ 416,713.67     | \$ 420,247.92   |
| Adult Probation Operating         | \$ 2,750.10       | \$ 26.38  | \$ 118,308.43   | \$ 140,965.68             | \$ 212,482.79   | \$ 43,621.00            | \$ 5,946.80    | \$ 607,604.99     | \$ 613,551.79   |
| Adult Probation Facilities        | \$ 1.00           | \$ -      | \$ 25,240.00    | \$ 6,488.88               | \$ 7,237.22     | \$ 24,491.64            | \$ 1.00        | \$ 44,590.97      | \$ 44,591.97    |
| Courthouse Security               | \$ 1,570.00       | \$ -      | \$ 2,422.20     | \$ 3,575.01               | \$ 5,372.91     | \$ 1,946.32             | \$ 245.98      | \$ 49,310.95      | \$ 49,556.93    |
| Records Management                | \$ 7,846.00       | \$ -      | \$ 8,911.39     | \$ 298.40                 | \$ 10,100.98    | \$ 6,898.85             | \$ 255.96      | \$ 27,197.41      | \$ 27,453.37    |
| Records Preservation              | \$ 66.00          | \$ -      | \$ 385.00       | \$ 2,885.00               | \$ 3,250.00     | \$ 65.00                | \$ 1.00        | \$ 19,110.94      | \$ 19,111.94    |
| Sheriff's Drug Forfeiture         | \$ 1.00           | \$ -      | \$ -            | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 1,621.28       | \$ 1,622.28     |
| District Attorney Drug Forfeiture | \$ 1.00           | \$ -      | \$ -            | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 2.88           | \$ 3.88         |
| District Attorney Reimbursement   | \$ 1.00           | \$ -      | \$ 13,262.40    | \$ 124,112.86             | \$ -            | \$ 5,991.88             | \$ 131,384.20  | \$ -              | \$ 131,384.20   |
| Health Services Grants            | \$ 2,140.98       | \$ 33.79  | \$ 116,436.77   | \$ 35,034.71              | \$ 51,164.79    | \$ 99,280.98            | \$ 2,200.48    | \$ 90,129.19      | \$ 92,329.67    |
| Historical Commission Trust Fund  | \$ 1.00           | \$ -      | \$ -            | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 9,228.57       | \$ 9,229.57     |
| Foster Care                       | \$ 7,090.91       | \$ -      | \$ 9,528.99     | \$ -                      | \$ 8,132.40     | \$ -                    | \$ 8,485.50    | \$ -              | \$ 8,485.50     |

| CONSTRUCTION FUNDS:              |                   |          |              |                           |               |                         |                |                   |                 |
|----------------------------------|-------------------|----------|--------------|---------------------------|---------------|-------------------------|----------------|-------------------|-----------------|
| Jail Construction (Juvenile Det) | BEGINNING BALANCE | Interest | Revenues     | Deposits From Investments | Disbursements | Transfer to Investments | ENDING BALANCE | TOTAL Investments | TOTAL FUND      |
| Jail Construction (Juvenile Det) | \$ 1,507.70       | \$ 7.49  | \$ -         | \$ 67,447.30              | \$ 67,455.00  | \$ -                    | \$ 1,507.49    | \$ 131,715.21     | \$ 133,222.70   |
| Crths Ren & Rd Const 1994        | \$ 1.00           | \$ -     | \$ 83,359.28 | \$ 80,542.76              | \$ 163,902.04 | \$ -                    | \$ 1.00        | \$ 4,121,194.70   | \$ 4,121,195.70 |
| Road Construction Bond 1995      | \$ 1.00           | \$ -     | \$ -         | \$ -                      | \$ -          | \$ -                    | \$ 1.00        | \$ 8,180,444.81   | \$ 8,180,445.81 |
| Anticipation Notes 1995          | \$ 1.00           | \$ -     | \$ -         | \$ 218,958.07             | \$ 218,958.07 | \$ -                    | \$ 1.00        | \$ 1,554,511.63   | \$ 1,554,512.63 |
| Texas Capital Fund/New Canaan    | \$ -              | \$ -     | \$ 1,321.69  | \$ -                      | \$ 1,321.69   | \$ -                    | \$ -           | \$ -              | \$ -            |
| Wimberley Water System           | \$ 1.00           | \$ -     | \$ 7,500.00  | \$ 5,200.00               | \$ 6,800.00   | \$ 5,900.00             | \$ 1.00        | \$ 10,311.16      | \$ 10,312.16    |

| HAYS COUNTY TREASURER'S REPORT |                     |                  |                        |                           |                        |                         |                      |                         |                         |
|--------------------------------|---------------------|------------------|------------------------|---------------------------|------------------------|-------------------------|----------------------|-------------------------|-------------------------|
| FOR THE MONTH OF JANUARY 1996  |                     |                  |                        |                           |                        |                         |                      |                         |                         |
| Page 2                         |                     |                  |                        |                           |                        |                         |                      |                         |                         |
| CHECKING                       |                     |                  |                        |                           |                        |                         |                      |                         |                         |
| INTEREST AND SINKING FUNDS     | BEGINNING BALANCE   | Interest         | Revenues               | Deposits From Investments | Disbursements          | Transfer to Investments | ENDING BALANCE       | TOTAL Investments       | TOTAL FUND              |
| Crths Ren & Rd Const. I&S 1994 | \$ 1.00             | \$ -             | \$ 202,415.06          | \$ -                      | \$ -                   | \$ 202,415.06           | \$ 1.00              | \$ 289,170.02           | \$ 289,171.02           |
| Road Const Bond I & S 1995     | \$ 1.00             | \$ -             | \$ 322,670.73          | \$ -                      | \$ -                   | \$ 322,670.73           | \$ 1.00              | \$ 404,175.64           | \$ 404,176.64           |
| Limited Tax Refunding          | \$ 1.00             | \$ -             | \$ 92,716.20           | \$ -                      | \$ -                   | \$ 92,716.20            | \$ 1.00              | \$ 353,769.97           | \$ 353,770.97           |
| Jail I & S                     | \$ 1.00             | \$ -             | \$ -                   | \$ -                      | \$ -                   | \$ -                    | \$ 1.00              | \$ 380,796.05           | \$ 380,797.05           |
| Jail Addition I & S            | \$ 1.00             | \$ -             | \$ 101,896.02          | \$ -                      | \$ -                   | \$ 101,896.02           | \$ 1.00              | \$ 150,403.21           | \$ 150,404.21           |
| Hays County I & S              | \$ 1.00             | \$ -             | \$ 79,884.44           | \$ 6,080.32               | \$ 6,080.32            | \$ 79,884.44            | \$ 1.00              | \$ 82,702.56            | \$ 82,703.56            |
| Public Works I & S             | \$ 1.00             | \$ -             | \$ 99,142.07           | \$ -                      | \$ -                   | \$ 99,142.07            | \$ 1.00              | \$ 140,865.71           | \$ 140,866.71           |
| Springlake I & S               | \$ 1.00             | \$ -             | \$ 41,743.76           | \$ -                      | \$ -                   | \$ 41,743.76            | \$ 1.00              | \$ 56,404.34            | \$ 56,405.34            |
| Pioneer Trails I & S           | \$ 1.00             | \$ -             | \$ 805.24              | \$ -                      | \$ -                   | \$ 805.24               | \$ 1.00              | \$ 16,310.61            | \$ 16,311.61            |
| Burnett Road I & S             | \$ 1.00             | \$ -             | \$ 3,422.09            | \$ 2,982.89               | \$ 6,404.98            | \$ -                    | \$ 1.00              | \$ 9,387.61             | \$ 9,388.61             |
| Anticipation Notes I & S 1994  | \$ 1.00             | \$ -             | \$ 162,482.83          | \$ -                      | \$ -                   | \$ 162,482.83           | \$ 1.00              | \$ 214,701.62           | \$ 214,702.62           |
| Anticipation Notes I & S 1995  | \$ 1.00             | \$ -             | \$ 251,986.10          | \$ -                      | \$ -                   | \$ 251,986.10           | \$ 1.00              | \$ 296,455.76           | \$ 296,456.76           |
| <b>GRAND TOTALS:</b>           | <b>\$ 68,575.03</b> | <b>\$ 358.73</b> | <b>\$ 6,811,092.78</b> | <b>\$ 2,191,586.12</b>    | <b>\$ 2,871,102.08</b> | <b>\$ 6,008,197.45</b>  | <b>\$ 192,323.13</b> | <b>\$ 23,815,464.92</b> | <b>\$ 24,007,788.05</b> |

Transfers Outstanding:  
 1-96 11/22/96 General to Foster Care \$3134.19  
 2-96 12/11/96 General to Hays County Interest and Sinking \$11319.51  
 3-96 01/17/96 General to Foster Care \$1041.49

*Michelle Tuttle*  
 Michelle Tuttle, Hays County Treasurer

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14900 ACCEPT INTERNAL AUDIT REPORT OF JUSTICE OF THE PEACE PCT. 4

A motion was made by Commissioner Barton, seconded by Commissioner Payne to accept the internal audit report of Justice of the Peace Pct. 4. All voting "Aye".

14901 APPROVE THE DECEMBER 1995 AND THE OCT95-DEC95 QUARTERLY TREASURER'S REPORT

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve the Treasurer's December 1995 and the Oct95-Dec95 Quarter Reports as presented. All voting "Aye".  
(Note: See file for quarterly report [10 pgs])

| HAYS COUNTY TREASURER'S REPORT    |                   |           |               |                           |                 |                         |                |                   |                 |
|-----------------------------------|-------------------|-----------|---------------|---------------------------|-----------------|-------------------------|----------------|-------------------|-----------------|
| FOR THE MONTH OF DECEMBER 1995    |                   |           |               |                           |                 |                         |                |                   |                 |
| CHECKING                          |                   |           |               |                           |                 |                         |                |                   |                 |
| OPERATING FUNDS:                  | BEGINNING BALANCE | Interest  | Revenues      | Deposits From Investments | Disbursements   | Transfer to Investments | ENDING BALANCE | TOTAL Investments | TOTAL FUND      |
| General                           | \$ 14,614.60      | \$ 226.35 | \$ 876,668.68 | \$ 1,183,250.00           | \$ 1,418,808.75 | \$ 618,500.00           | \$ 37,350.78   | \$ 1,850,020.62   | \$ 1,867,371.38 |
| Road and Bridge General           | \$ 1,472.69       | \$ 31.10  | \$ 141,180.87 | \$ 147,117.00             | \$ 247,369.69   | \$ 40,900.00            | \$ 1,531.97    | \$ 449,202.45     | \$ 450,734.42   |
| Wise Enterprises Bond Fund        | \$ 4,809.07       | \$ 11.45  | \$ -          | \$ -                      | \$ -            | \$ -                    | \$ 4,820.52    | \$ -              | \$ 4,820.52     |
| Hot Check Fee Fund                | \$ 175.00         | \$ -      | \$ 1,684.38   | \$ 2,433.87               | \$ 2,528.87     | \$ 1,763.38             | \$ 1.00        | \$ 3,907.64       | \$ 3,998.64     |
| Law Library                       | \$ 1.00           | \$ -      | \$ 480.00     | \$ 75.00                  | \$ 75.00        | \$ 200.00               | \$ 261.00      | \$ 18,638.71      | \$ 18,899.71    |
| Medical and Dental Fund           | \$ 1,589.82       | \$ 81.80  | \$ 116,497.48 | \$ 61,317.00              | \$ 84,859.01    | \$ 63,000.00            | \$ 1,617.09    | \$ 439,538.32     | \$ 441,155.41   |
| Adult Probation Operating         | \$ 7,737.59       | \$ 62.22  | \$ 379,753.18 | \$ 21,262.18              | \$ 196,854.81   | \$ 209,210.24           | \$ 2,750.10    | \$ 701,784.24     | \$ 704,534.34   |
| Adult Probation Facilities        | \$ 41.00          | \$ -      | \$ 14,127.70  | \$ 4,041.59               | \$ 6,379.24     | \$ 11,830.05            | \$ 1.00        | \$ 26,422.75      | \$ 26,423.75    |
| Courthouse Security               | \$ 3.67           | \$ -      | \$ 2,025.81   | \$ 3,514.32               | \$ 3,559.58     | \$ 414.22               | \$ 1,570.00    | \$ 50,691.85      | \$ 52,261.85    |
| Records Management                | \$ 6.34           | \$ -      | \$ 7,932.62   | \$ 11,857.34              | \$ 11,947.87    | \$ 2.43                 | \$ 7,846.00    | \$ 20,677.03      | \$ 28,523.03    |
| Records Preservation              | \$ 1.00           | \$ -      | \$ 1,325.00   | \$ -                      | \$ -            | \$ 1,260.00             | \$ 68.00       | \$ 21,831.08      | \$ 21,897.08    |
| Sheriff's Drug Forfeiture         | \$ 1.00           | \$ -      | \$ -          | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 1,613.60       | \$ 1,614.60     |
| District Attorney Drug Forfeiture | \$ 1.00           | \$ -      | \$ 1,911.54   | \$ -                      | \$ 1,911.54     | \$ -                    | \$ 1.00        | \$ 2.68           | \$ 3.68         |
| District Attorney Reimbursement   | \$ 4,495.25       | \$ -      | \$ 11,384.69  | \$ 15,400.96              | \$ 23,575.97    | \$ 7,714.13             | \$ 1.00        | \$ 117,564.88     | \$ 117,565.88   |
| Health Services Grants            | \$ 7,009.58       | \$ 22.03  | \$ 25,534.39  | \$ 39,306.13              | \$ 51,563.31    | \$ 18,167.04            | \$ 2,140.98    | \$ 25,546.31      | \$ 27,687.29    |
| Historical Commission Trust Fund  | \$ 1.00           | \$ -      | \$ -          | \$ 80.00                  | \$ 60.00        | \$ -                    | \$ 1.00        | \$ 9,184.99       | \$ 9,185.99     |
| Foster Care                       | \$ 14,941.31      | \$ -      | \$ 7,211.75   | \$ -                      | \$ 15,062.15    | \$ -                    | \$ 7,090.91    | \$ -              | \$ 7,090.91     |
| CONSTRUCTION FUNDS:               |                   |           |               |                           |                 |                         |                |                   |                 |
| Jail Construction (Juvenile Det)  | \$ 1,504.12       | \$ 3.58   | \$ -          | \$ -                      | \$ -            | \$ -                    | \$ 1,507.70    | \$ 198,286.96     | \$ 199,794.66   |
| Crbs Ren & Rd Const 1994          | \$ 76,444.68      | \$ -      | \$ 28,754.29  | \$ 197,382.45             | \$ 204,401.24   | \$ 98,179.18            | \$ 1.00        | \$ 4,182,055.55   | \$ 4,182,056.55 |
| Road Construction Bond 1995       | \$ 1.00           | \$ -      | \$ -          | \$ -                      | \$ -            | \$ -                    | \$ 1.00        | \$ 8,141,833.04   | \$ 8,141,834.04 |
| Anticipation Notes 1995           | \$ 1.00           | \$ -      | \$ -          | \$ 254,309.60             | \$ 161,824.60   | \$ 102,685.00           | \$ 1.00        | \$ 1,765,550.99   | \$ 1,765,551.99 |
| Texas Capital Fund/New Canaan     | \$ -              | \$ -      | \$ -          | \$ -                      | \$ -            | \$ -                    | \$ -           | \$ -              | \$ -            |
| Wimberley Water System            | \$ 8,050.00       | \$ -      | \$ 12,500.00  | \$ -                      | \$ 9,000.00     | \$ 8,549.00             | \$ 1.00        | \$ 9,574.30       | \$ 9,575.30     |

| HAYS COUNTY TREASURER'S REPORT |                     |                 |                        |                           |                        |                         |                     |                         |                         |
|--------------------------------|---------------------|-----------------|------------------------|---------------------------|------------------------|-------------------------|---------------------|-------------------------|-------------------------|
| FOR THE MONTH OF DECEMBER 1995 |                     |                 |                        |                           |                        |                         |                     |                         |                         |
| Page 2                         |                     |                 |                        |                           |                        |                         |                     |                         |                         |
| CHECKING                       |                     |                 |                        |                           |                        |                         |                     |                         |                         |
| INTEREST AND SINKING FUNDS     | BEGINNING BALANCE   | Interest        | Revenues               | Deposits From Investments | Disbursements          | Transfer to Investments | ENDING BALANCE      | TOTAL Investments       | TOTAL FUND              |
| Crbs Ren & Rd Const. I&S 1994  | \$ 1.00             | \$ -            | \$ 21,878.82           | \$ -                      | \$ -                   | \$ 21,878.52            | \$ 1.00             | \$ 85,881.50            | \$ 85,882.50            |
| Road Const. Bond I & S 1995    | \$ 1.00             | \$ -            | \$ 34,878.64           | \$ -                      | \$ -                   | \$ 34,878.64            | \$ 1.00             | \$ 80,381.22            | \$ 80,382.22            |
| Limited Tax Refunding          | \$ 1.00             | \$ -            | \$ 10,021.45           | \$ -                      | \$ -                   | \$ 10,021.45            | \$ 1.00             | \$ 259,609.63           | \$ 259,610.63           |
| Jail I & S                     | \$ 1.00             | \$ -            | \$ -                   | \$ -                      | \$ -                   | \$ -                    | \$ 1.00             | \$ 378,998.67           | \$ 378,999.67           |
| Jail Addition I & S            | \$ 1.00             | \$ -            | \$ 11,013.96           | \$ -                      | \$ -                   | \$ 11,013.66            | \$ 1.00             | \$ 48,044.96            | \$ 48,045.96            |
| Hays County I & S              | \$ 1.00             | \$ -            | \$ 19,951.85           | \$ 14,558.09              | \$ 25,877.60           | \$ 6,632.34             | \$ 1.00             | \$ 8,671.20             | \$ 8,672.20             |
| Public Works I & S             | \$ 1.00             | \$ -            | \$ 10,716.02           | \$ -                      | \$ -                   | \$ 10,716.02            | \$ 1.00             | \$ 41,320.17            | \$ 41,321.17            |
| Springlake I & S               | \$ 1.00             | \$ -            | \$ 5,500.49            | \$ -                      | \$ -                   | \$ 5,500.49             | \$ 1.00             | \$ 14,507.98            | \$ 14,508.98            |
| Pioneer Trails I & S           | \$ 1,201.00         | \$ -            | \$ 637.16              | \$ -                      | \$ 1,200.00            | \$ 637.16               | \$ 1.00             | \$ 15,430.29            | \$ 15,431.29            |
| Burnett Road I & S             | \$ 1.00             | \$ -            | \$ 841.12              | \$ -                      | \$ -                   | \$ 841.12               | \$ 1.00             | \$ 2,957.70             | \$ 2,958.70             |
| Anticipation Notes I & S 1994  | \$ 1.00             | \$ -            | \$ 17,519.88           | \$ 42.69                  | \$ -                   | \$ 17,562.35            | \$ 1.00             | \$ 51,600.28            | \$ 51,601.28            |
| Anticipation Notes I & S 1995  | \$ 1.00             | \$ -            | \$ 27,236.52           | \$ 42.69                  | \$ -                   | \$ 27,279.21            | \$ 1.00             | \$ 43,682.15            | \$ 43,683.15            |
| <b>GRAND TOTALS:</b>           | <b>\$142,113.72</b> | <b>\$436.83</b> | <b>\$ 1,789,055.53</b> | <b>\$ 1,955,970.91</b>    | <b>\$ 2,456,669.23</b> | <b>\$ 1,382,334.43</b>  | <b>\$ 68,575.03</b> | <b>\$ 19,065,103.83</b> | <b>\$ 19,133,678.86</b> |

Transfers Outstanding:  
1-96 11/22/96 General to Foster Care \$3134.19  
2-96 12/11/96 General to Hays County Interest and Sinking \$11319.51

*Michele Tuttle*  
Michele Tuttle, Hays County Treasurer

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**14902 APPROVE UTILITY PERMITS #96-101, #96-207, #96-405, & #96-406**

The following Utility Permits were submitted for approval:

|         |                                                        |
|---------|--------------------------------------------------------|
| #96-101 | to Century Telephone on CR140 (Post Road)              |
| #96-207 | to GTE on N. Burleson Street                           |
| #96-405 | to SW Bell Telephone on CR101 (Fitzhugh Road)          |
| #96-406 | to Hill Country Water/ECO Resources on Darden Hill Rd. |

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve Utility Permits #96-101, #96-207, #96-405, & #96-406. All voting "Aye".

**14903 APPROVE REFUND OF DOUBLE PAYMENTS ON PROPERTY TAXES**

Tax Assessor-Collector Luanne Caraway requested approval to refund double payments on property taxes as follows:

|             |                                                |
|-------------|------------------------------------------------|
| \$ 795.60   | David Fontenot (Goldenwood 2 Lot 67B)          |
| \$ 2,306.60 | Maurice & Pamela Gosnay (Sunset Canyon Lt 282) |

A motion was made by Commissioner Barton, seconded by Commissioner Payne to approve refund of double payments on property taxes as requested by the Tax Assessor-Collector. All voting "Aye".

**14904 ADOPT RESOLUTION RECOGNIZING THE 10TH ANNIVERSARY OF THE "ADOPT-A-BEACH" PROGRAM**

A letter was received from Garry Mauro, Texas Land Commissioner, regarding volunteers who traveled to Texas beaches in April 1986 to participate in a beach cleanup that collected 124 tons of trash - the Texas Adopt-A-Beach Program was formed and will celebrate its 10th Anniversary on April 27, 1996 - because of the importance of Texas' beaches he requested that the county adopt a resolution recognizing this program. A motion was made by Commissioner Barton, seconded by Commissioner Payne to adopt resolution recognizing the 10th anniversary of the "Adopt-A-Beach" program. All voting "Aye".

**RESOLUTION**

WHEREAS, the beaches, shores and waters of the Texas Gulf Coast sustain an abundance of valuable fish and wildlife and offer recreational, aesthetic and economic benefits to all Texans and attract many visitors to our state; and

WHEREAS, All Texas Rivers empty into the Gulf of Mexico; and trash and other kinds of pollution travels down rivers and ends up in the Gulf of Mexico and on Texas Beaches; and,

WHEREAS, the beaches of Texas are a state treasure to be protected and enjoyed by all Texans, from the West Texas plains to the East Texas forest; and,

WHEREAS, Waterborne debris and beach litter injure and kill countless marine animals and coastal birds; threaten the health and safety of beach users and boaters; and work to the detriment of the coastal tourist industry which produces over \$7 billion each year from tourism and recreation; and

WHEREAS, Ten years ago 2,800 volunteers traveled to rain-soaked Texas beaches on a stormy Saturday morning to participate in a beach cleanup in which they collected 124 tons of trash; and

WHEREAS, In response to the need demonstrated by that first cleanup, Texas Lane Commissioner Garry Mauro began the Texas Adopt-A-Beach Program that has brought international attention to the problem of ocean dumping and served as a model for similar programs in 40 other U.S. states and territories and 70 other countries; and

WHEREAS, The data collected on the types of trash found during these semi-annual cleanups demonstrated that much of the trash on Texas beaches was from offshore sources such as shipping, offshore oil and seismic operations, and commercial and recreational fishing; and

WHEREAS, That information was used to persuade the U.S. Senate to ratify the International Maritime Organization's (IMO) MARPOL Annex V Treaty banning the dumping of plastics in the oceans of the world and later used to convince the IMO to grant the Gulf "special area" designation which declares the Gulf of Mexico off limits to dumping of any kind other than finely ground food scraps; and

WHEREAS, the continuing success of the Texas Adopt-A-Beach Program is made possible through the support of thousands of volunteers from all over Texas who are the backbone of the program; now, therefore, be it

RESOLVED, That Hays County does hereby congratulate the Texas Adopt-A-Beach Program on its 10th Anniversary and expresses its appreciation for its work in protecting and enhancing Texas' open beaches for all Texans.

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**14905 VALLEY VIEW WEST LOTS 4-A, 4-B, 4-C, 5-A, 5-B, & 5-C \* FIRST & SECOND READINGS** [T1-56]

This is a six lot subdivision with access off CR383 (50' roadway easement) - Staff recommends approval on first and second readings. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Valley View West Lots 4-A, 4-B, 4-C, 5-A, 5-B, & 5-C" on first and second readings. All voting "Aye".

**14906 DOUGLAS ESTATES RESUBDIVISION OF LOT D-32 \* FIRST READING AND CALL FOR A PUBLIC HEARING** [T1-73]

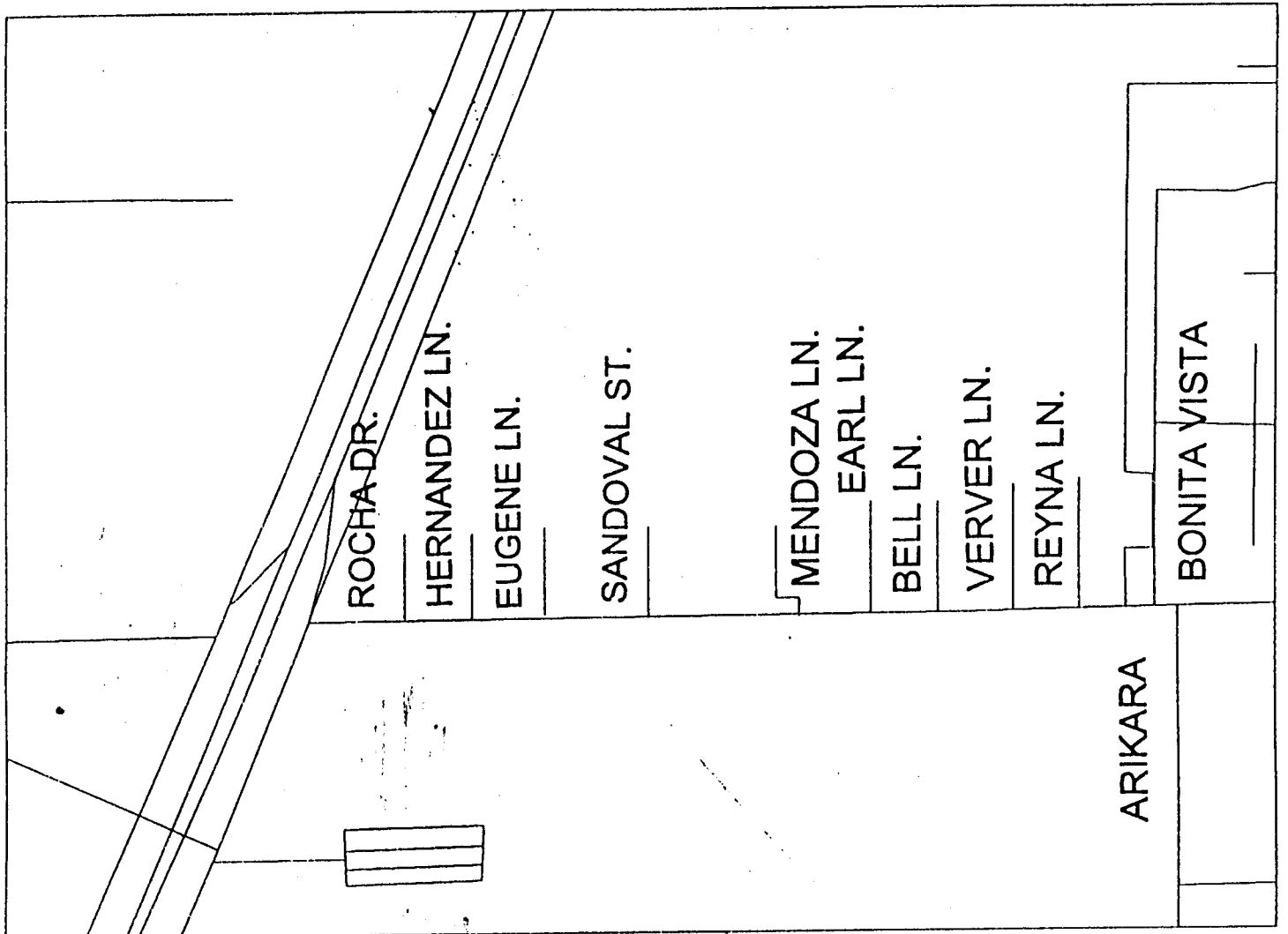
Property Owners Lee Rapp & Debbie Rapp propose to resubdivide Lot D-32 of Douglas Estates Subdivision (a 10 acre lot) into two 5 acre lots - access is off Hurlbut Ranch Road - the City of Dripping Springs is reviewing - County Staff recommends approval on first reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Douglas Estates Resubdivision of Lot D-32 " on first reading and call for a public hearing on April 9, 1996. All voting "Aye".

**SHADY GROVE SUBDIVISION**

This subdivision was posted for third reading on the agenda, however, it was withdrawn and no action was taken.

**14907 ROAD NAME DESIGNATIONS TO ROADWAYS TAKING ACCESS OFF WEST GOFORTH STREET OUTSIDE THE CITY LIMITS OF BUDA** [T1-99]

Commissioner Barton spoke of small streets and shared access driveways that are in need of road name designations for 9-1-1 addressing which will allow emergency vehicles, etc. to locate them easier. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve road name designations to roadways taking access off West Goforth Street outside the city limits of Buda as follows: Reyna Lane, Verver Lane, Bell Lane, Earl Lane, Mendoza Lane, Sandoval Street, Eugene Lane, Hernandez Lane, and Rocha Drive. All voting "Aye".



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**14908 AWARD CONTRACT TO LOW BIDDER FOR RECONSTRUCTION OF PURGATORY ROAD AS  
PART OF HAYS COUNTY ROAD IMPROVEMENT PROJECT [T1-117]**

John Doucet (Doucet & Assoc. Inc.) presented a budget (\$600,000); expenditures (\$182,441.14); budget remaining for construction, etc. (\$417,558.86); low bid from bid tabulation (base bid = \$472,330.50 + addendum #1 = \$21,750); and recommendation to award contract to low bidder with ability to negotiate cost savings alternatives in accordance with Local Government Code Section 262.0305 Modification After Award - final contract to be approved by the Commissioners' Court. Bids were received from H&M (\$554,118), Capital Excavation (\$499,775.30), and JKL (\$472,330.50). John Doucet stated that he felt like the contract could be negotiated to lower the cost - he spoke of the current market and the low response to the bid request. Commissioner Payne stated that he felt like we are over designing some of these roads which is bringing the cost up considerably. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to award contract to low bidder JKL for reconstruction of Purgatory Road (CR215) as part of Hays County Road Improvement Project. Contract will be negotiated and final contract to be approved by the Commissioners' Court. All voting "Aye".

**DISCUSSION REGARDING INSTITUTE OF ENVIRONMENTAL AND INDUSTRIAL SCIENCE  
STUDY ON THE TIRE BURNING AT TEXAS LEHIGH [T1-292]**

Commissioner Barton advised that he wanted to alert the Commissioners that we will be receiving a review by SWTSU Institute of Environmental & Industrial Science Dept. - TNRCC has run some test that indicate that tire burning is not a serious health concern. No action taken this date.

**14909 REJECT CASH OFFER FROM MARK MCMANUS IN EXCHANGE FOR ROAD WORK ON HAYS  
COUNTRY ACRES ROAD [T1-311]**

Last week the Commissioners' Court had discussed a cash offer of \$10,000 from Mark McManus in exchange for certain improvements to Hays Country Acres Road which would allow him to move mobile homes onto his property - improvements were as follows: (1) remove and replace portions of fence in county right-of-way along the TORN property. (2) extend culvert pipe and add fill at turn abutting TORN property. The Hays County Road Administrator valued this work at approximately \$1,500. The balance of the money may be used at discretion of Road Administrator on improving the safety of Hays County Acres Road for all who use said road. When items 1 & 2 are completed Mr. McManus will contribute the money to the county. District Attorney Marcos Hernandez had recommended that the Court take formal action to accept or reject this offer. Commissioner Molenaar spoke of Mark McManus developing his property into a trailer park and knowing that this road would not accommodate movement of the trailers as it existed. Commissioner Molenaar stated that he has a problem with reconditioning this road for this purpose and he will not be manipulated by a developer - this road is not in the county's five/seven year plan and we cannot stop what we are doing to make improvements on it - this road does not receive mail or school bus service. Ron Bischoff, Road Director, stated that the county maintains this road twice a year and it does need blading at this time, however, there are no plans to make improvements to it. Judge Etheredge advised that we will probably see litigation regarding this matter if we reject the offer. Judge Etheredge and Commissioner Barton stated that they will support Commissioner Molenaar in his decision, however, they hope that there will be further negotiations to try and resolve this issue. A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to reject the \$10,000.00 offer made by Mark McManus for road improvements on Hays Country Acres Road. Commissioner Rodriguez, Commissioner Barton, Judge Etheredge, and Commissioner Molenaar voting "Aye". Commissioner Payne abstained.

**14910 CONSIDER REPEAL OF DISASTER DECLARATION (BURN BAN) [T1-600]**

A. D. Carroll, Fire Marshal/EMC, advised that he did not recommend repealing the burn ban at this time. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to table repeal of the Disaster Declaration (Burn Ban) at this time. All voting "Aye".

**J.P. PCT. 3 REQUEST FOR BUDGET AMENDMENT TO PURCHASE CHAIRS & SEAL [T1-608]**

Commissioner Payne advised that county building maintenance had provided chairs for J.P. 3 courtroom. No action required by the Court.

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**DISCUSSION RE: CONTINUATION OF CR101 ROAD IMPROVEMENT PROJECT ALONG CURTIS JOHNSON PROPERTY [T1-619]**

This was not an agenda item, however, Judge Etheredge felt like it needed to be discussed - advised that our R-O-W Agent has requested that the court make a determination regarding continuation of CR101 as it concerns the Curtis Johnson property - Mr. Johnson has requested that we consider other road situations on his property along with CR101 - the R-O-W Agent has made no contact with Mr. Johnson and he needs direction from the Court to proceed with original orders or does the Court want to continue discussions regarding CR169 (Bell Springs Rd) - we can stop the project at CR101 at Curtis Johnson property. On February 27, 1996 Curtis Johnson appeared before the Court with his proposal - he would like for the Court to relocate CR169 to coincide with his property line rather than going through his property as it now exists - CR169 is not in the scope of the bond issue package. John Doucet (Doucet & Assoc. Inc.) recommended that we make an offer to Mr. Johnson - we cannot afford to do what he is proposing. Commissioner Molenaar agreed that the R-O-W Agent does need to approach Mr. Johnson and follow through with our original plans - we may need to negotiate some issues. Judge Etheredge spoke of Former Commissioner Rippey had said that he was not interested into getting into those discussion and if the extension of CR101 through Mr. Johnson's property was going to be a "show stopper" then we was going to ask the Court to kill the project at Mr. Johnson's property and deal with it at a later time. No action necessary this date.

**DISCUSSION REGARDING REDUCING EXPENDITURES OR INCREASING REVENUES [T1-803]**

Judge Etheredge spoke of having approached Department Heads and Elected Officials regarding revenue shortfalls - they looked at their budgets and most responded positively. County Auditor Bill Herzog spoke of budget cuts: Recommended by Depts. - \$126,843.00 plus he has identified an additional \$20,000 Countywide budget cuts = \$ 251,000. District Clerk Cecelia Adair spoke of having three bank accounts in her office - she has approximately \$20,000.00 that could be moved into county funds - this money was being held until the cases were disposed of - she is currently turning fees over to the Treasurer monthly - would like to use surplus money in her salary line item (\$1800-2000) to pay for overtime so that they can enter these old cases into the new software program so that it can be properly disbursed - stated that she cannot use outside help to enter these cases, therefore, she would need to utilize current personnel. Court advised Mrs. Adair to get with the County Auditor to work out details. Judge Etheredge stated that we have resolved the shortfall at this time with cooperation from Department Heads and Elected Officials - suggested drafting a resolution of appreciation to the departments offering cuts. Discussion was had regarding COPSMORE Grant - grant should be forthcoming. Commissioner Barton spoke of Court looking ahead - we have adequate reserves and we are not short any of our funds - we took action well in advance to prevent a crisis - we wanted to have good sound and conservative fiscal management to maintain the kind of fiscal reputation that we have built up over the last few years. Commissioner Barton spoke of \$5,000 taken from park maintenance - the bids are in for mowing and trimming - we could evaluate those and decide if we want to reduce the mowing schedule. No action taken.

**DISCUSSION REGARDING FINANCIAL STATUS OF PROJECTS PAID FROM ANTICIPATION NOTES SERIES 95 [T1-1262]**

County Auditor Bill Herzog presented a list of projects using Anticipation Notes '95 - gives amounts since the beginning - interest income could be used for overages on projects - spoke of renovation employees that were not budgeted (\$25,000) and needs to be billed back into the project - the Justice Center cost went over (\$5,700) and was paid out of Building Maintenance Department - need to amend the budget to bill those cost back into the project.

ANTICIPATION NOTES '95

|                           | ORIGINAL<br>PROJ BUDGET | EXPENDED<br>FY 95 | EXPENDED<br>FY 96 YTD | TOTAL     | REMAINING |
|---------------------------|-------------------------|-------------------|-----------------------|-----------|-----------|
| Cost of Insurance         | 25,000                  | 18,005            | 000                   | 18,005    | 6,995     |
| ADA Construction          | 205,000                 | 21,846            | 1,096                 | 22,942    | 182,058   |
| Data Processing Equipment | 700,000                 | 239,762           | 256,970               | 496,732   | 203,268   |
| Vehicles                  | 153,665                 | 153,665           | 0                     | 153,665   | 0         |
| Road Equipment            | 658,000                 | 62,009            | 541,306               | 603,315   | 54,685    |
| Road Facilities           | 242,000                 | 0                 | 0                     | 0         | 242,000   |
| L.E. Equipment            | 16,335                  | 16,335            | 0                     | 16,335    | 0         |
| Bldg. Remodel Justice Ctr | 450,000                 | 182,043           | 273,296               | 455,339   | (5,339)   |
| * Juv. Detention Center   | 35,000                  | 38                | 0                     | 38        | 34,962    |
| Roof Repairs (Not HEB)    | 80,000                  | 0                 | 0                     | 0         | 80,000    |
| Broadway St.              | 20,000                  | 20,000            | 0                     | 20,000    | 0         |
| Central Storage Bldg.     | 70,000                  | 0                 | 0                     | 0         | 70,000    |
| EMS Bldg.                 | 70,000                  | 3,000             | 63,265                | 66,265    | 3,735     |
| *GIS Computer             | 45,000                  | 0                 | 46,607                | 46,607    | (1,607)   |
|                           | 2,770,000               | 716,703           | 1,182,540             | 1,899,243 | 870,757   |

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\*Juv. Det. Constr. was originally \$80,000 but a budget amendment was approved to move \$45,000 into GIS computer equipment since the Juv. Constr. Project was no longer needed.

|                   |        |
|-------------------|--------|
| INTEREST FY 95    | 28,545 |
| INTEREST FY96 YTD | 42,870 |
| TOTAL YTD         | 71,415 |

| <u>RECONCILIATION</u> | <u>BOOKS</u>  |                 | <u>BANK</u>     |
|-----------------------|---------------|-----------------|-----------------|
| Remaining Budget      | 870,757       | TXPOOL          | 1,216,380       |
| Plus Incumbencies     | 242,713       | CHECKING        | 1               |
| Plus Interest         | <u>71,415</u> | LESS 3/19 BATCH | <u>(31,496)</u> |
|                       | 1,184,885     |                 | 1,184,885       |

Judge Etheredge reported that the inmate population at the jail is at 32 today and we have 20 coming later this week. The classroom buildings for Juveniles are completed and are operational at this time. The EMS building is completed and they have moved into that facility.

**EXECUTIVE SESSION - PERSONNEL [T1-1454]**

The Court convened into closed Executive Session to conduct Department Head evaluations. The Court reconvened into open meeting - no action taken. Will continue employee reviews next week.

Court was adjourned until Tuesday April 2, 1996 at 9:00 A..M.

MINUTES APPROVED IN OPEN COURT ON THE 16<sup>th</sup> DAY OF APRIL, 1996.

*Eddy A. Etheredge*  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
 MARGIE T. VILLALPANDO, COUNTY CLERK  
 H A Y S COUNTY, TEXAS





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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 2ND DAY OF APRIL A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                              |                             |
|------------------------------|-----------------------------|
| <b>EDDY A. ETHEREDGE</b>     | <b>COUNTY JUDGE</b>         |
| <b>PETER RODRIGUEZ</b>       | <b>COMMISSIONER, PCT. 1</b> |
| <b>JEFFERSON W. BARTON</b>   | <b>COMMISSIONER, PCT. 2</b> |
| <b>CRAIG D. PAYNE</b>        | <b>COMMISSIONER, PCT. 3</b> |
| <b>RUSS G. MOLENAAR</b>      | <b>COMMISSIONER, PCT. 4</b> |
| <b>MARGIE T. VILLALPANDO</b> | <b>COUNTY CLERK</b>         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14911 APPROVE PAYMENT OF COUNTY INVOICES**

County Auditor Bill Herzog recommended voiding payment to Tubro Inc. = \$600 for rental on EMS trailer and \$200 payment to Gardenville of San Marcos for plants & supplies for Extension Office paid out of Oak Wilt funds. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$405,073.61 with exception of \$800 as recommended by the County Auditor. All voting "Aye".

|                     |               |                    |               |                   |              |
|---------------------|---------------|--------------------|---------------|-------------------|--------------|
| Health & Sanitation | \$ 15.00      | Auditors Office    | \$ 783.02     | Treasurers Office | \$ 217.54    |
| Extension Office    | \$ 318.86     | Grants Admin.      | \$ 81.81      | Juvenile Prob     | \$ 402.24    |
| Election Admin      | \$ 14,478.32  | Comm & Soc Svcs    | \$ 145,860.25 | Indigent Care     | \$ 7,517.69  |
| Transfer Station    | \$ 134.73     | Bldg Mtc.          | \$ 5,239.92   | Environ Health    | \$ 571.67    |
| Personal Health     | \$ 706.12     | Civic Center       | \$ 43.31      | Countywide Oper   | \$ 28,414.23 |
| Tax A/C             | \$ 617.49     | District Clerk     | \$ 666.60     | County Clerk      | \$ 489.03    |
| Sheriffs Ofc        | \$ 4,638.61   | Jail Operations    | \$ 14,644.25  | County Judge      | \$ 50.26     |
| Human Resources     | \$ 257.18     | District Attorney  | \$ 182.28     | J.P. 1-1          | \$ 53.78     |
| J.P. 1-2            | \$ 252.45     | J.P. 2             | \$ 28.03      | J.P. 4            | \$ 128.53    |
| J.P. 5              | \$ 238.20     | DPS                | \$ 3,226.83   | Constable 1       | \$ 438.97    |
| Constable 5         | \$ 32.80      | Dist Crt Oper      | \$ 111.53     | Co & JP Crt Oper  | \$ 168.00    |
| Veterans Admin      | \$ 21.07      | Computer Svcs      | \$ 19,768.46  | CJD Juv Svcs      | \$ 2,730.00  |
| DPS/L&W             | \$ 19.39      | Crths Renov Grant  | \$ 400.00     | Fire Marshal/EMC  | \$ 45.36     |
| TABC                | \$ 20.54      | Dist Crt Reporters | \$ 169.29     | CCAP Grant        | \$ 2,604.82  |
| Animal Control      | \$ 29.04      | DARE Proj 1 Ofcr   | \$ 6114.46    | 911 Signs Grant   | \$ 11,464.76 |
| *Gen fund credit    | * \$ 354.32 * | R&B Operations     | \$ 58,494.55  | Precinct 1        | \$ 390.00    |
| Precinct 2          | \$ 184.08     | Precinct 3         | \$ 442.42     | Anticip Notes '95 | \$ 1,435.20  |
| Rec Mng/Co Clk      | \$ 2,612.33   | Health Svcs Grants | \$ 2,162.09   | Law Library       | \$ 179.00    |
| Jail Construction   | \$ 375.25     | Road Construction  | \$ 63,422.06  | Crths Renov/Co    | \$ 100.00    |
| Crths Security      | \$ 109.99     | Adult Prob Oper    | \$ 4,162.46   | Adult Prob Fac    | \$ 2,461.78  |

**14912 APPROVE BUDGET AMENDMENT NO. 96-018**

The following budget amendments were proposed:

County Clerk - Tranfer for balance of annual leave, higher bond premium & Clerk travel - conforms to budget reduction statement.

District Attorney - Transfer for needed supplies, telephone, printing of judgments from within department & eliminate balance of equipment - items conform to budget reduction statement.

Various Departments - Budget for continuing education use to those departments receiving LEOSE/Law Enforcement Education allocations - specific requirements for education expenses.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 96-018 as proposed by the County Auditor. All voting "Aye".

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AMENDMENT  
NO. 96-018  
FY 96 BUDGET  
04/02/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES    | APPROPRIATION | AMENDMENT    |                | APPROPRIATION |
|-----------------------------|---------------|--------------|----------------|---------------|
|                             | BEFORE        | INCREASES    | DECREASES      | AS AMENDED    |
| <b>COUNTY CLERK (417):</b>  |               |              |                |               |
| 01-417-5011 DEPARTMENT HEAD | 34,992        | 1,618        |                | 36,610        |
| 01-417-5021 STAFF           | 208,335       |              | (1,500)        | 206,835       |
| 01-417-5160 INSURANCE       | 25,014        |              | (118)          | 24,896        |
| 01-417-5311 TRAVEL          | 200           | 200          |                | 400           |
| 01-417-5212 POSTAGE         | 5,500         |              | (200)          | 5,300         |
| 01-417-5321 DUES & BONDS    | 200           | 672          |                | 872           |
| 01-417-5110 FICA            | 18,914        |              | (500)          | 18,414        |
| 01-417-5121 RETIREMENT      | 19,322        |              | (172)          | 19,150        |
|                             |               | <u>2,490</u> | <u>(2,490)</u> |               |

TRANSFER FOR BALANCE OF ANNUAL LEAVE, HIGHER BOND PREMIUM, & CLERK TRAVEL; CONFORMS TO BUDGET REDUCTION STMT.

**DISTRICT ATTORNEY (423):**

|                                  |       |     |  |       |
|----------------------------------|-------|-----|--|-------|
| 01-423-5331 CONTINUING EDUCATION | 2,000 | 174 |  | 2,174 |
|----------------------------------|-------|-----|--|-------|

**CONSTABLE 1 OFFICE (431):**

|                                  |     |     |  |     |
|----------------------------------|-----|-----|--|-----|
| 01-431-5331 CONTINUING EDUCATION | 100 | 174 |  | 274 |
|----------------------------------|-----|-----|--|-----|

**CONSTABLE 5 OFFICE (435):**

|                                  |     |     |  |     |
|----------------------------------|-----|-----|--|-----|
| 01-435-5331 CONTINUING EDUCATION | 800 | 153 |  | 953 |
|----------------------------------|-----|-----|--|-----|

**FIRE MARSHAL/EMC (472):**

|                                  |     |            |  |     |
|----------------------------------|-----|------------|--|-----|
| 01-472-5331 CONTINUING EDUCATION | 200 | <u>236</u> |  | 436 |
|                                  |     | <u>737</u> |  |     |

**REVENUES:**

|                                                 |     | DECREASE | INCREASE   |     |
|-------------------------------------------------|-----|----------|------------|-----|
| 01-333-5331 LAW ENF EDUC/<br>(LEOSE) ALLOCATION | -0- |          | <u>737</u> | 737 |

BUDGET ALLOCATION FOR LAW ENF OFFICER EDUCATION; FOR USE ONLY AS DEPT. CONTINUING EDUCATION.

**DISTRICT ATTORNEY (423):**

|                            |       |              |                |       |
|----------------------------|-------|--------------|----------------|-------|
| 01-423-5211 OFFICE SUPPLY  | 2,600 | 530          |                | 3,130 |
| 01-423-5311 TRAVEL         | 400   | 220          |                | 620   |
| 01-423-5391 MISC.          | 500   | 14           |                | 514   |
| 01-423-5411 OFF EQPT MAINT | 150   | 5            |                | 155   |
| 01-423-5489 TELEPHONE      | 6,000 | 300          |                | 6,300 |
| 01-423-5461 PRINTING       | 600   | 250          |                | 850   |
| 01-423-5213 BOOKS          | 1,300 |              | (200)          | 1,100 |
| 01-423-5413 VEH MAINT.     | 1,200 |              | (89)           | 1,111 |
| 01-423-5445 TRANSPORTATION | 950   |              | (400)          | 550   |
| 01-423-5711 OFF EQPT       | 1,600 |              | (630)          | 970   |
|                            |       | <u>1,319</u> | <u>(1,319)</u> |       |

TRANSFER FOR NEEDED EXPENSES; CONFORMS TO BUDGET REDUCTION STMT.

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**14913 APPROVE UTILITY PERMIT #96-102**

The following utility permit was submitted for approval: #96-102 to Century Telephone of San Marcos, Inc. for a road bore and telephone cable within the county r-o-w of BeBack Inn Road. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility Permit #96-102. All voting "Aye".

**14914 ACCEPT ANNUAL REPORT FROM THE NORTHWEST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT #4**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept the Annual Report from the Northwest Hays County Rural Fire Prevention District #4. All voting "Aye".

**14915 HAYS COUNTY GRIEVANCE COMMITTEE SELECTIONS**

The County Clerk advised that as of this date there has only been six people who have accepted service on the 1996 Hays County Grievance committee - nine members are needed. County Judge Eddy Etheredge randomly selected the following: Billie Batterton (Austin), Hulon D. Crawford (San Marcos), Richard L. Reedy (San Marcos), Gay C. Keeble (Wimberley), Charles Fowler (Dripping Springs), and Tom Wycoff (Dripping Springs).

**14916 CONVERT AD VALOREM TAX DEPUTY TO "DEPUTY BOOKKEEPER" IN THE TAX ASSESSOR-COLLECTOR'S OFFICE**

Tax A/C Luanne Caraway advised that job description duties are realigned to reflect the duties actually being performed by the employee - grade remains the same - Human Resources Director approves the conversion. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to convert Ad Valorem Tax Deputy to 'Deputy Bookkeeper' in the Tax Assessor-Collector's Office. All voting "Aye".

**14917 AUTHORIZE USE OF ROAD DEPARTMENT EQUIPMENT AND PERSONNEL TO HELP CONTROL DUST ON ROAD AND PARKING LOT LEADING TO THE HAYS YOUTH ASSOCIATION PLAYING FIELDS ON FM 2770**

Commissioner Barton advised that he had received a request from the Hays Youth Baseball and Soccer Association for county assistance in controlling the dust on the road and parking lot leading to the Hays Youth Association Fields off FM2770 - Texas Lehigh is donating the emulsion but county equipment is needed to distribute it onto the road - the Road Director agrees that the time involved would be minimal, the emulsion is available nearby, the road is short/flat/narrow, and the parking lot is simple layout - the fields are owned by a non-profit association dedicated to providing park and playing field areas to children - families from throughout the county use the fields heavily, though the heaviest concentration of children, obviously, comes from the Buda and Kyle areas. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize use of the road department equipment and personnel to help control dust on the road and parking lot leading to the Hays Youth Association playing fields on FM 2770. All voting "Aye".

**14918 CALL FOR A PUBLIC HEARING ON 4/16/96 TO RENAME "PUMP STATION ROAD" (CR218) TO "DICE BOTTOM ROAD" LOCATED OFF FM 2325**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held April 16, 1996 to rename "Pump Station Road" (CR218) to "Dice Bottom Road" located off FM2325 [crossing Longhorn Trail (CR246) and ending at Mt. Sharp Road]. All voting "Aye".

**14919 CALL FOR A PUBLIC HEARING ON 4/16/96 TO CONSIDER A 30 MPH SPEED LIMIT ON CRUMLEY RANCH ROAD BETWEEN FITZHUGH ROAD (CR101) AND THE HAYS/TRAVIS COUNTY LINE**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held April 16, 1996 at 9:00 A.M. to consider establishing a speed limit of 30 MPH on Crumley Ranch Road between Fitzhugh Road (CR101) and the Hays/Travis County line. All voting "Aye".

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**14920 ROAD NAME DESIGNATION: RENAME 'SCARLET RIDGE' IN HERITAGE COUNTRY TO  
"SURREY RIDGE" TO AVOID DUPLICATION WITH STREET LOCATED IN HERITAGE OAKS**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve road name designation: Rename "Scarlet Ridge" in Heritage Country to "Surrey Ridge" to avoid duplication with street located in Heritage Oaks subdivision. All voting "Aye".

**14921 ACCEPT ROAD CONSTRUCTION AND MAINTENANCE BOND FOR HILLS OF TEXAS ESTATES  
SECTIONS ONE & TWO**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept road construction in the Hills of Texas Sections One & Two and accept maintenance bond filed this date. All voting "Aye". A maintenance bond was filed with the County Clerk.

**14922 RELEASE MAINTENANCE BOND ON HERITAGE WEST SUBDIVISION**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to release the Maintenance Bond (Cashiers Check held by the County Treasurer) on Heritage West Subdivision and accept roads into the county maintenance system. All voting "Aye".

**14923 AUTHORIZE DISTRICT CLERK TO USE UP TO \$2000 IN SALARY LINE ITEM FOR OVERTIME TO  
FACILITATE TRANSFER OF FUNDS INTO THE GENERAL FUND**

District Clerk Cecilia Adair advised that due to the move from the courthouse, the down time waiting for training on the new data system and 5-6 week employee vacancy, she has a backlog in work - there are funds in checking accounts that can be paid over to the general fund but the work to do so is labor intensive and will require overtime by employees - must be current with work before they can begin to research and enter data on these funds - there is approximately \$1,800 to \$2,000 excess in salary and fringe line items to fund the overtime. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize the District Clerk to use up to \$2,000 in salary line item for overtime to facilitate transfer of funds into the General Fund. All voting "Aye".

**14924 HANNAH HILL SUBDIVISION \* FIRST & SECOND READING APPROVAL [T1-72]**

This subdivision was approved on first reading under the name of "Sunset Estates" which was a six lot subdivision - the developer has replatted it as a three lot subdivision so that lots are now over five acres each and are exempt from municipal review by definition - access is off Shelton Ranch Road. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Hannah Hill" subdivision on first and second readings. All voting "Aye".

**14925 MAYO SUBDIVISION \* FIRST READING APPROVAL AND GRANT VARIANCE TO ROAD  
CONSTRUCTION STANDARDS [T1-133]**

Developer Robert W. Mayo is requesting a variance from the typical road standards for Red Hawk Road (privately maintained road) to allow for the construction of a road 18 feet in width comprising of six inches of base over the existing caliche road with asphalt topping 1 1/2 inches thick and twelve foot in width - this variance is requested due to the limited amount of traffic on the road and is based upon the guidelines and recommendation of the Hays County Road Engineer. Commissioner Payne stated that this road will serve seven large acreage tracts. Road Director Ron Bischoff stated that this road could be considered a "driveway" and not a roadway, however, he would like to see a cross-section. Commissioner Molenaar spoke of this being a private drive and asked if we can make him bring the road up to county standards if further development occurs - suggested granting a variance subject to entering into a contract with the county that if further development occurs the road would have to be brought up to county standards. Commissioner Payne advised that you cannot bind other property owners to make the improvements. District Attorney Marcos Hernandez spoke of Elgin Bank case - spoke of entering into a contract that would bind future property owners. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve the "Mayo Subdivision" on first reading and grant a variance to county road construction standards subject to the filing of a contract between the Developer and Hays County which would address future development that may require bringing the road up to county standards. All voting "Aye".

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**SHADY GROVE SUBDIVISION**

This subdivision was listed on the agenda, however, the property owner requested postponement at this time.

**14926 PIONEER RANCH NO. 1 RESUB OF TRACTS 18 & 20 \* THIRD READING APPROVAL [T1-399]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Pioneer Ranch No. 1 Resub of Tracts 18 & 20" on third reading. All voting "Aye".

**14927 TIMMERON SECTION 1 REPLAT OF RESERVE 1.2 & 1.3 \* EXEMPTION DENIED [T1-411]**

Commissioner Payne advised that this plat qualifies under Local Government Code Subchapter B. § 232.010 Exemption to Plat Requirement: County Determination states: A commissioners court of the county may allow conveyance of portions of one or more previously platted lots by metes and bounds description without revising the plat. Commissioner Payne spoke of policy decision to grandfather property division prior to 1984 - a public hearing was held March 19, 1996 - he had originally wanted the lots to be platted and has since changed his mind. Environmental Health Director Allen Walther advised that no final drawing was ever submitted. County Clerk Deputy Linda Fritsche spoke of problem with not filing a plat of the resubdivision. A motion was made by Commissioner Payne, seconded by Commissioner Barton to authorize exemption to plat requirement on Timmeron Section 1 Reserves 1.2 & 1.3 and allow filing of survey in lieu of plat. Judge Etheredge spoke of effort to try and straighten out county records. Commissioner Molenaar and Commissioner Payne voting "Aye". Judge Etheredge, Commissioner Barton, and Commissioner Rodriguez voting "No". Motion failed.

**14928 ROAD NAME DESIGNATION OF "MARITA G. ROAD" AND "MR. PETE ROAD" TO PRIVATELY MAINTAINED ROAD LOCATED OFF S. OLD BASTROP HIGHWAY [T1-590]**

A written request was received from property owners/family members along two private roadways located off CR266 requesting that their roads be named "Mr. Pete Road" in honor of their dad and "Marita G. Road" in honor of their mom. A motion was made by Commissioner Rodriguez, seconded by Commissioner Barton to approve road name designation of "Marita G. Road" and "Mr. Pete Road" to privately maintained roads located off S. Old Bastrop Highway (CR266) and erect red street signs accordingly. All voting "Aye".

**14929 ADOPT RESOLUTION CONTINUING DISASTER DECLARATION/THREAT OF WILDFIRES (BURN BAN) [T1-617]**

Judge Etheredge advised that he had re-implemented the burn ban on April 1, 1996 as recommended by the County Fire Marshal. A.D. Carroll, Fire Marshal/EMC, advised that approximately 40 acres of land was lost over the weekend to several fires - we have not received a sufficient amount of rainfall. A motion was made by Judge Etheredge, seconded by Commissioner Barton to adopt resolution continuing the Disaster Declaration/Threat of Wildfires (Burn Ban) for Hays County. All voting "Aye".

**DISCUSSION RE: INTEGRATED CHILD SUPPORT SYSTEM IN DISTRICT CLERK'S OFFICE [T1-643]**

Commissioner Payne spoke of information he obtained when he attended the District and County Clerk's conference at A&M University recently - federal funding is available for enforcement of child support collection and monitor cases where child support is delinquent - spoke of reporting that will be necessary - feels like it would be beneficial. District Clerk Cecilia Adair advised that she is not prepared to participate at this time - spoke of how child support cases are handled by the Attorney General's office - started out by assisting those people on public assistance - spoke of committees studying these issues and creating Senate Bill 793 - spoke of problems getting money through the AG's office - asked that she be allowed to make a proposal when the time is right - we are looking at it to see if it will work in Hays County - they are not ready to sign up counties at this time - Bexar County is a pilot program because it has already been involved - Bexar and Travis County have DRO's (Domestic Relations Officers) that already do the paperwork - we are already budgeted for the first year (we are not obligated).

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**14930 APPROVE PAVING THE ROAD AND OILING THE PARKING LOT AT THE HOPE HANKS SPORTSPLEX LOCATED IN DRIPPING SPRINGS [T1-894]**

A request was made for the Commissioners Court to consider paving the "Sportsplex Road" in Dripping Springs. Commissioner Molenaar spoke of plans last year to pave this road (1/10 of mile) - it is a county maintained roadway - also requesting that parking lot be oiled while county crews are out there - connects to the middle school - county has been oiling this road twice a year - spoke of number of children utilizing this field. Commissioner Barton spoke of similar situation in his precinct (Hays Youth Field = 1/10 mile) which he may request that the county accept for county maintenance. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve paving the road and oiling the parking lot at the Hope Hanks Sportsplex located in Dripping Springs. Ron Bischoff, Road Director, advised that they will be doing work in the area and they should be able to get it done within the next two weeks. All voting "Aye".

**EXECUTIVE SESSION - LITIGATION**

The Court convened into closed executive session to consider possible litigation. Court reconvened into open meeting - future executive session may be required - no action taken this date.

**14931 SET FEES FOR SERVICES IN THE COUNTY TAX OFFICE [T1-1040]**

Judge Etheredge spoke of requests being made for electronically produced records (digital/computerized information) - we need to set fees for these services. Tax Assessor-Collector Luanne Caraway spoke of requests being made for computer tapes of tax information - she feels like the contracting tax entities should received free tapes, however, there are other companies requesting this information - she has compared fees being charged by other counties and the CAD and proposes the following:

|               |                                                                                                                               |
|---------------|-------------------------------------------------------------------------------------------------------------------------------|
| Printouts     | \$ .50 to 1.00 per page                                                                                                       |
| Computer Tape | \$100.00 to \$150.00 per tape<br>(during our heavy tax season it can take up to 6 hours to run a current and delinquent tape) |
| Research Time | We can charge up to \$15.00 per hour                                                                                          |
| Photocopies   | \$.25/page                                                                                                                    |

Discussion was had regarding services being requested and what is required to provide those services and comparison of fee being charged by other entities.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to set fees to be charged by the Tax Assessor-Collector for computer printouts at \$.50 per page with a \$10.00 minimum charge, computer tapes at \$150.00 per tape (not to be charged to contracting entities) and a charge of \$15.00 per hour for research services (where determined appropriate by the Tax Assessor-Collector) with payment to be made in advance of services. All voting "Aye". A motion was made by Commissioner Barton, seconded by Judge Etheredge to set fee to be charged by the Tax Assessor-Collector for computer programming cost at the actual cost charged by The Software Group plus 20%. All voting "Aye". A motion was made by Commissioner Payne, seconded by Commissioner Barton to set fee to be charged by the Tax Assessor-Collector for copies of \$1.00 for the first page and 10 cents for each additional page copied. All voting "Aye". A motion was made by Commissioner Barton, seconded by Judge Etheredge to set a fee to be charged by the Tax Assessor-Collector for Recall Statements at \$15.00. All voting "Aye".

**EXECUTIVE SESSION - PERSONNEL**

Court convened into closed executive session to discuss Department Head evaluations. Upon completion, the Court reconvened into open meeting. No action taken.

Court was adjourned until Tuesday April 9, 1996 at 9:00 a.m.

MINUTES APPROVED IN OPEN COURT ON THE 14<sup>TH</sup> DAY OF MAY, 1996.

*Eddy A. Etheredge*  
**EDDY A. ETHEREDGE, COUNTY JUDGE**  
H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
**MARGIE T. VILLALPANDO, COUNTY CLERK**  
H A Y S COUNTY, TEXAS



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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 9TH DAY OF APRIL A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14932 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 141,111.45 as presented by the County Auditor. All present voting "Aye".

|                   |              |                   |             |                    |              |
|-------------------|--------------|-------------------|-------------|--------------------|--------------|
| Fines             | \$ 1,123.25  | Auditor's Office  | \$ 276.35   | Treasurer's Office | \$ 450.70    |
| Grants Admin      | \$ 7.04      | Indigent Care     | \$ 364.55   | Transfer Station   | \$ 93.19     |
| Bldg. Mtc. Dept   | \$ 11,426.58 | Environ Health    | \$ 85.31    | Personal Health    | \$ 272.72    |
| Countywide Oper   | \$ 2,014.87  | Tax A/C           | \$ 130.80   | County Clerk       | \$ 107.50    |
| Sheriffs Office   | \$ 5,251.65  | Jail Operatons    | \$ 6,882.57 | County Judge       | \$ 100.00    |
| Human Resources   | \$ 113.80    | District Attorney | \$ 81.48    | J.P. 2             | \$ 11.16     |
| J.P. 4            | \$ 12.50     | Constable 2       | \$ 147.55   | Constable 3        | \$ 38.49     |
| Constable 4       | \$ 78.13     | Constable 5       | \$ 34.30    | Dist Court Oper    | \$ 1,988.34  |
| Co & JP Crt Oper  | \$ 598.61    | Computer Svcs     | \$ 1,035.07 | Crths Renov Grant  | \$ 16,439.64 |
| TJPC CCAP Grant   | \$ 28,320.60 | Animal Control    | \$ 195.99   | *Gen Fund Credit   | \$ 22.00 *   |
| R&B Operating     | \$ 9,420.65  | Precinct 1        | \$ 426.00   | Precinct 4         | \$ 320.16    |
| Anticip Notes     | \$ 2,169.62  | Health Svcs Grant | \$ 1,224.81 | Law Library        | \$ 2,094.00  |
| Road Construction | \$ 46,788.80 | Crths Renov/Co    | \$ 4,109.91 | Crths Security     | \$ 74.50     |
| Adult Prob Oper   | \$ 4,270.37  | Adult Prob Fac    | \$ 430.20   | New Canaan Grant   | \$ 1,321.69  |

14933 APPROVE BUDGET AMENDMENT NO. 96-019

The following budget amendment was proposed: Building Maintenance : transfer between line items for needed AC/HVAC repairs (conforms to budget reduction statement). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve budget amendment No. 96-019. All present voting "Aye".

AMENDMENT  
NO. 96-019  
FY 96 BUDGET  
04/09/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES         | APPROPRIATION | AMENDMENT    |                | APPROPRIATION |
|----------------------------------|---------------|--------------|----------------|---------------|
|                                  | BEFORE        | INCREASES    | DECREASES      | AS            |
|                                  | AMENDMENT     |              |                | AMENDED       |
| <b>BUILDING MAINTANCE (410):</b> |               |              |                |               |
| 01-410-5457 A/C MAINT            | 9,500         | 1,700        |                | 11,200        |
| 01-410-5231 MEDICAL              | 1,500         |              | (500)          | 1,000         |
| 01-410-5242 GROUNDS MAINT        | 1,550         |              | (500)          | 1,050         |
| 01-410-5458 CONTRACT JANITORIAL  | 28,500        |              | (700)          | 27,800        |
|                                  |               | <u>1,700</u> | <u>(1,700)</u> |               |

TRANSFER FOR NEEDED A/C REPAIRS

APRIL 9, 1996

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**14934 AWARD CONTRACTS FOR MOTOR GRADER AND HOT ASPHALT DISTRIBUTOR**

Purchasing Agent Cindy Casparis presented the following bid tabulations:

**MOTOR GRADER BID #96B006**

| COMPANY                 | BID PRICE | MACH WARR | GUAR. MIN REPURCH | TOTAL BID PRICE | INT 5YR PAYOUT | ANNUAL PAYMENT                 |
|-------------------------|-----------|-----------|-------------------|-----------------|----------------|--------------------------------|
| Cooper Equipment Co.    | 99,796    | + 5,040   | N/A               | 104,836         | 5.59%          | 20,430.77                      |
| Cooper Equipment Co.    | 90,796    | + 5,040   | N/A               | 95,836          | 5.59%          | 18,383.96                      |
| Kuenstler Machinery     | 104,038   | + 2,316   | N/A               | 106,354         | 5.25%          | (1) 19,455.00<br>(4) 21,834.82 |
| Waukesha-Pearce Indust. | NO/BID    |           |                   |                 |                |                                |
| Holt Co. of Texas       | 112,351   | +3,610    | 80,721            | 35,240          | 5.9%           | 23,198.07                      |

Purchase Agent Cindy Casparis and Road Director Ron Bischoff made recommendation that contract be awarded to Holt Co. of Texas because of their guaranteed repurchase program

**HOT ASPHALT DISTRIBUTOR F.O.B. BID #96B007**

| COMPANY                | BID PRICE | Cab & Chassis  | LESS Trade-in | LESS Down Payment | TOTAL BID PRICE | Interest Rate | (5) Annual Payments |
|------------------------|-----------|----------------|---------------|-------------------|-----------------|---------------|---------------------|
| Waukesha-Pearce Indust | NO/BID    |                |               |                   |                 |               |                     |
| Closner Equip. Co.     | NO/BID    |                |               |                   |                 |               |                     |
| R.B. Everett & Company | 59,985    | 35,000         | -2,500        | -10,000           | 82,485          | 5.48%         | 19,305.45           |
| Cooper Equipment Co.   | 59,975    | 31,674         | -10,000       | -10,000           | 68,649          | 5.59%         | 15,541.75           |
| Cooper Equipment Co.   | 89,295    | Included Above | -10,000       | -10,000           | 69,295          | 5.59%         | 15,830.87           |

Purchasing Agent Cindy Casparis and Road Director Ron Bischoff recommended that contract be awarded to Cooper Equipment Co. in the amount of \$15,830.87 - bid is \$289.12 more that the lowest bid and we can take delivery immediately (will have to wait 90 days on the other distributor they bid).

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award contract for Motor Grader to Holt Company of Texas in the amount of \$112,351.00 and for Hot Asphalt Distributor to Cooper Equipment Company in the amount of \$89,295.00 as recommended by the Purchasing Agent and Road Director. All present voting "Aye".

**14935 ACCEPT INTERNAL AUDIT REPORT OF TAX ASSESSOR/COLLECTOR'S OFFICE, JUSTICE OF THE PEACE 1-1, & JUSTICE OF THE PEACE 1-2**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept Internal Audit Report of Tax Assessor/Collector's Office, Justice of the Peace Pct. 1 Place 1, and Justice of the Peace Pct. 1 Place 2. All present voting "Aye".

**14936 AUTHORIZE SUBSTITUTION A CHIPPING HAMMER FOR ALREADY APPROVED FAX MACHINE IN COUNTYWIDE EQUIPMENT FOR THE SHERIFF'S OFFICE**

Sheriff Paul Hastings advised that they have already been approved for a fax machine out of countywide equipment (414-5711) line item and are in need of a chipping hammer (for use in renovating the old jail building) - would also like to take \$25 left over from TV cart in countywide equipment to put with the fax machine money. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize substitution a chipping hammer for already approved fax machine in countywide equipment for the Sheriff's Office. All present voting "Aye".

**14937 APPROVE LINE ITEM TRANSFER TO PAY FOR ADDITIONAL CABLE INSTALLATION AT THE JUSTICE CENTER**

Data Processing Administrator Debbie Graham requested approval to transfer \$785.00 from line item 456-5221 to 456-5628 in order to pay for additional cable installation at the Justice Center. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve line item transfer from 456-5221 to 456-5628 to pay for additional cable installation at the Justice Center. All present voting "Aye".



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**14938 CALL FOR A PUBLIC HEARING TO BE HELD APRIL 23, 1996 TO CONSIDER ESTABLISHING TRAFFIC REGULATION (SPEED LIMIT) ON CR 138 (OPAL LANE) AND CR 300 (ENGELKE RD)**

Commissioner Barton advised that at this time there is no speed limit posted on CR 138 and CR 300 and several constituents have called in their concerns for their children's safety - would like to call a public hearing to consider establishing speed limits. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to call for a public hearing to be held April 23, 1996 at 9:00 A.M. to consider establishing traffic regulations (Speed Limits) on CR 138 (Opal Lane) and CR 300 (Engelke Road). All present voting "Aye".

**14939 APPROVE UTILITY PERMITS # 96-407 AND # 96-103**

The following utility permits were submitted for approval: ♦ #96-407 to GTE for a buried cable on CR 101 ♦ #96-103 to Lowman Ranch Ltd. on CR234 (Centerpoint Rd). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Utility permits #96-407 and #96-103 as presented by the Road Department. All present voting "Aye".

**14940 ELLIOTT RANCH PHASE I \* FIRST READING APPROVAL [T1-71]**

John Doucet (Doucet & Assoc.) appeared representing the Estate of Roy C. Elliott - they propose to subdivide 51± acres of Oak Grove Road into 10 lots (each greater than 5 acres each) - Staff recommends approval - located in City of Hays jurisdiction, however, exempt from their approval. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Elliott Ranch Phase I" subdivision on first reading. All present voting "Aye".

**14941 ELLIOTT RANCH PHASES II-IV \* FIRST READING APPROVAL [T1-98]**

John Doucet (Doucet & Assoc.) appeared representing the Estate of Roy C. Elliott - they propose to subdivide approximately 573 acres into the following:

- Phase I Block A = 10 lots (see resolution #14940 above)
- Phase II Block B = 1 lot & Block C = 18 lots
- Phase III Block D = 13 lots
- Phase IV Block E = 25 lots

All roads in the subdivision are "private" - Phase I is being heard separately because they will move forward on this phase - Staff recommends approval. Commissioner Barton spoke of fire departments would like to see in this area better circulation so that subdivisions tied into one another and roads would connect to Oak Grove Road - this is hard to accomplish when you have private and public roads. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Elliott Ranch Phase II-IV" on first reading. All present voting "Aye".

**14942 ROCKY RANCH ACRES SEC. 2 LOTS 32-B, 32-C, & 32-D \* FIRST READING APPROVAL [T1-127]**

The recorded plat of Rocky Ranch Acres Section 2 contains only 29 lots - Lot 33 is an unrecorded portion of Section 2 and therefore requires no public hearing in order to resubdivide. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Rocky Ranch Acres Section 2 Lots 32-B, 32-C, & 32-D" on first reading. All present voting "Aye".

**RIVER MOUNTAIN RANCH SECTION 3 \* DISCUSSION [T1-147]**

River Mountain Ranch Section 3 (master plan was submitted May 1, 1995) - all lots have access off Water Park Road - lots are over 5 acres each - private roads. Commissioner Molenaar spoke of question regarding access easements. Allen Walther advised that all lots technically have frontage but it is not feasible to use Water Park Road because of the topography, therefore, they are providing a separate access easement to the lots. James Garon appeared representing the subdivision. Commissioner Molenaar spoke of problems with driveways. Discussion was had regarding the 40 ft. access easement and need to request a variance to road construction standards. Commissioner Molenaar advised that he has no problem with approving a 40 ft. r-o-w - would like to meet with Developer prior to second reading. No action was taken this date.

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**PLATTING VARIANCE DISCUSSION \* 25 ACRES OFF RIVER MOUNTAIN ROAD & RED HAWK ROAD (RICHARD A. CRIDER RANCH) [T1-275]**

Jim Henderson, Representative for Richard A. Crider II, appeared requesting a variance to the platting requirements for a 25 acre tract being carved from a 75 acre parent tract known as the Crider Ranch near Wimberley (Douglas Barclay/Lone Man Creek area) - access will be from an existing paved road via a 70 foot easement which is currently improved with an all weather ranch road - deed restrictions prohibit any further resubdivision of the 25 acre parcel and the existing road within the 70 foot easement will be maintained by the owner of the 25 acre tract - the division of the property is for residential use. Allen Walther, Environmental Health Director, spoke of Court's previous action requiring minimum of 75 acres - now following 25 acres minimum that is set out in deed restrictions which we have no control over - seeing the evolution of a large parcel being divided up into subdivision of smaller tracts - concerned about easement accessing other easements. Jim Henderson spoke of existing easements. Commissioner Barton spoke of total of 1600 acres in the original tract. Commissioner Molenaar and Commissioner Barton advised that they have no problem with granting this variance. Allen Walther stated that if we are going to adopt a policy of allowing subdivisions to occur off of easement we are setting a dangerous precedent for our subdivision regulations - we will no longer have control over roads and developments can occur in any way.

**14943 SHADY GROVE SUBDIVISION \* THIRD READING APPROVAL [T1-457]**

Shady Grove Subdivision is a 24 lot subdivision located in the ETJ of the City of Buda - a Letter of Credit in the amount of \$135,000 was filed with the County Clerk on January 25, 1996 (Volume 1203 Pg. 39) with expiration date of December 20, 1996. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Shady Grove" subdivision on third reading. All present voting "Aye".

**RIVER MOUNTAIN RANCH SECTION 2 WATER PARK ROAD \* VARIANCE REQUEST TO ROAD CONSTRUCTION STANDARDS [T1-470]**

James E. Garon, Surveyor, requested the following variances for Water Park Road located in the River Mountain Ranch Section 2:

- A. Reduce width of base material from 26' to 24' - This road is a cul-de-sac ending at or near the Blanco River. It will be paved with 20' of asphalt material. We feel that this is adequate width for base material. It leave 2' of base material on either side of the paved roadway for shoulders which is a common standard for most other counties.
- B. Exceed maximum grade of 15% - Since your visit to the site we have continued to place fill material on the roadway to lessen the grade at which the roadway has been cut to by blasting. The attached sheet shows the grades that the roadway has been finished to. Although we exceed 15% we have gotten below 18% which is the maximum allowed by the Texas Dept. of Transportation.

Ron Bischoff, Road Director, voiced his concerns about the steep grade (17%) - it is a private road - to make a turn off even a 15% grade is difficult - recommended not granting variances. Commissioner Molenaar stated that this is a gated subdivision and he has no problem with granting the variances - suggested taking Commissioner Barton. No action taken this date.

**14944 DOUGLAS ESTATES RESUBDIVISION OF LOT D-32 \* PUBLIC HEARING, SECOND READING APPROVAL [T1-618]**

Judge Etheredge called the public hearing open - no input was received - public hearing was closed. Allen Walther, Environmental Health Director, advised that the lots are five acres each, therefore, it is not exempt from City of Dripping Springs review. A motion was made by Commissioner Molenaar, seconded by Judge Etheredge to approve "Douglas Estates Resubdivision of Lot D-32 (Lots D32-A & D32-B) on second reading. All present voting "Aye".

**14945 AUTHORIZE PAYMENT OF EMERGENCY TELEPHONE REPAIRS FOR JUVENILE PROBATION OUT OF CONTINGENCIES [T1-668]**

Judge Etheredge advised that the phones in the Juvenile Probation Office went down and needed emergency repair - Juvenile Probation did not have the funds in their budget to repair the phones so they had to take it out of contingencies (\$300). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize payment of emergency telephone repairs for Juvenile Probation office out of contingencies. All present voting "Aye".

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14946 ADOPT RESOLUTION IN APPRECIATION OF THE ELECTED OFFICIALS AND DEPARTMENT HEADS WHO WORKED WITH THE COURT TO PREVENT A BUDGET CRISIS [T1-681]

Judge Etheredge advised that with some painful budget cuts and some innovative ideas to increase revenue, the revenue shortfall problem for 1995-96 is apparently solved - he would like the Court to thank the elected officials and department heads who worked with the Court to head off a potential crisis. A motion was made by Judge Etheredge and seconded by Commissioner Rodriguez to adopt resolution in appreciation of the Elected Officials and Department Heads who worked with the Court to prevent a budget crisis. All present voting "Aye".

Resolution of the Hays County Commissioners' Court

WHEREAS, Due to circumstances beyond its control, Hays County has experienced a shortfall in revenue for the first half of Fiscal Year 1995-96, creating a dilemma for the Commissioners' Court on how to best manage the county's finances and this revenue shortfall, while protecting Hays County's reserve funds; and

WHEREAS, the Commissioners' Court appealed to fellow elected officials, and department heads, to join the Court in making cuts to the current year's budget and in finding ways to increase revenue; and

WHEREAS, the vast majority of these Hays County officials worked diligently to cut their budgets and increase their revenues, in some cases postponing much-needed programs and in some cases simply finding a more efficient way to do business; and

WHEREAS, the following elected officials and department heads joined the Commissioners' Court in solving a nearly \$600,000 shortfall:

- County Auditor Bill Herzog
County Treasurer Michelle Tuttle
Extension Agent Susan Schramm
Grants Coordinator Richard Salmon
Transfer Station Director Jerry Pinnix
Environmental Health Director Allen Walther
Personal Health - Julie Hornberger & Dr. Birdwell
Civic Center Manager Jim Hotz
Tax Assessor/Collector Luanne Caraway
District Clerk Cecilia Adair
County Clerk Margie Villalpando
Sheriff Paul Hastings
County Judge Eddy Etheredge
Human Resources Director George Aitkin
Justice of the Peace 1-2 Becky Sierra
Justice of the Peace 5 Lamont Ramage
Department of Public Safety Sgt. Ralph Meyers
Constable 1 Lupe Cruz
District Judge Charles Ramsay
Computer Services Director Debbie Graham
Fire Marshall A.D. Carroll
Commissioner 2 Jeff Barton, AND

WHEREAS, the Hays County Commissioners' Court is grateful to these elected officials and department heads for their continuing efforts to serve the taxpayers and citizens of Hays County;

NOW, THEREFORE, BE IT RESOLVED, that the Hays County Commissioners' Court salutes the above-mentioned County officials and expresses its appreciation.

Adopted on this, the 9th day of April, 1996.

Signatures of Eddy A. Etheredge, Jeff Barton, and Russ Molenaar with their respective titles: Hays County Judge, Commissioner Pct. 2, and Commissioner Pct. 4.

Signature of Pete Rodriguez, Commissioner Pct. 1.

Absent signature of Craig Payne, Commissioner Pct. 3.

Witness signature of Margie Villalpando, County Clerk.



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**14947 ADOPT PAYROLL OPTIONS FOR COUNTY EMPLOYEES [T1-724]**

Commissioner Molenaar spoke of requests regarding payroll being issued twice a month - some employees are already paid twice a month - suggested three options: (1) Giving current employees who get paid once a month the option of changing their payroll to twice a month. (2) If approved, newly hired employees hired after the approval date would be given the option of getting paid once a month or twice a month OR (3) If approved, newly hired employees hired after the approval date would be paid twice a month automatically. According to the payroll department, the extra cost would be to print the extra checks and the extra charge to have the check direct deposited. County Treasurer Michele Tuttle spoke of survey of employees last year - bi-weekly option would not work - could allow current employees the option of once or twice monthly - would want time sheets only once a month - suggested midmonth payroll be regular salary and end of month payroll would contain any overtime. The option would only be available once a year. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to adopt payroll options to allow current employees to change their payroll to twice a month and new employees, hired after approval this date, will have option to be paid once or twice a month - option available once a year - to be effective June 1, 1996, and furthermore the County Treasurer is authorized to develop rules specifying that overtime & holiday time be paid at end of the month check. All present voting "Aye"

**14948 AUTHORIZE EXPENDITURE FOR BAILIFFS WORKING SECURITY [T1-457]**

Judge Etheredge stated that the Court had previously discussed having Bailiffs work the election at the Justice Center, however, they never formally approved it and the Treasurer has questions about what rate to pay them. County Treasurer Michele Tuttle advised that the District Court Bailiff works fulltime and will received overtime pay, however, the part-time Bailiffs work by units - could divide their unit pay by 8 hours and use that hourly wage for payment - they would not receive overtime pay at time + 1/2. A motion was made by Judge Etheredge, seconded by Commissioner Barton to authorize expenditure for District Court and County Court Bailiffs working security on Election night. All present voting "Aye".

**DISASTER DECLARATION (BURN BAN) \* DISCUSSION [T1-904]**

Fire Marshal/EMC A.D. Carroll requested that the burn ban be continued per request of the nine Fire Chiefs - 10 acres was burned yesterday - its getting dry again. Commissioner Barton spoke of possibly allowing 2 or 3 days for burning and notify the fire departments accordingly. Commissioner Molenaar spoke of need to notify the Commissioners when burning is allowed - he gets a lot of phone calls regarding this issue.

**14949 ADJUST MERIT BASED EMPLOYEE "STEP" INCREASES (PARAGRAPH 2.15 OF THE HAYS COUNTY PERSONNEL POLICY [T1-941]**

Human Resources Director George Aitken spoke of need to tweak the personnel policy effective October 1, 1996 - the current plan of automatic step increases for Steps 1 to 4 is front loaded and favors new employees - last year it cost about \$68,000 - the only criteria is "satisfactory" performance on the other hand, during "Annual" employee evaluations in May each year, employees at higher steps must meet the "Commendable or Outstanding" rating to receive a step increase. Supervisors have expressed doing away with automatic "satisfactory" increases and allow departments to award all steps during employee evaluation based on annual performance.

| SUMMARY                                                                                                                                                      |                            |                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|----------------------|
| MERIT PERFORMANCE BASED STEP ADJUSTMENTS                                                                                                                     |                            |                      |
| REFERENCE PAR. 2.15 OF COUNTY PERSONNEL POLICES                                                                                                              |                            |                      |
| 1. ELIMINATE THE INCREMENTAL ONE STEP INCREASES ADVANCES TO STEP 4 BASED UPON 12 MONTHS OF ACCEPTABLE (QUALIFIED) PERFORMANCE.                               |                            |                      |
| 2. CHANGE PROGRAM TO ALLOW FOR ALL STEPS TO BE AWARDED IN CONJUNCTION WITH HAYS COUNTY ANNUAL EMPLOYEE EVALUATIONS BASED UPON "PERFORMANCE" AS THE CRITERIA. |                            |                      |
| 3. AS A RESULT CHANGE THE QUOTA PERCENTAGES AS FOLLOWS:                                                                                                      |                            |                      |
| <u>QUOTA (FY95/FY96)</u>                                                                                                                                     | <u>PROPOSED QUOTA FY97</u> | <u>FY95 RATINGS*</u> |
| OUT 10%                                                                                                                                                      | 10%                        | 10%                  |
| COMM.: 20%                                                                                                                                                   | 35%                        | 31%                  |
| QUAL                                                                                                                                                         |                            | 58%                  |
| N.I.                                                                                                                                                         |                            | 1%                   |
| UNSAT                                                                                                                                                        |                            |                      |
| *NEW QUOTAS WOULD BE FOR FY97 AND BEYOND, UNLESS CHANGED BY THE COURT AT A FUTURE DATE.                                                                      |                            |                      |

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Commissioner Barton spoke of DMG program intent was to re-evaluate the program as we go along and make adjustments - the concept of merit pay was new to the county and we adopted a plan that would guarantee that new employees could step up the ladder to a certain point - makes sense to go to a fuller merit system that gives the Department Head and Elected Officials a choice - hopes that they will get back with the Court and let us know if they have problems with this. Judge Etheredge stated that one of the biggest complaints of the current system is that it takes such a large amount of money for the automatic increases that it leaves very little money that they have jurisdiction over when it comes to other merit increases. Commissioner Molenaar spoke of departments with one employee like his office. George Aitken advised that all employees will be put in the pot for merit increases and committee determines which ones will receive an increase based on department head/elected officials recommendation. Commissioner Barton spoke of across-the-board increases that are given every year (COLA). George Aitken advised that this is a competitive process and part of the process is selective. Commissioner Molenaar stated that he did not like this process - feels like it will become a personality issue - not fair to the employee - people making the decision may not even know the employee - unfair for small offices. Commissioner Barton spoke of grading employees and feels like this system is fair - one reason we introduced the merit system was because some employees were underpaid and to justify the raises we must let the public know we are grading employees based on their performance - we need to reward the employees who do the best job. A motion was made by Judge Etheredge, seconded by Commissioner Barton to adjust merit bases employee "step" increases (Paragraph 2.15 of the Hays County Personnel Policies) as recommended by Human Resources Director. Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "Aye". Commissioner Molenaar voting "No". Motion passed.

**14950 ADOPT RECOMMENDATION OF COUNTY INSURANCE COMMITTEE TERMINATING COLONIAL INSURANCE EFFECTIVE JUNE 1, 1996 AND ALLOWING EMPLOYEES TO HAVE THE OPTION OF VARIOUS OTHER PLANS ALLOWING FOR PAYROLL DEDUCTION AND PRE TAXING [T1-1241]**

Human Resources Director George Aitken spoke of Colonial Insurance administering the Cafeteria Plan for the County - the County Insurance Committee has looked at other options available and recommends terminating with Colonial effective June 1, 1996. Jim Rotan spoke of increased benefits at lower costs - the committee looked at optional insurance policies.

| SUMMARY                                                                                                  |                   |
|----------------------------------------------------------------------------------------------------------|-------------------|
| COUNTY INSURANCE COMMITTEE MEETING                                                                       |                   |
| APRIL 3, 1996                                                                                            |                   |
| 1. COMMITTEE RECOMMENDS TERMINATING THE COLONIAL 125 CAFETERIA PLAN EFFECTIVE JUNE 1, 1996               |                   |
| 2. COMMITTEE RECOMMENDS EMPLOYEES HAVE THE OPTION OF USING, THE FOLLOWING PLANS EFFECTIVE JUNE 1, 1996.  |                   |
| CANCER PLAN:                                                                                             | AEGON             |
| ICU PLAN:                                                                                                | AEGON             |
| SHORT TERM DISABILITY:                                                                                   | AEGON             |
| DEDUCTIBLE & CO-INSURANCE                                                                                | AMERICAN FIDELITY |
| CAFETERIA PLAN/SECTION 125                                                                               | AEGON             |
| OPTIONAL LIFE                                                                                            | MET LIFE          |
| VOL. ACCIDENTAL DEATH & DISMEMBERMENT                                                                    | MET LIFE          |
| DEPENDENT LIFE                                                                                           | MET LIFE          |
| ALLOWS FOR PAYROLL DEDUCTION AND PRE TAXING BY EMPLOYEES                                                 |                   |
| EMPLOYEES HAVE OPTION OF CONTINUING COLONIAL INSURANCE ON THEIR OWN. NO PRE TAXING OR PAYROLL DEDUCTION. |                   |

A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to adopt recommendation by the County Insurance Committee Effective June 1, 1996 terminating Colonial Insurance and allowing employees to have the option of various other plans allowing for payroll deduction and pre taxing. All present voting "Aye".

**EXECUTIVE SESSION \* PERSONNEL MATTERS**

The Court convened into closed executive session to discuss Department Head evaluations. Upon completion of the closed session the court reconvened into open meeting - No action taken.

Court was adjourned.

APRIL 16, 1996

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MINUTES APPROVED IN OPEN COURT ON THE 14<sup>th</sup> DAY OF MAY, 1996.

*Eddy A. Etheredge*  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 H A Y S COUNTY, TEXAS

*Margie T. Villalpando*  
 MARGIE T. VILLALPANDO, COUNTY CLERK  
 H A Y S COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 16th DAY OF APRIL A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

14951 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$ 158,985.57 as presented by the County Auditor. All voting "Aye".

|                    |              |                     |              |                    |              |
|--------------------|--------------|---------------------|--------------|--------------------|--------------|
| Due to             | \$ 15,712.48 | Fines               | \$ 129.50    | Auditors Office    | \$ 173.40    |
| Treasurers Office  | \$ 312.79    | Extension Office    | \$ 275.45    | Grants Admin       | \$ 102.73    |
| Juvenile Probation | \$ 92.44     | Election Admin      | \$ 580.23    | Transfer Station   | \$ 5,626.35  |
| Bldg. Maint.       | \$ 1,333.77  | Environ Health      | \$ 701.62    | Personal Health    | \$ 196.66    |
| Civic Center       | \$ 949.90    | Countywide Oper     | \$ 7,549.41  | Tax A/C            | \$ 2,274.89  |
| Districtr Clerk    | \$ 171.07    | County Clerk        | \$ 116.02    | Sheriffs Office    | \$ 3,892.98  |
| Jail Operations    | \$ 3,538.95  | County Judge        | \$ 99.58     | Human Resources    | \$ 17.07     |
| District Attorney  | \$ 116.13    | J.P. 1-1            | \$ 5.69      | J.P. 1-2           | \$ 136.33    |
| J.P. 2             | \$ 32.10     | J.P. 3              | \$ 96.38     | J.P. 4             | \$ 28.80     |
| J.P. 5             | \$ 51.66     | DPS                 | \$ 100.50    | Constable 1        | \$ 80.55     |
| Constable 2        | \$ 26.50     | Constable 3         | \$ 9.95      | Constables 4       | \$ 131.555   |
| Constable 5        | \$ 108.89    | Dist Crt Operations | \$ 545.97    | Co & JP Crt Oper   | \$ 6,605.52  |
| Veterans Adm       | \$ 125.62    | Computer Svcs       | \$ 638.44    | DPS/L&W            | \$ 129.30    |
| Crths Renov Grant  | \$ 376.00    | Fire Marshal/EMC    | \$ 7.74      | TABC               | \$ 126.43    |
| Comm Crt Exp       | \$ 399.10    | Used Oil Signage    | \$ 391.90    | *Gen Fund Credit   | \$ 33.27 *   |
| R&B Operations     | \$ 9,037.25  | Precinct 1          | \$ 354.00    | Precinct 2         | \$ 6.95      |
| Precinct 3         | \$ 20.29     | *R&B Gen Credit     | \$ 252.48 *  | Anticipation Notes | \$ 999.65    |
| Rec Mng/Co Clk     | \$ 260.62    | Health Svcs Grants  | \$ 1,742.52  | Road Construction  | \$ 14,826.16 |
| Crths Renov/Co     | \$ 94.00     | Jail Additon I&S    | \$ 522.32    | Crths/Rds I&S      | \$ 31,861.00 |
| Anticip Notes I&S  | \$ 26,528.75 | Foster Care         | \$ 11,751.20 | Adult Prob Fac     | \$ 350.10    |

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14952 APPROVE BUDGET AMENDMENT NO. 96-019

Proposed budget amendment: Transfer for authorized rent and fund utilities from reduction of personnel costs for balance of FY96 for DPS/License & Weights Department - additional personnel savings are on budget reduction statement. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Budget Amendment No. 96-019 as proposed by the County Auditor. All voting "Aye".

AMENDMENT  
NO. 96-019  
FY 96 BUDGET  
04/16/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

DEPARTMENT OF PUBLIC SAFETY/LICENSE & WEIGHTS (470):

|                       |        |       |         |       |
|-----------------------|--------|-------|---------|-------|
| 01-470-5471 RENT      | 4,500  | 1,000 |         | 5,500 |
| 01-470-5480 UTILITIES | -0-    | 2,400 |         | 2,400 |
| 01-470-5021 STAFF     | 13,073 |       | (3,400) | 9,673 |

ALLOW AUTHORIZED RENT ADJUSTMENT AND FUND UTILITIES FOR BALANCE OF FY96 FROM PERSONNEL COST SAVINGS; CONFORMS TO BUDGET REDUCTION STATEMENT.

14953 AWARD CONTRACT FOR LUBRICANTS AND PUP END DUMP TRAILERS

The following bid tabulations were presented by the Purchasing Department:

LUBRICANTS  
#96B004

| COMPANY                  | FUEL TYPE          | CARTON  | QUART | 1 GAL | 5 GAL | 55 GAL | 35 LB PAIL | 120 LB PAIL | 400LB DRUM |
|--------------------------|--------------------|---------|-------|-------|-------|--------|------------|-------------|------------|
| J.P. JONES OIL COMPANY   | MOTOR OIL          | n/a     | n/a   | n/a   | 3.85  | 3.48   | n/a        | n/a         | n/a        |
|                          | GEAR OIL           | n/a     | n/a   | n/a   | n/a   | n/a    | 2.70       | .69         | .62        |
|                          | HYDRAULIC FLUID    | n/a     | n/a   | n/a   | 3.95  | 3.49   | n/a        | n/a         | n/a        |
|                          | CHASSIS GREASE     | 1.19 lb | n/a   | n/a   | n/a   | n/a    | .84 lb     | n/a         | n/a        |
|                          | ANTIFREEZE/COOLANT | n/a     | n/a   | 5.20  | 4.70  | n/a    | n/a        | n/a         | n/a        |
|                          | TRANSMISSION FLUID | n/a     | 4.35  | n/a   | 4.65  | 4.05   | n/a        | n/a         | n/a        |
| ARNOLD OIL CO. OF AUSTIN | MOTOR OIL          | n/a     | n/a   | n/a   | 3.50  | 3.00   | n/a        | n/a         | n/a        |
|                          | GEAR OIL           | n/a     | n/a   | n/a   | n/a   | n/a    | .89        | .55         | .52        |
|                          | HYDRAULIC FLUID    | n/a     | n/a   | n/a   | 3.13  | 2.82   | n/a        | n/a         | n/a        |
|                          | CHASSIS GREASE     | .83     | n/a   | n/a   | n/a   | n/a    | 2.86       | n/a         | n/a        |
|                          | ANTIFREEZE/COOLANT | n/a     | n/a   | 4.22  | 3.95  | n/a    | n/a        | n/a         | n/a        |
|                          | TRANSMISSION FLUID | n/a     | 1.00  | n/a   | 3.72  | 3.04   | n/a        | n/a         | n/a        |
| ALEXANDER OIL CO.        | MOTOR OIL          | n/a     | n/a   | n/a   | 3.80  | 3.40   | n/a        | n/a         | n/a        |
|                          | GEAR OIL           | n/a     | n/a   | n/a   | n/a   | n/a    | .71        | .70         | .58        |
|                          | HYDRAULIC FLUID    | n/a     | n/a   | n/a   | 3.90  | 3.40   | n/a        | n/a         | n/a        |
|                          | CHASSIS GREASE     | 1.11    | n/a   | n/a   | n/a   | n/a    | .80        | n/a         | n/a        |
|                          | ANTIFREEZE/COOLANT | n/a     | n/a   | 5.15  | 4.75  | n/a    | n/a        | n/a         | n/a        |
|                          | TRANSMISSION FLUID | n/a     | 1.08  | n/a   | 4.55  | 3.95   | n/a        | n/a         | n/a        |

To: Hays County Commissioners Court  
From: Cindy Casparis, CPPB  
Purchasing Agent

Above you will find the bid tabulation on Lubricants. The apparent low bidder meeting specs is Arnold Oil Co. At this time I am asking the Court to award this contract to Arnold Oil Co. Of Austin.

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PUP END DUMP TRAILERS BID  
#96B009

| COMPANY                         | BID PRICE | DELIVERY DATE                                |
|---------------------------------|-----------|----------------------------------------------|
| HOLT COMPANY OF TEXAS           | 22,206.00 | 20 TO 30 DAYS AFTER RECEIVING ORDER          |
| TRAIL TRADE OF TEXAS, INC.      | 17,635.00 | FIRST WEEK OF OCTOBER IF ORDERED BY 04/12/96 |
| DAVIS TRAILER & TRUCK EQUIPMENT | 16,200.00 | 5 WEEKS FROM RECEIPT OF PURCHASE             |
| FRUEHAUF TRAILER CORPORATION    | 17,500.00 | 120 DAYS FROM ORDER DATE                     |

To: Hays County Commissioners Court  
From: Cindy Casparis, CPPB  
Purchasing Agent

Above you will find the bid tabulation on Pup End Dump Trailers for the Road Department.

Ron Bischoff and I agree that the low bid from Davis Trailer & Truck Equipment meets all specs & would like the Court to award the contract to Davis at this time. (We will be purchasing 2 trailers)

If the court has any questions Ron or I will be happy to answer them.

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to award contract for Lubricants to low bidder Arnold Oil Co. of Austin and contract for Pup End Dump Trailers to Davis Trailer & Truck Equipment as recommended by the County Purchasing Agent. All voting "Aye".

**14954 APPROVE UTILITY PERMIT #96-208**

Proposed installation of utility line on CR 225 - Permit #96-208 to the City of Kyle. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve Utility Permit #96-208 as presented by the Road Department. All voting "Aye".

**14955 APPROVE PURCHASE OF FOOD FROM MISCELLANEOUS ACCOUNT IN JUVENILE PROBATION OFFICE**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve purchase of food from Miscellaneous Account in Juvenile Probation Office. All voting "Aye".

**14956 SET FEES FOR DUPLICATE RECEIPTS IN THE TAX ASSESSOR-COLLECTORS OFFICE**

Luanne Caraway, Tax A/C, advised that they receive many requests for duplicate receipts and feels like we need to set a fee of 50¢ per receipt. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to set a fee of fifty cents (50¢) each for duplicate receipts in the Tax Assessor-Collector's office as presented by Tax A/C Luanne Caraway. All voting "Aye".

**14957 APPROVE COMMISSIONERS' COURT MINUTES FOR MARCH 1996**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve the Commissioners' Court Minutes for March 1996 as presented by the County Clerk. All voting "Aye".

**DISCUSSION REGARDING NEED FOR A POLICY REGULATING DEVELOPMENT ON ROAD EASEMENTS [T1-57]**

Environmental Health Director Allen Walther spoke of having more and more development occurring on road easements - there is not clear access - spoke of meeting with Jim Allison (Legal Counsel for the Texas Assoc. of County Judges & Commissioners) to discuss impact of development - he advised that when you create an easement you trigger the requirement for platting (an easement is an improvement) - the easement extends the use of the property beyond the original property owner - feels like easements should be dedicated as a public road - does not consider an easement legal access. Commissioner Payne stated that he does not agree that easements are not legal access.



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Judge Etheredge spoke of Elgin Bank Case - when you develop off an easement it then becomes a public easement roadway and falls under subdivision rules. Commissioner Payne spoke of need to adopt new subdivision ordinance to address issues such as this. Allen Walther requested dedication of road and maintenance agreement. Eddie Gumbert spoke of easements and advised that you cannot get a loan with a road maintenance agreement. Commissioner Barton spoke of easement referring to one person use and road referring to multiple users - you can have a private road restricting use. Marshal Kuykendall spoke of road maintenance agreements on private roads and easements. District Attorney Marcos Hernandez spoke of easements not being created equal - when you develop on an easement you change the nature of that easement - need to take into consideration each and every easement and what is the potential use of the easement. Allen Walther stated that you could still consider it a private road. Commissioner Payne spoke of need to quit allowing the sale of property to the center of any road. Marshal Kuykendall spoke of all his easements being plural. Jim Henderson spoke of many properties having no public exposure and having only an easement for access to their property - should not be prohibited from selling their property. Judge Etheredge spoke of need to warn developers that all easements are not the same and it may or not be an easement that can have multiple easements through someone else's property. Commissioner Payne stated that by ordinance we now allow easements and grant variances to road standards. Allen Walther spoke of clarifying use of that access by dedicating it to the public or for private use.

**14958 ROCKY RANCH ACRES SECTION 2 LOTS 32-B, 32-C, & 32-D \* SECOND READING [T1-452]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Rocky Ranch Acres Section 2 Lots 32-B, 32-C, 7 32-D" subdivision on second reading. All voting "Aye".

**14959 NESTER ESTATES \* FIRST READING APPROVAL [T1-463]**

This is a two tract subdivision: Tract 1 is 20.18 acres and Tract 2 is Lot 2 Section 4 of 3G Ranch Addition - has a 60' road (Gini Lane) accessing off CR120. Patsy Greiner, Mapping/Planning Coord., advised that it will be necessary to vacate Lot 2 Section 4 of 3G Ranch Addition prior to approving this plat on final reading. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Nester Estates" subdivision on first reading. All voting "Aye".

**14960 3-G RANCH ADDITION SECTION 4 LOT 2 - CALL FOR PUBLIC HEARING TO VACATE [T1-479]**

A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to call for a public hearing to be held April 30, 1996 at 9:00 A.M. to consider vacating Lot 2 of 3-G Ranch Addition Section 4. All voting "Aye".

**14961 LOST SPRINGS PHASE I \* FIRST READING APPROVAL [T1-494]**

This is the first of two phases of development and will be taking access through Burnett Ranches - roads are private with a gated entrance and road maintenance agreement. Commissioner Payne stated that he prefers that the road not belong to the property owners (property lines go to the center of the roadway). A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Lost Springs Phase I" subdivision on first reading. All voting "Aye".

**14962 RIVER MOUNTAIN RANCH SECTION 3 \* SECOND & THIRD READING APPROVAL [T1-558]**

James Garon presented "River Mountain Ranch Section 3" on second and third readings. Commissioner Molenaar advised that he and Commissioner Barton had visited the site and he has no problem with the subdivision and easement. Allen Walther, Environmental Health Director, advised that developer has reduced the number of lots from 12 to 10. Commissioner Barton spoke of need to request a variance to road construction on the access easement. Commissioner Molenaar stated that he did not see any reason for the county to ever take over maintenance of this easement, therefore, it should not have to meet road construction standards. Commissioner Barton spoke of what the Court defines as a "road" regardless of what others may call it - he feels like if you clear trees, gravel is laid down and cars move up and down it, we consider it a road. Bob Mayo spoke of separate easement for easier access to some of the lots. Patsy Greiner, Mapping/Planning Coordinator, requested that the easement be assigned a name so that it can be addressed for 9-1-1. Discussion was had regarding road construction standards for the "easement" - Court agreed to grant a variance to road construction at a later date. District Attorney Marcos Hernandez advised that the court cannot grant a variance today because it was not posted on the agenda. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Mountain Ranch Section 3" subdivision on second and third readings contingent upon road name assigned to easement on plat prior to filing. All voting "Aye".

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**14963 RIVER MOUNTAIN RANCH SECTION 2 - WATER PARK ROAD \* GRANT VARIANCE TO ROAD CONSTRUCTION STANDARDS [T11-904]**

Summary: Court discussed request for variance on Water Park Road in River Mountain Ranch Section 2 on April 9, 1996 - request was for variance to reduce width of base material from 26 ft. to 24 ft. and maximum grade of 15%.

- A. **Reduce width of base material from 26' to 24'** - This road is a cul-de-sac ending at or near the Blanco River. It will be paved with 20' of asphalt material. We feel that this is adequate width for base material. It leave 2' of base material on either side of the paved roadway for shoulders which is a common standard for most other counties.
- B. **Exceed maximum grade of 15%** - Since your visit to the site we have continued to place fill material on the roadway to lessen the grade at which the roadway has been cut to by blasting. The attached sheet shows the grades that the roadway has been finished to. Although we exceed 15% we have gotten below 18% which is the maximum allowed by the Texas Dept. of Transportation.

Commissioner Barton stated that in some aspects this road exceeds county standards and in some it does not - they have put in a relatively high quality road - the agreement was that it would be up to county standards and that was not met but he feels like a sincere effort was made to provide quality roads. Judge Etheredge stated that we are being inconsistent when it comes to road standards - we have held some peoples feet to the fire and we have not others - we send our staff mixed signals when we do this - he will support the variance request in this particular case. Commissioner Molenaar spoke of developer paving this road when he didn't have to - felt like these are good roads and he would have no problem taking them into county road maintenance system. Road Director Ron Bischoff stated that he would like to see this road have the full 26 ft. width of base. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to grant variance to maximum road grade and to allow 24 foot width base on Water Park Road in River Mountain Ranch Section 2 subdivision. Commissioner Barton, Judge Etheredge, Commissioner Payne, and Commissioner Molenaar voting "Aye". Commissioner Rodriguez voting "No".

**14964 RIVER CREEK SUBDIVISION \* SECOND READING APPROVAL [T1-1214]**

Commissioner Payne spoke of shared access driveway through seven large acreage tracts - a maintenance agreement has been signed by all but one of the people - if developed further it may be necessary to bring it up to road standards. Patsy Greiner, Mapping/Planning Coordinator, stated that no adjoining property owners are identified on the plat. Allen Walther, Environmental Health Director, stated that the original easement is changing by allowing development - no final plat submitted. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "River Creek" subdivision on second and third readings. Staff recommended approval on second reading only - adjoining property owners need to be added to final plat as set out in the county subdivision regulations. Commissioner Payne and Commissioner Molenaar voting "Aye". Commissioner Rodriguez, Commissioner Barton, and Judge Etheredge voting "No". MOTION FAILED. A motion was made by Commissioner Payne, seconded by Commissioner Barton to approve "River Creek" subdivision on second reading. All voting "Aye".

**VARIANCE REQUEST - 25 ACRES OFF RIVER MOUNTAIN ROAD (CRIDER PROPERTY) [T1-1412]**

Jim Henderson spoke of plan by the Crider's to sell 25 acres off of their 75 acre tract - contains a 70 foot easement as sole access to 25 acre tract - survey sketch not available. No action taken this date.

**14965 CANYON OAKS SUBDIVISION \* FIRST, SECOND, & THIRD READING APPROVAL [T1-1437]**

Allen Walther, Environmental Health Director, advised that this is a voluntary plat and is submitted as a short form plat - staff recommends approval on all three readings. A motion was made by Judge Etheredge, seconded by Commissioner Payne to approve "Canyon Oaks" subdivision on first, second, and third readings. All voting "Aye".

**PUBLIC HEARING TO CONSIDER RENAMING "PUMP STATION ROAD" (CR218) TO "DICE BOTTOM ROAD" LOCATED OFF FM2325 [T1-1461]**

Judge Etheredge called the public hearing open - no input received - public hearing closed. Commissioner Payne advised that he had received several phone calls opposing name change as proposed. No action taken this date.

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**14966 AWARD CONTRACT FOR COUNTY DEPOSITORY TO HARTLAND BANK [T1-1490]**

County Auditor Bill Herzog presented bid tabulations for county depository - Banks submitting bids were Hartland Bank, Victoria/Norwest, and Frost Bank - spoke of soft charges and hard charges - analysis was performed and we had the banks check our analysis and sign off on it - the best bid is Hartland Bank - courier service will be included. A motion was made by Commissioner Molenaar, seconded by Commissioner Rodriguez to award contract for county depository to Hartland Bank as recommended by the County Auditor and County Treasurer. All voting "Aye".

**14967 ESTABLISH TRAFFIC REGULATION ON CR 205: SET SPEED LIMIT OF 30 MPH [T1-1627]**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to establish traffic regulation on County Road 205 and set speed limit of 30 MPH. All voting "Aye".

**SPORTSPLEX ROAD IN DRIPPING SPRINGS [T1-1640]**

Commissioner Molenaar advised that the county will not be paving Sportsplex Road in Dripping Springs - it has been determined that this is a private road and was dedicated to the county by mistake.

**DISCUSSION REGARDING ENTRANCE TO MYRTLE MCELVY'S PLACE (PCT. 4) [T1-1640]**

Commissioner Molenaar spoke of Court already having approved exchange of right-of-way on CR169 (Bell Springs Road) with Myrtle McElvy when Commissioner Rippey was in office - Court had agreed to build her a nice rock entrance and a cattleguard - would like to clarify this action with the Court. Court agreed that work needs to be done.

**DISASTER DECLARATION - THREAT OF WILD FIRES (BURN BAN) \* CONTINUED [T1-1710]**

Hays County Disaster Declaration (Burn Ban) continues in effect. No action taken to repeal the burn ban at this time.

**14968 PUBLIC HEARING \* ESTABLISH TRAFFIC REGULATION OF 30 MPH SPEED LIMIT ON "CRUMLEY RANCH ROAD" BETWEEN FITZHUGH ROAD (CR101) AND THE HAYS-TRAVIS COUNTY LINE [T1-1715]**

Judge Etheredge called the public hearing open - no public input was received and public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to establish traffic regulation of 30 MPH speed limit on Crumley Ranch Road between Fitzhugh Road (CR101) and the Hays-Travis County Line. All voting "Aye".

**14969 ACCEPT ROAD DEDICATION AND ACCEPT "BUTTERCUP LANE" INTO THE COUNTY ROAD MAINTENANCE SYSTEM [T11-1736]**

Commissioner Payne spoke of discussion held February 6, 1996 regarding Buttercup Lane - Bob & Eva Pritchett were present and presented a check in the amount of \$8,200 toward the improvements of the road (4/10 mile) and submitted a quitclaim deed signed by the owners Lane & Lynda Sebring. Commissioner Payne stated that we already maintain the first 3/4 of mile that we paved several years ago - we are ratifying what many people thought for many years as a county road. District Attorney Marcos Hernandez stated that he is assuming that the information is accurate and has no problems with the quitclaim deed submitted. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to accept road dedication and accept "Buttercup Lane into the county road maintenance system. All voting "Aye". Commissioner Payne advised that it could be as long as a year - we could begin maintaining it now - will be improved to the same standards as the first half of the road.

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**DISCUSSION RE: LIBRARIES** [T1-1905]

Commissioner Barton spoke of the Libraries cooperation with each other - they have formed a joint organization (Hays County Library Association). Brian Gryta, President of the Buda Library Association, appeared before the court - we continue to serve the needs of the public (informing, education, and entertainment) - greatest challenge is the explosion of the information age through high technology - there is a demand for a wide variety of materials - spoke of sharing information and ideas - we expect libraries to benefit from successes and failures. Mr. Gryta spoke of introducing people to new resources - staff needs to grow to accommodate increases users - spoke of Hays High School new library (12,000 sf) - projected growth of the HCISD is 50% in next five years - the Buda Library has free internet service and training and is expanding the summer reading program. The number of visitors to the library is increasing. Stephanie Langenkamp (San Marcos Public Library) spoke of use of the Library by a wide variety of people (old, young, rich, poor, etc.) - they provide tax forms and assistance - consumer information is available - they are constantly monitoring the needs of users - primary funding is from the City of San Marcos (they are a City Department) - 35% of use is by County residents - they will soon have two internet systems available for public use - the San Marcos library is open 7 days a week and very accessible to the public - spoke of tutoring services for adults - takes a lot of people to run a Library and assist the users. Linda Woodward (President of the Dripping Springs Community Library Association) spoke of tax dollars used for the library - they are in the process of constructing a new library and must show community support in order to receive grant funding - they are currently housed in the high school library. Ms. Woodward spoke of having to rely on community support to build a new Library - they have received \$80,000.00 of in-kind donations - \$70,000.00 has been pledged/given in cash donations - they are requesting \$200,000.00 from foundations - spoke of current conditions in the high school make it difficult for the Elderly to utilize the library - they will be hooked up to the Internet and will be open seven days a week. Mary Powell (Wimberley Village Library) spoke of not being able to expand their building or hours at this time - their budget is funded 1/3 by the County and the rest is from local donations - open in the evenings two days a week and open on Saturday - they are trying to expand their current space and parking - they have an Internet connection. Judge Etheredge spoke of cooperation between the libraries - good for us to be able to show that we have five libraries that work together in providing their resources. Discussed need for seal-coat of parking lot where trees were removed at the Wimberley Village Library.

**EXECUTIVE SESSION TO REVIEW DEPARTMENT HEAD EVALUATIONS**

The Court convened into closed executive session to discuss personnel matters (Dept. Head evaluations). Upon completion of the closed meeting the Court reconvened into open session. No action taken.

**HAYS COUNTY HEALTH DEPARTMENT - MEDICAID FUNDING CHANGES DISCUSSED** [T1-2699]

Julie Hornberger spoke of increase in Medicaid client visits - concerned that the Health Dept. should not be in direct competition to see patients - had previously advised the Court that we may be going into other areas that we might be going into such as health promotion, advocates for special needs population, public health education, quality assurance, special initiatives and drives, and outreach into the community, tracking what doctors are doing and what services and how many clients are being seen. Julie spoke of programs that we currently have and a breakdown of the funding (grants [44%], program income [11%], and county funds [45%]) - we do a lot of things in the Health Department that have no funding (communicable disease investigation & surveillance, HIV counseling, STD physician fees) - school nurses request home visits and help them and we do screening for Medicaid & Medicare, Women & Children's health visits, health fairs, community initiatives, and education at the schools. Dr. Skroval (Resource Director of the State Health Department) spoke of his job to go the 23 smaller counties that do not have health departments - monitors grant money to those counties with health department - every community needs to get its self organized to be able to provide to those who cannot do it on their own - spoke of the State trying to save money - the State Legislature decided to go with managed care which allows families to choose a primary care physician (cannot go to various Doctors) - the Primary Care Physician must refer the patient to a Specialist. Dr. Skroval spoke of models using HMO's starting in September will be San Antonio, Lubbock, Fort Worth, and Austin - the surrounding communities will be included with these cities with the choice of PCA, Foundation Health, and BCBS for sign-up - once you sign up they choose their Primary Health Provider - spoke of county health departments currently providing services - they will be allowed to continue for a period of up to three years - it is the Doctors choice to see Medicaid patients are not. Commissioner Barton spoke of Hays county having expanded our

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services to accommodate Medicaid patients - the State is driving us slowly out of primary health care and into being facilitators and organizers. Dr. Skroval spoke of public health services are provided to serve the poor who could find no where to go - Medicaid dollars are for a defined group of citizens - local health departments need to assure care for others who are uninsured and do not qualify for medicaid. Commissioner Barton asked there has been a significant enough change in Medicaid payments to prompt private providers to see these patients. Dr. Skroval spoke of payment issue - the Doctor will be assured payment monthly for Medicaid patients whether they see them are not - local health departments will provide TB & Communicable Disease control. Judge Etheredge spoke of county's obligation to provide indigent care - feels like the indigent clients will be left in the wings because of this new plan - we will not need Professional Nurses to promote health care - who will assist School Nurses who are calling our Health Department. Julie Hornberger stated that we will be looking at our budget shortly and we need to realize that the picture is changing and we may have to make hard decisions. Dr. Skroval spoke of waivers and IGI's which died a quiet death - new concept is to allow individual IGI where you would get matching funds - the State is trying to share cost for clients that may not be on Medicaid - patients would be carried for a one year period after they no longer qualify for Medicaid. Judge Etheredge felt like there will be too many people that don't qualify for Medicaid and it will be costly for the county - we are obligated to provide 10% of our ad valorem tax levy for indigent care - does not feel like the mandated dollars will take care of the needy. Commissioner Barton spoke of integrating Medicaid patients with other patients which allowed us to manage costs - plan will complicate the process. Judge Etheredge spoke of fact that Community Action Agency is to be awarded primary health care funding - they do a good job but they as a nonprofit provider do not feel the pressures of the community to provide services to the extent that an elected body of Commissioners' Court would feel - they are not governed by the population - asked why would the county health department not be chosen to provide this service. Dr. Skroval felt like there is not prejudice against county health departments - he spoke of possible double payments that have occurred with having two primary health care providers - advised that Community Action Agency was chosen because they were responsible for providing primary health care first in Hays County - patients may choose to continue seeing the county physician. Dr. Skroval spoke of fact that Medicaid patients are suppose to be asked where they want to go in May and June and in July and August the HMO's will have a list of - by September 1st you should know the number of Medicaid clients that have chosen the County Health Department as their provider.


**ROAD BOND PROJECTS - DISCUSSION**

Judge Etheredge spoke of CR131 road bond project - there is a piece of property (3.595 acres - Smith Genetics property) to be acquired and an offer was made in the amount of \$22,300 for the right-of-way, fencing, etc. - all three partners will sign if offer is increased to \$25,000 - a barn will have to be removed - Court agreed to go ahead an offer the \$25,000. Commissioner Payne spoke of Wayside Drive road bond project - Carl Leinneweber is requesting an under-the-road cattle crossing (he will provide the pipe) - if the court does not approve, we will have to go to condemnation - will put this item on the agenda next week.

Court was adjourned until April 23, 1996 at 9:00 A.M.

MINUTES APPROVED IN OPEN COURT ON THE 14<sup>th</sup> DAY OF MAY, 1996.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS



APRIL 23, 1996

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STATE OF TEXAS  
COUNTY OF HAYS

ON THIS THE 23rd DAY OF APRIL A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

|                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Niederwald Mayor Fern Howze invited everyone to the Niederwald Fruhling Fest on April 27th ( celebrating 10 year anniversary as a City)

14970 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve payment of county invoices in the amount of \$ 399,841.72

|                        |                  |                   |              |                    |             |
|------------------------|------------------|-------------------|--------------|--------------------|-------------|
| License & Permits      | \$ 3,190.10      | finer             | \$ 874.85    | Auditor's Office   | \$ 186.64   |
| Treasurer's Ofc        | \$ 80.00         | Extension Office  | \$ 296.57    | Grants Admin       | \$ 1,183.85 |
| Juvenile Prob          | \$ 967.62        | Election Admin    | \$ 7,395.95  | Transfer Station   | \$ 326.20   |
| Bldg Maint.            | \$ 13,061.15     | Environ Health    | \$ 79.45     | Personal Health    | \$ 249.65   |
| Civic Center           | \$ 1,305.39      | Countywide Oper   | \$ 39,973.97 | Tax A/C            | \$ 300.00   |
| District Clerk         | \$ 158.68        | County Clerk      | \$ 766.25    | Sheriff's Office   | \$ 3,919.11 |
| Jail Operations        | \$ 34,101.02     | County Judge      | \$ 351.93    | District Attorney  | \$ 255.30   |
| J.P. 1-2               | \$ 1,257.49      | J.P. 2            | \$ 370.59    | J.P. 5             | \$ 64.14    |
| DPS                    | \$ 426.49        | Constable 1       | \$ 211.60    | Constable 3        | \$ 62.75    |
| Constable 4            | \$ 35.25         | Constable 5       | \$ 198.60    | Dist Crt Oper      | \$ 6,130.09 |
| Co & JP Crt Oper       | \$ 3.00          | Computer Svcs     | \$ 1,392.34  | DPS/L&W            | \$ 158.58   |
| Crths Renov Grant      | \$ 5,146.38      | Dist Crt Reporter | \$ 66.17     | CJD CARE Proj Ofcr | \$ 42.60    |
| <b>Gen Fund Credit</b> | <b>\$ 330.90</b> | R&B Operating     | \$ 25,926.79 | Precinct 1         | \$ 240.00   |
| Precinct 2             | \$ 1,445.99      | Precinct 3        | \$ 254.66    | Precinct 4         | \$ 8.56     |
| Anticip Notes '95      | \$ 182,000.46    | Rec Mng/Co Clk    | \$ 16.20     | Health Svcs Grants | \$ 1,445.95 |
| Juvenile Det Fac       | \$ 524.20        | Road Construction | \$ 58,754.79 | Crths Renov/Co     | \$ 1,269.51 |
| Adult Prob Oper        | \$ 3,591.21      | Adult Prob Fac    | \$ 25.55     |                    |             |

14971 APPROVE BUDGET AMENDMENT NO. 96-021

The following budget amendments were proposed:

Extension Office - Transfer for plants and tires (\$400)

Building Maintenance - Transfer for tower rental for radio repeater from contract janitorial savings - cost is \$340 + 90/mo

Grants Administration - Transfer for needed books and D.O.T. Seminar (\$79)

Human Resources - Transfer for pay survey cost (\$650)

District Attorney - Transfer for witness & fuel expense from vehicle maintenance and books (\$822)

Road & Bridge General Pct. 2 - Transfer from personnel to salary for costs of temp personnel salary (\$325)

Records Management/County Clerk - Transfer from personnel cost savings (insurance) to allow overtime to bring courts division records current (\$2,275)

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve Budget Amendment No. 96-021 as proposed by the County Auditor. All voting "Aye".

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AMENDMENT  
NO. 96-021  
FY 1996 BUDGET  
LOCAL GOV'T CODE  
111.010(D)

ORDER AMENDING THE COUNTY OF HAYS BUDGET  
FOR FY ENDING SEPTEMBER 30, 1996

THE STATE OF TEXAS  
COUNTY OF HAYS

WHEREAS, on the 23rd day of APRIL, A.D., 1996, the Commissioners' Court of Hays County, Texas,

has determined that a need exists for the reallocation of certain appropriations included in the FY 1996 Budget in accordance with the attached list which is hereby made a part hereof. It was also determined and agreed that the need was of such a nature as to justify and require amendment of the Budget, as provided in Section 111.010(D), Local Government Code.

NOW, THEREFORE, the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, pursuant to the authority granted to it under Section 111.010(D), Local Government Code, ORDERS that the pertinent parts of the County of Hays Budget for the Fiscal Year ending September 30, 1996 be and they are hereby amended as indicated on the attached list.

It is the further order of the COMMISSIONERS' COURT that a copy of the amendment provided herein be filed with the Clerk of the County Court of Hays County, with instructions that it be attached to the Budget originally adopted and now on file in the office of the County Clerk.

Passed by the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, this 23rd day of APRIL, 1996.

FOR (✓) *Eddy Etheredge*  
AGAINST ( ) EDDY ETHEREGE  
ABSTAIN ( ) COUNTY JUDGE, HAYS COUNTY, TEXAS

FOR (✓) *Peter Rodriguez*  
AGAINST ( ) PETER RODRIGUEZ  
ABSTAIN ( ) COMMISSIONER, PRECINCT 1

FOR (✓) *Jefferson W. Barton*  
AGAINST ( ) JEFFERSON W. BARTON  
ABSTAIN ( ) COMMISSIONER, PRECINCT 2

FOR (✓) *Craig Payne*  
AGAINST ( ) CRAIG PAYNE  
ABSTAIN ( ) COMMISSIONER, PRECINCT 3

FOR (✓) *Russ Molenaar*  
AGAINST ( ) RUSS MOLENAAR  
ABSTAIN ( ) COMMISSIONER, PRECINCT 4

ATTEST: *Margie Villalpando*  
MARGIE VILLALPANDO  
COUNTY CLERK, HAYS COUNTY, TEXAS

APRIL 23, 1996

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AMENDMENT  
NO. 96-021  
FY 96 BUDGET  
04/23/96

FUND NO. 01

FUND TITLE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

EXTENSION OFFICE (403):

|                        |     |     |       |     |
|------------------------|-----|-----|-------|-----|
| 01-403-5391 MISC       | 50  | 200 |       | 250 |
| 01-403-5413 VEH MAINT  | 500 | 200 |       | 700 |
| 01-403-5272 VEH SUPPLY | 400 |     | (400) | 0   |

TRANSFER FOR PLANTS & TIRES

BUILDING MAINTENANCE (410):

|                                 |        |     |       |        |
|---------------------------------|--------|-----|-------|--------|
| 01-410-5473 EQPT/STORAGE LEASE  | 2,000  | 900 |       | 2,900  |
| 01-410-5458 CONTRACT JANITORIAL | 27,800 |     | (900) | 26,900 |

FOR TOWER RENTAL/RADIO REPEATER

GRANTS ADMINISTRATOR (404):

|                    |     |    |      |     |
|--------------------|-----|----|------|-----|
| 01-404-5213 BOOKS  | 750 | 56 |      | 806 |
| 01-404-5391 MISC   | -0- | 23 |      | 23  |
| 01-404-5311 TRAVEL | 300 |    | (79) | 221 |

TRANSFER FOR BOOKS & DOT SEMINAR EXPENSE

HUMAN RESOURCES (421):

|                            |       |     |       |       |
|----------------------------|-------|-----|-------|-------|
| 01-421-5213 BOOKS          | 1,900 | 650 |       | 2,550 |
| 01-421-5331 CONT. ED       | 1,300 |     | (200) | 1,100 |
| 01-421-5462 PUBLIC NOTICES | 4,700 |     | (450) | 4,250 |

TRANSFER FOR COMPARABLE PAY SURVEY

DISTRICT ATTORNEY (423):

|                            |       |     |       |       |
|----------------------------|-------|-----|-------|-------|
| 01-423-5213 BOOKS & PERIOD | 1,000 |     | (722) | 278   |
| 01-423-5271 FUEL & LUBES   | 1,00  | 722 |       | 1,722 |
| 01-423-5443 WITNESS EXP    | 250   | 100 |       | 350   |
| 01-423-5413 VEH MAINT      | 1,111 |     | (100) | 1,011 |
|                            |       | 822 | (822) |       |

TO PROVIDE ADEQUATE FUND FOR FUEL & LUBES THRU 09/30/96 AND TRANSFER FOR WITNESS EXPENSE

AMENDMENT  
NO. 96-021  
FY 96 BUDGET  
04/23/96

FUND NO. 08

FUND TITLE RECORDS MANAGEMENT/COUNTY CLERK FUND

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

RECORD MANAGEMENT (445):

|                          |        |       |         |        |
|--------------------------|--------|-------|---------|--------|
| 08-445-5021 SALARY/OT    | 56,452 | 1,969 |         | 58,421 |
| 08-445-5110 SOCIAL SEC   | 4,319  | 151   |         | 4,470  |
| 08-445-5121 RETIREMENT   | 4,412  | 155   |         | 4,567  |
| 08-445-5061 INS BENEFITS | 6,822  |       | (2,275) | 4,547  |
|                          |        | 2,275 | (2,275) |        |

TO USE GROUP INSURANCE NOT USED BY MR. HOWZE FOR OVERTIME TO BRING COURTS DIVISION RECORDS CURRENT.

AMENDMENT  
NO. 96-021  
FY 96 BUDGET  
04/23/96

FUND NO. 03

FUND TITLE ROAD & BRIDGE GENERAL

| LINE ITEM - EXPENDITURES | APPROPRIATION | AMENDMENT |           | APPROPRIATION |
|--------------------------|---------------|-----------|-----------|---------------|
|                          | BEFORE        | INCREASES | DECREASES | AS            |
|                          | AMENDMENT     |           |           | AMENDED       |

PRECINCT 2 (440):

|                            |        |     |       |        |
|----------------------------|--------|-----|-------|--------|
| 03-440-5021 STAFF          | 17,784 | 300 |       | 18,084 |
| 03-440-5110 FICA           | 4,398  | 25  |       | 4,423  |
| 03-440-5449 TEMP PERSONNEL | 750    |     | (325) | 425    |

TRANSFER FOR TEMP SALARY



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**14972 AWARD ANNUAL FUEL CONTRACT**

The following bid tabulation was submitted by the Purchasing Agent:

FUEL CONTRACT  
#96B005

PROFIT MARGIN

| COMPANY                     | BRAND OF FUEL                             | SERVICE AREA     | DIESEL FUEL | REG UNLEADED | UNLEADED | SUPER UNLEADED |
|-----------------------------|-------------------------------------------|------------------|-------------|--------------|----------|----------------|
| J.P. JONES OIL COMPANY      | PHILLIPS 66                               | KYLE             | .05         | .05          | .05      | .05            |
|                             |                                           | DRIPPING SPRINGS | N/A         | .05          | .05      | .05            |
|                             |                                           | SAN MARCOS       | .05         | N/A          | N/A      | .04            |
| HAYS CITY CORP./TEX-CON OIL | KOCH                                      | KYLE             | .05         | .05          | .05      | .05            |
|                             |                                           | DRIPPING SPRINGS | N/A         | .05          | .05      | .05            |
|                             |                                           | SAN MARCOS       | .05         | N/A          | N/A      | .02            |
| ALEXANDER OIL CO.           | CHEVRON/<br>TEXACO/ FINA/<br>COASTAL/KOCH | KYLE             | .065        | .065         | .065     | .065           |
|                             |                                           | DRIPPING SPRINGS | N/A         | .065         | .065     | .065           |
|                             |                                           | SAN MARCOS       | .065        | N/A          | N/A      | .045           |
| FLOYD LACKEY & SONS INC.    | CONOCO/COASTAL                            | KYLE             | .05         | .05          | .05      | .05            |
|                             |                                           | DRIPPING SPRINGS | N/A         | .05          | .05      | .05            |
|                             |                                           | SAN MARCOS       | .03         | N/A          | N/A      | .03            |

To: Hays County Commissioners Court  
From: Cindy Casparis, CPPB  
Purchasing Agent

Above you will find the bid tabulation on Fuels. The low bid for the bulk of the fuel that we purchase is Hays City Corp. d.b.a. Tex Con Oil.

I am requesting the Court award the annual fuel contract to Tex Con Oil.

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to award Annual Fuel contract to Hays City Corp/Tex-Con Oil as recommended by the County Purchasing Agent. All voting "Aye".

**14973 ACCEPT AUDIT REPORTS OF JUSTICES OF THE PEACE PCT. 2 & PCT. 5**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to accept audit reports of Justices of the Peace Pct. 2 & Pct. 5. All voting "Aye".

**14974 AUTHORIZE JOINT AUCTION WITH THE CITY OF SAN MARCOS TO BE HELD JUNE 13, 1996 AT THE HAYS COUNTY CIVIC CENTER**

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize a joint auction with the City of San Marcos to be held on June 13, 1996 at the Hays County Civic Center. All voting "Aye".

**14975 AUTHORIZE PAYING FOR A NEW EMPLOYEE TO BEGIN ON APRIL 23, 1996 IN THE DISTRICT JUDGE'S OFFICE**

The District Court's Assistant Court Administrator is leaving and the replacement personnel needs to be hired for training - funds are available in the budget. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to authorize paying for a new employee to begin on April 23, 1996 in the District Judge's Office. All voting "Aye".

**14976 RIVER MOUNTAIN RANCH SECTION ONE RESUBDIVISION OF LOTS 70, 71, & 74 \* FIRST READING APPROVAL AND CALL FOR A PUBLIC HEARING TO BE HELD MAY 7, 1996 [T1-55]**

Allen Walther, Environmental Health Director, gave staff approval to accept on first reading. A motion was made by Commissioner Molenaar and seconded by Commissioner Barton to approve "River Mountain Ranch Section One Resubdivision of Lots 70, 71 & 74" on first reading and call for a public hearing to be held May 7, 1996. All voting "Aye".

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**14977 HAYS CITY ESTATES PHASE 2 \* FIRST READING APPROVAL [T1-76]**

Allen Walther, Environmental Health Director, spoke of this being a 5 tract subdivision - access is by easements - approves in respect to lot sizes. Commissioner Barton spoke of this being out of a previous subdivision - using shared access driveway. Allen Walther spoke of concerns about difficulty in addressing easements for 9-1-1 emergency services - addresses will be on CR150 if roads are not dedicated and named properly. Patsy Greiner spoke of nine lots accessing off an unnamed easement. Gil Kuykendall spoke of 5.42 acre easement - will dedicate it any way the Court wishes. Commissioner Barton spoke of dedicating it as a private road - could request a variance to private road standards. Patsy Greiner spoke of Lot 1 being divided by the easement - concerned about this creating two separate lots which could be sold off separately in the future. Commissioner Barton stated that this is a large lot subdivision restricted from further resubdivision - recommended that problems be addressed with developer and staff. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to approve "Hays City Estates Phase 2" on first reading. All voting "Aye".

**14978 ESTRELLITA ESTATES \* FIRST READING APPROVAL [T1-242]**

Allen Walther, Environmental Health Director, spoke of this subdivision being contiguous with River Creek Estates - some of the right-of-way is used to access part of River Creek Estates - do we need to re-address the road standards since further subdivision is occurring (adding 12 or 13 parcels since original proposal). Jim Garon appeared representing the subdivision - spoke of additional resubdivision of Tract 2 creating additional density (15-17 lots) - spoke of four road agreement easements to get through the Barclay property. Rocky Romano advised that his subdivision is restricted from further subdividing - these are large acreage tracts. Judge Etheredge spoke of not having a master plan to deal with these issues. Commissioner Payne advised that curves need to be cleared for better sight distance. Discussion was had regarding further resubdivision - could trigger bringing road up to county standards. Commissioner Molenaar stated that he likes to see larger tract subdivisions - does not think they could afford to build a road to county standards for only eight large tracts. Judge Etheredge stated that the road is narrow, windy, and hilly but people want to live in the hill country - to make the road wider would tend to increase the traffic speed. Commissioner Payne suggested putting money in escrow for road maintenance purposes. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Estrellita Estates" subdivision on first reading. All voting "Aye".

**14979 RIVER CREEK SUBDIVISION \* THIRD READING APPROVAL AND AMEND ROAD CONSTRUCTION VARIANCE [T1-486]**

Allen Walther, Environmental Health Director, advised that this subdivision is contiguous to Estrellita Estates - Tract 2 will have further resubdivision. Commissioner Payne advised that he will request escrow funds for the road. Commissioner Barton spoke of future re-subdivision triggering road to be upgraded. Road Director Ron Bischoff stated that there are areas of the road that do not meet base requirements (6 inches) and has been brought to the attention of the owner and contractor. Bob Mayo spoke of variance request having been written wrong - spoke of sheet flow. Commissioner Payne stated that this is not a county road and they have they resources to repair the road if it fails. Commissioner Barton suggested that the Court amend the road variance to read "a base average of six (6) inches". A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "River Creek" subdivision on third reading and amend the road variance to read "a base average of six (6) inches". All voting "Aye".

**14980 ELLIOTT RANCH PHASE 1 \* SECOND READING APPROVAL [T1-580]**

A ten lot subdivision with access of Oak Grove Road - staff recommends approval. Commissioner Barton stated that this subdivision is exempt from the City of Hays regulations, however, he would like to give them time to review it prior to the Court approving on third reading. A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve "Elliott Ranch Phase I" subdivision on second reading. All voting "Aye".

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**14981 RIVER MOUNTAIN RANCH ROADS- GRANT VARIANCE TO COUNTY ROAD STANDARDS [T1-602]**

A variance request was submitted in writing from Bob Mayo as follows:

Re: All roads in River Mountain Ranch

As there will be no school bus service or U.S. Mail service within River Mountain Ranch, and considering that the roads are surfaced or will be surfaced with 1 1/2 inches of asphalt which exceeds the requirements of Hays County, we request the following variances:

- 1. The width of base material required on roads shall be 24 feet, opposed to the 26 foot minimum required by Hays County.
- 2. Cul-de-sacs with a 56 foot diameter shall be allowed.

All tracts in River Mountain Ranch served by the above described roads shall be 5 acres or larger in size.

We further request a variance to the county's grade requirement of 15% or less on Water Park Road as viewed on the ground by Precinct 4 Commissioner Russ Molenaar and Commissioner Jeff Barton.

Commissioner Molenaar stated that he felt like these were good roads. Commissioner Barton stated that the roads exceed our standards in some ways and not in others. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to grant a variance to road standards as requested. All voting "Aye".

**14982 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATION OF 30MPH SPEED LIMIT ON CR138 (OPAL LANE) AND CR300 (ENGELKE ROAD) IN PRECINCT 2 [T1-643]**

Judge Etheredge called the public hearing open to consider posting a speed limit of 30MPH on CR138 and CR300 in Precinct 2 - no public input was received and the public hearing was closed. Commissioner Barton spoke of there not being an established speed limit on these roads - the road department recommends a speed limit of 30MPH. A motion was made by Commissioner Barton, seconded by Commissioner Molenaar to establish traffic regulation of 30MPH speed limit on CR138 (Opal Lane) and on CR300 (Engelke Road) in Precinct 2. All voting "Aye".

**14983 APPROVE CONTRACT WITH JKL INC. FOR RECONSTRUCTION OF PURGATORY ROAD [T1-674]**

Doucet & Associates, as well as Commissioner Payne, have been negotiating with the low bidder JKL Inc. for the Purgatory Road reconstruction - John Doucet presented the following options to be considered:



**PURGATORY ROAD**  
**CR 215**  
**OPTIONS FOR CONSTRUCTION**  
**April 23, 1996**

| Option | Description                                                                       | Proposed Bid |
|--------|-----------------------------------------------------------------------------------|--------------|
| 1.     | Original bid including culverts for driveways and black base                      | \$479,081    |
| 1a.    | Substitute limestone base for black base including culverts for driveways         | \$420,885    |
| A.     | Use 8" limestone base, 2 course chip seal, and asphalt emulsion in top 2" of base | \$401,438    |
| B.     | Use 8" limestone base and 2 course chip seal                                      | \$394,691    |
| C.     | Use 8" limestone base, county to do chip seal                                     | \$357,431    |

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A discussion was had regarding the various options presented. Commissioner Payne stated that the life expectancy is better with hot mix - project will be totally contracted out. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve contract with JKL Inc. for reconstruction of Purgatory Road using Option 1a in the amount of \$420,885.00. All voting "Aye".

**14984 AMEND THE BUDGET TO ALLOW ENCUMBRANCE OF ANTICIPATION NOTE FUNDS FOR GIS IMPLEMENTATION AND AUTHORIZE EXPENDITURE TO NOT EXCEED \$8,000. [T1-738]**

Allen Walther, Environmental Health Director, spoke of funds needed for equipment and upgrades - will provide equipment to tighten up and geo-reference the county roads. The following is a list of equipment/upgrades requested:

- \$ 1,750 ArcView GIS Software for Roads & Sheriff's Depts. (2 @ \$875)
- \$ 2,254 DirectGPS for ArcView for laptop computer to record new GPS features
- \$ 1,300 ACCQPOINT Differential Correction Receivers & 1 yr svc
- \$ 48 ACCQPOINT Magnetic Mount Antennas
- \$ 1,200 GIS Upgrade 5 computers (Sheriff,Roads,County Clerk,County Judge, & laptop)
- \$1,448 Contingency

\$8,000

Judge Etheredge stated that some of these items are reimbursable funds from CAPCO grant. County Auditor Bill Herzog stated that a budget amendment is necessary. A motion was made by Judge Etheredge, seconded by Commissioner Molenaar to amend the budget not to exceed \$8,000.00 to allow encumbrance of Anticipation Note funds (Juvenile Detention Line Item) for GIS implementation and authorize expenditures as proposed. All voting "Aye".

**14985 AMEND COUNTY SICK LEAVE POOL PROGRAM [T1-810]**

Human Resources Director George Aitken spoke of sick leave pool - need to tweak the policy - the Sick Pool Committee (Judge Etheredge, Michele Tuttle, Bill Herzog, Dr. Birdwell, and George Aitken) met and agreed to the following:

**PURPOSE**  
 The definition of illness or injury is further defined as involving an absence of work, normally for three weeks or more. Common colds, flu, earaches, upset stomach, minor ulcers, headaches (other than migraine), routine dental problems, and periodontal disease do not qualify unless complications arise.  
*Reason: Further defines injury or illness and adds time dimension.*

**MEMBERSHIP**  
**Pre-Existing Conditions:** Any abnormal physical or mental condition, whether active or inactive, including all ailments, pregnancy or prior injuries for which the employee received medical advice or was treated by a health care provider during the 90 day period immediately preceding the employee's date of hire.  
**Eligibility:** All full time employees who accrue sick leave and contribute at least 8 hours of sick leave to the pool during the open enrollment period Jan 1-Jan 31 of each fiscal year.  
**New Hires Exception:** All full time new employees may become members by contributing at least 8 hours accrued leave any time during their initial year of hire. If hiring occurs at the end of the year, before sick leave can be accrued, membership can still occur in the next year provided the new employee's donation of accrued sick leave takes place before one year has elapsed from date of hire.  
 Employees may not withdraw sick leave from the pool for a period of 180 days after joining the pool if it is determined by the board their catastrophic illness or injury is the result of a pre-existing condition. After 180 days are past sick leave may be granted by the board provided all eligibility criteria are satisfied.  
*Reason: Yearly contributions as a membership criteria restores integrity and confidence in the program. Establishes yearly open enrollment month when employees desiring to become or continue pool membership must contribute to sick leave pool.*

**TRANSITION/INITIAL START-UP**  
 The revised expanded definitions of illness and the pre-existing conditions outline above take effect immediately.  
 Regarding employee contributions, the present policy (no contribution required) will remain in effect until Jan. 1, 1997. For the remainder of FY97, contributions must be made in January each year, as outlined above, to be a Hays County sick pool member.

**REQUESTS TO USE SICK POOL:** Requests should be coordinated with the appropriate Department Head prior to Pool Committee review.  
*Reason: Clarifies that the Department Head should be made aware of the request and kept informed.*

A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to amend the County Sick Leave Pool Program as recommended by Staff. All voting "Aye".

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**14986 AUTHORIZE J.P. 1-2 TO SUBSTITUTE A DESK FOR TWO FILE CABINETS FROM COUNTYWIDE EQUIPMENT LIST ALREADY APPROVED [T1-840]**

Judge Becky Sierra (JP1-2) requested authorization to purchase a desk for her front office - she still needs file cabinets, however, even if she is allowed to purchase the desk, she will still be able to purchase two file cabinets (4 file cabinets were budgeted) and will request additional ones next budget year. A motion was made by Commissioner Rodriguez, seconded by Commissioner Molenaar to authorize JP 1-2 to substitute a desk for two file cabinets from Countywide Equipment already approved. All voting "Aye".

**14987 REPEAL THE DISASTER DECLARATION - THREAT OF WILDFIRES (BURN BAN) [T1-857]**

Fire Marshal/EMC A.D. Carroll spoke of recent rains in Hays County will allow us to temporarily repeal the burn ban and allow controlled burns - spoke of high winds we have been experiencing - predictions are that we will not be getting any measurable amounts of rainfall any time soon. Judge Etheredge voiced his concerns about large brush piles - we do need to allow some freedom to burn as long as they are small burns. Commissioner Barton stated that he will reluctantly support the repeal. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to repeal the Disaster Declaration - Threat of Wild Fires (Burn Ban). All voting "Aye".

**14988 COURT DENIED REIMBURSEMENT TO PRIVATE PROPERTY OWNER FOR DRAINAGE WORK DONE ON PARADISE VALLEY BRIDGE [T1-984]**

Judge Etheredge spoke of request for reimbursement from a property owner who performed work in county right-of-way (creek had silted up) at Paradise Valley Bridge - the homeowners in the area met and cleaned up the creek at a cost of approximately \$800 - this was work that would have been done if we had proceeded with the Road Bond project for this bridge - this project has been delayed because of costs estimates were over-budget - recommends reimbursing the property owner - would have preferred that this matter come before the court prior to the work being done. Property Owner Clint Franklin spoke of work done - he ripped the shoulders at his own expense and is requesting reimbursement of \$831.25 (7 hrs 55 min. @ \$105 ph) for excavation work only - this was the time to do it for them and it was only logical to do the county r-o-w at the same time they did theirs. Commissioner Payne felt like this is a maintenance item and not a bond project item. Judge Etheredge stated that this work would have been done at the same time the bridge was improved. Clint Franklin stated that 200 feet of creek bed were excavated and some on his own property (approximate total cost of \$7500). Commissioner Payne stated that he is not willing to support use of public funds to pay for this work. Commissioner Molenaar stated that this was not done properly - they should have brought it before the Commissioners first - if we approve this reimbursement it will set a precedent that would allow others to request reimbursement for cleaning county r-o-w. Gentry Carr, President of the Neighborhood Group, spoke of this situation - suggested that approval be granted to pay Mr. Franklin at a future date when the project is approved. Commissioner Payne stated that we could not make that promise - suggested that the homeowners association reimburse Mr. Franklin. A motion was made by Judge Etheredge to authorize use of \$831.25 of road bond project funds for Paradise Valley Bridge project to reimburse Clint Franklin for excavation work in county right-of-way. Motion died for lack of a second. Commissioner Barton stated that he is sympathetic - government cannot do everything by itself and neighborhoods and individuals must bear that responsibilities particularly when you act without our being a partner in the deal - might be willing to work on some variation. Judge Etheredge stated that he felt like there is some obligation on the county's part to accommodate the work of private property owner and will look for some variation.

**PRESENTATION BY THE INSTITUTE FOR ENVIRONMENTAL AND INDUSTRIAL SCIENCE ON THE TIRE DERIVED FUELS AND PUBLIC HEALTH AT TEXAS LEHIGH [T1-1330]**

Judge Etheredge spoke of purpose of this discussion is to hear the report commissioned by Commissioner Barton and give information to the Court and the public regarding the outcome of the study - we will allow the study team to complete their presentation and then we will allow questions and comments - urged public to be brief. Commissioner Barton spoke of Texas Lehigh's plan to burn tire chips for fuel mix - raised citizens concerns regarding air quality and public safety - State regulations did not allow for public meetings for this special permitting. State Representative Alec Rhodes, State Senator Gonzalo Barrientos, and Commissioner Barton asked Texas Lehigh to have public hearings and they declined to do that - TNRCC, Senator Barrientos, and Representative Rhodes went above and beyond the letter of the law and hold public meeting to accept information

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from the public and try and explain their existing studies - the TNRCC also conducted some air sampling - Commissioner Barton used special project funds to hire SWTSU IEIS (Institute for Environmental and Industrial Science) to conduct a study regarding tires as a fuel source - Institute also reviewed information supplies by TNRCC and Texas Lehigh. Commissioner Barton stated that cement plants are not a clean industry - they are certainly not the worse - many concerns are appropriate - Texas Lehigh has not had a good track record in Hays County - Texas Lehigh cooperated fully with the county's efforts to look into what is going on and this technology - they should have initiated a voluntary public meeting in the beginning - they have attended the meetings and provided information - introduced Dr. Patrick Cassidy (SWTSU IEIS). Dr. Cassidy stated that he has been a professor of chemistry at SWTSU for 25 years and in January was named the Director of IEIS - spoke of the composition of their Board and the Institute - stated that he will refer to the tire burning as TDF (tire derived fuel). Dr. Cassidy presented the following information:

HAZARDS:    Open Burning of TDF (uncontrolled burn)  
              Plant Operation Imbalance (if parameters are not right)  
              Increased harmful emissions

BENEFITS:    Decrease dependency on coal  
              TDF is more energetic than coal (more BTU's)  
              Decrease landfill volume  
              Decrease open or illegal storage of tires  
              Cleaner burning than coal

Dr. Cassidy spoke of approach taken was to search an international data base for pertinent documents - we were fortunate that we had an ex-student who is a Senior PHD at John Hopkins University in Baltimore and she had some computer time and was able to search this international data base - we found one hundred or more hits on the data base - there is quite a bit of work published in Europe, Russia, Germany (30% of tires are used as TDF in Germany) and the Far East - we selected as many documents that were pertinent as possible - some of these documents did not apply and some of them were in Russian and we were unable to translate - a total of 18 documents were used (cement plants burning TDF) - spoke of studies done by Universities, Cement Companies, EPA, and one of the most comprehensive was done by a Civil Engineering Dept. in North Carolina State University. Presented slides showing the compositions of coal vs. TDF: Coal is higher in sulfur and TDF is higher in carbon content \* TDF has a high zinc content (f/galvanizing - not a heavy metal) - presented figures from air sampling done by TNRCC - spoke of "parts per billion" is like a 1 oz. shot glass in 80 railroad tank cars of liquid (100,000 gallons per tank car) - Benzene = 0.8 ppb (also present in gasoline) - air sampling for metals were obtained - Conclusion was that data used and techniques were valid and the results were below anticipated health limits. Commissioner Barton spoke of having the technical data in his office for review - spoke of primary studies used for the data given - spoke of the Hays County Fire Marshal having been on site to inspect storage area. A. D. Carroll, Hays County Fire Marshal spoke of area for storage being a concrete block area with three sides - suggested that all four sides be enclosed - they are able to put out a fire by themselves using front-end loaders and sand - Texas Lehigh also has an 8,000 gallon tanker equipped for fire fighting - the Buda Fire Dept. has a 50 gallon foam tank inducted into the truck system - the storage capacity area can store up to five truckloads of tires. Commissioner Barton stated that Texas Lehigh has agreed to let us have unannounced access for inspection - spoke of times that Texas Lehigh did not have a good performance record at the plant - they have made marked improvements - there is a chance that they may fail to maintain it properly in the future - no absolute assurance - the county will continue to be aggressive with enforcement. District Attorney Marcos Hernandez stated that his office is willing to take complaints - we don't, however, have all the resources necessary. Commissioner Barton advised that there will be a public meeting sponsored by TNRCC on April 30th at 7 PM at the Barton Jr. High School Cafeteria - spoke of testing they have conducted (re-sampled March 20-22) and added testing of dioxins & furans - Texas Lehigh is required to do stack emission test and they have been submitted to TNRCC - the questions raised have been appropriate questions - feels like the TDF at Texas Lehigh is a prudent risk - it is not risk free but it is a prudent health risk and you can feel confident that there is no significant health risk - it is appropriate that we continue to monitor the situation, continue to see how science evolves and see how the technology evolves - Texas Lehigh has agreed to notify the county if and when they change their fuel mixture in the future. Yana Bland voiced her concerns about hard data on hazardous air pollutants - feels like there are serious limitations to these studies - samples had to be taken from public areas and not on the plant site- asked if health professionals were called upon. Dr. Cassidy advised that no health professionals were called upon - we assumed that TNRCC had valid samples. Commissioner Barton spoke of there not being adequate information out there that say for certain that this is not a health risk - we as a Commissioners' Court have to make some valued judgment based on the best available information at the time - allowing people to run gasoline fueled cars and burn coal causes a significant health risk- we are making judgments on whether this is a prudent risk - can cement

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kilns operate as clean burning agents - there are studies that indicate they can. Neal Carman asked about health studies done near and around tire burning plants? Dr. Cassidy stated that they did not review health studies. Commissioner Barton stated that the State and Federal Government have employed Physicians and Toxicologist to prepare reports and State regulatory standards are based on what they consider to be safe human levels. Rose Carrizales spoke of asthma and nose bleeds in her family since Texas Lehigh started burning tires. Sue Pittman asked about chlorine and bromine levels (dioxins) in tires. Dr. Cassidy stated that they did not do a complete tire analysis - has not seen analysis of bromine in tires. Sue Pittman spoke of tires being a hazardous waste in solid form. Dr. Gayle Hudgins voiced her concerns about the Institutes membership on the advisory committee being primarily industry representatives and being founded with industry money - feels like it is bias. Commissioner Barton spoke of his goals in this issue - spoke of having tried to go out of State in the past to obtain consulting services which was not popular with constituents - he hired the Institute at SWTSU because they were local and he feels like they were not bias - spoke of established limits by the State and Federal government - we need to ensure that the burns are done properly whether the fuel be coal, tires, or other sources. Sue Pittman (Wimberley resident) presented a consensus statement and petition opposing the tire burning - commended the Court on taking a position and trying to learn what you can about this issue - spoke of her own personal experience with becoming chemically sensitive - feels like the information out there is very superficial and based on major five contaminants and is not evaluating the troublesome substances affecting the human population - the TNRCC must base their standards on information out there in literature - more studies are coming out. Dr. Neal Carman (PHD in Biological Science) spoke of his experience (12 years) as a State Investigator with the Texas Air Control Board and certified in the laboratory methods - aware of the limitations of the agency - not enough resources and equipment - has a lot of concerns about stack testing - spoke of testing major facilities - we were only taking less than 1% of the total gas and particulate materials and there are errors in the methods - another problem is the detectability range - we don't know what all the pollutants are - spoke of research at the Harvard School of Public Health which shows that you cannot establish safe levels of exposure for particulates that come out of combustion processes - Lehigh Cement emits a large quantity of these particulates - coal is a very dirty fuel and tires are a little less dirty - standards are being challenged by Scientist and Epidemiologists that are finding increased mortality rates in communities at these levels of particulate exposure - standards are not human health based, they are technology based. Yana Bland spoke of having problems with this study - appreciates the Courts efforts - concerned about the track records of violations at Texas Lehigh - spoke of air pollution at 5:30 A.M. on April 20th near the plant - she reported this to TNRCC, however, it took them five hours to check it out - she feels unprotected. Jerry Borchering ( Environmental Manager of Texas Lehigh Company) stated that he feels like this is a good project for the company and will help the State - prior to starting the project they evaluated the risks and the benefits and looked at all the studies and went forward with it - they intended to have a public meeting - they wanted to get their testing done prior to a public meeting - we operate very well as a cement plant - the violations written in the past dealt with fugitive emissions that had nothing to do with the burning operations, violations for record keeping and notification errors in procedures - the company wants to be good corporate citizens and we feel like we are. Commissioner Barton thanked SWTSU and Dr. Cassidy for their help and cooperation - does not consider this a sweeping or ground breaking study, however, it is an important study for Hays County - we asked the Institute to review the literature out there and give us as much scientific help as we could afford and he thinks they have done a good job of that - we are addressing the difference between burning tires and burning coal - we did get information from Texas Lehigh - County Medical Director Dr. Larry Birdwell has been given the information for review and to be on guard for health consequences in the area.

#### **EXECUTIVE SESSION**

Court convened into closed execution session - upon completion of the closed session the court reconvened into open meeting. No action taken.

#### **GENERAL DISCUSSION**

JOINT MEETING: Judge Etheredge spoke of Infrastructure Committee's request for a joint workshop on May 9, 1996 at 6:30 PM at the Hays CISD Boardroom if available.

SIGNS: Judge Etheredge spoke of complaints regarding advertising signs on River Road (in Wimberley) - some signs were removed that were in the county r-o-w. Commissioner Payne spoke of county not having a permitting process to allow signs in county r-o-w - he stated that he is not sure if we are actual owners of this r-o-w or if the Bank is the owner. Judge Etheredge spoke of our policy being that right-of-way is to be free of obstructions. Commissioner Payne spoke of background of signs at this location - he had allowed the the nice looking sign with a listing of businesses (directory) - the rest of them did not have permission. Judge Etheredge spoke of some of the signs at this location getting closer and closer to the roadway - spoke of allowing private businesses to put signs in our right-of-way and placing restrictions on placements. Commissioner Barton spoke of need for permission from the Road Dept. or Commissioners' Court to place signs in county right-of-way or we should remove them. Need to research further.

Court was adjourned.

APRIL 23, 1996

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MINUTES APPROVED IN OPEN COURT ON THE 14<sup>th</sup> DAY OF May, 1996.

*Eddy A. Etheredge*  
 EDDY A. ETHEREDGE, COUNTY JUDGE  
 HAYS COUNTY, TEXAS

*Margie T. Villalpando*  
 MARGIE T. VILLALPANDO, COUNTY CLERK  
 HAYS COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF HAYS

ON THIS THE 30TH DAY OF APRIL A.D., 1996, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

- |                       |                      |
|-----------------------|----------------------|
| EDDY A. ETHEREDGE     | COUNTY JUDGE         |
| PETER RODRIGUEZ       | COMMISSIONER, PCT. 1 |
| JEFFERSON W. BARTON   | COMMISSIONER, PCT. 2 |
| CRAIG D. PAYNE        | COMMISSIONER, PCT. 3 |
| RUSS G. MOLENAAR      | COMMISSIONER, PCT. 4 |
| MARGIE T. VILLALPANDO | COUNTY CLERK         |

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

**14989 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve payment of county invoices in the amount of \$ 111,188.22 as presented by the County Auditor. All voting "Aye".

|                   |              |                     |             |                   |              |
|-------------------|--------------|---------------------|-------------|-------------------|--------------|
| Auditor           | \$ 37.20     | Extension Office    | \$ 228.49   | Juvenile Prob     | \$ 218.44    |
| Indigent Care     | \$ 33,453.57 | Bldg. Maintenance   | \$ 5,250.64 | Environ Health    | \$ 2,114.62  |
| Personal Health   | \$ 622.20    | Civic Center        | \$ 1,557.92 | Countywide Oper   | \$ 18,453.40 |
| District Clerk    | \$ 106.16    | County Clerk        | \$ 626.39   | Sheriffs Office   | \$ 1,217.36  |
| Jail Operations   | \$ 14,851.78 | Co Crt @ Law 1      | \$ 154.23   | District Attorney | \$ 267.25    |
| J.P. 1-1          | \$ 10.25     | J.P. 2              | \$ 36.27    | J.P. 4            | \$ 105.23    |
| J.P. 5            | \$ 25.35     | DPS                 | \$ 11.67    | Constable 1       | \$ 177.43    |
| Constable 5       | \$ 93.48     | District Crt Oper   | \$ 3,376.47 | Co & JP Crt Oper  | \$ 48.23     |
| Veterans Admin    | \$ 199.22    | Computer Svcs       | \$ 1,038.51 | DPS/L&W           | \$ 41.69     |
| Crths Renov Grant | \$ 816.00    | Dist Crt Reporters  | \$ 276.37   | TJPC CCAP Grant   | \$ 939.20    |
| DA DARE Grant     | \$ 1,2250.00 | D.S. Triangle Grant | \$ 800.00   | Gen Fund Credit   | \$ 1.14      |
| R&B Operating     | \$ 4,743.71  | Precinct 1          | \$ 240.00   | Anticip Notes '95 | \$ 11,633.15 |
| Health Svcs Grant | \$ 2,110.32  | Law Library Fund    | \$ 282.50   | Road Construction | \$ 242.76    |
| Crths Renov/Co    | \$ 204.00    | Crths Security      | \$ 103.00   | Adult Prob Oper   | \$ 2,478.03  |
| Adult Prob Fac    | \$ 746.87    |                     |             |                   |              |

**14990 APPROVE AMENDED JANUARY 1996 TREASURER'S REPORT**

A motion was mad by Commissioner Barton, seconded by Judge Etheredge to approve the Amended January 1996 Treasurer's Report. All voting "Aye".



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HAYS COUNTY TREASURER'S REPORT

FOR THE MONTH OF JANUARY 1996

Amended

CHECKING

| OPERATING FUNDS:                  | BEGINNING    | Interest  | Revenues        | Deposits         | Disbursements   | Transfer to     | ENDING        | TOTAL           | TOTAL           |
|-----------------------------------|--------------|-----------|-----------------|------------------|-----------------|-----------------|---------------|-----------------|-----------------|
|                                   | BALANCE      |           |                 | From Investments |                 |                 |               |                 |                 |
| General                           | \$ 37,350.76 | \$ 210.97 | \$ 3,910,971.12 | \$ 1,231,170.00  | \$ 1,527,687.91 | \$ 3,622,000.00 | \$ 30,014.94  | 4,253,506.73    | 4,283,521.67    |
| Road and Bridge General           | \$ 1,531.97  | \$ 32.77  | \$ 834,938.99   | \$ 121,725.00    | \$ 231,962.60   | \$ 724,730.00   | \$ 1,536.13   | \$ 1,055,464.09 | \$ 1,057,000.22 |
| Wise Enterprises Bond Fund        | \$ 4,820.52  | \$ 13.07  | \$ -            | \$ -             | \$ -            | \$ -            | \$ 4,833.59   | \$ -            | \$ 4,833.59     |
| Hot Check Fee Fund                | \$ 1.00      | \$ -      | \$ 1,919.00     | \$ 5,103.09      | \$ 2,031.83     | \$ 1,105.45     | \$ 3,885.81   | \$ -            | \$ 3,885.81     |
| Law Library                       | \$ 261.00    | \$ -      | \$ 1,537.50     | \$ -             | \$ 685.60       | \$ 641.90       | \$ 471.00     | \$ 19,370.09    | \$ 19,841.09    |
| Medical and Dental Fund           | \$ 1,617.09  | \$ 34.26  | \$ 116,927.48   | \$ 139,046.37    | \$ 140,090.95   | \$ 116,000.00   | \$ 1,534.25   | \$ 418,713.67   | \$ 420,247.92   |
| Adult Probation Operating         | \$ 2,750.10  | \$ 26.38  | \$ 118,308.43   | \$ 140,965.60    | \$ 212,402.79   | \$ 43,621.00    | \$ 5,946.80   | \$ 607,604.99   | \$ 613,551.79   |
| Adult Probation Facilities        | \$ 1.00      | \$ -      | \$ 25,240.00    | \$ 6,400.86      | \$ 7,237.22     | \$ 24,491.04    | \$ 1.00       | \$ 44,590.97    | \$ 44,591.97    |
| Courthouse Security               | \$ 1,570.00  | \$ -      | \$ 2,422.20     | \$ 3,575.01      | \$ 5,372.91     | \$ 1,948.32     | \$ 245.98     | \$ 49,310.95    | \$ 49,556.93    |
| Records Management                | \$ 7,846.00  | \$ -      | \$ 8,911.39     | \$ 298.40        | \$ 10,100.98    | \$ 6,698.85     | \$ 255.96     | \$ 27,197.41    | \$ 27,453.37    |
| Records Preservation              | \$ 66.00     | \$ -      | \$ 365.00       | \$ 2,885.00      | \$ 3,250.00     | \$ 65.00        | \$ 1.00       | \$ 19,110.94    | \$ 19,111.94    |
| Sheriff's Drug Forfeiture         | \$ 1.00      | \$ -      | \$ -            | \$ -             | \$ -            | \$ -            | \$ 1.00       | \$ 1,621.26     | \$ 1,622.26     |
| District Attorney Drug Forfeiture | \$ 1.00      | \$ -      | \$ -            | \$ -             | \$ -            | \$ -            | \$ 1.00       | \$ 2.68         | \$ 3.68         |
| District Attorney Reimbursement   | \$ 1.00      | \$ -      | \$ 13,262.40    | \$ 124,112.66    | \$ -            | \$ 5,991.86     | \$ 131,304.20 | \$ -            | \$ 131,304.20   |
| Health Services Grants            | \$ 2,140.98  | \$ 33.79  | \$ 115,436.77   | \$ 35,034.71     | \$ 51,164.79    | \$ 99,280.98    | \$ 2,200.48   | \$ 90,129.19    | \$ 92,329.67    |
| Historical Commission Trust Fund  | \$ 1.00      | \$ -      | \$ -            | \$ -             | \$ -            | \$ -            | \$ 1.00       | \$ 9,220.57     | \$ 9,229.57     |
| Foster Care                       | \$ 7,090.91  | \$ -      | \$ 9,526.99     | \$ -             | \$ 8,132.40     | \$ -            | \$ 8,485.50   | \$ -            | \$ 8,485.50     |

CONSTRUCTION FUNDS:

|                                  |             |         |              |               |               |             |             |                 |                 |
|----------------------------------|-------------|---------|--------------|---------------|---------------|-------------|-------------|-----------------|-----------------|
| Jail Construction (Juvenile Det) | \$ 1,507.70 | \$ 7.49 | \$ -         | \$ 67,447.30  | \$ 67,455.00  | \$ -        | \$ 1,507.49 | \$ 131,715.21   | \$ 133,222.70   |
| Crths Ren & Rd Const 1994        | \$ 1.00     | \$ -    | \$ 83,359.28 | \$ 80,542.76  | \$ 163,902.04 | \$ -        | \$ 1.00     | \$ 4,121,194.70 | \$ 4,121,195.70 |
| Road Construction Bond 1995      | \$ 1.00     | \$ -    | \$ -         | \$ -          | \$ -          | \$ -        | \$ 1.00     | \$ 8,100,444.81 | \$ 8,100,445.81 |
| Anticipation Notes 1995          | \$ 1.00     | \$ -    | \$ -         | \$ 218,958.07 | \$ 218,958.07 | \$ -        | \$ 1.00     | \$ 1,554,511.63 | \$ 1,554,512.63 |
| Texas Capital Fund/New Canaan    | \$ -        | \$ -    | \$ 1,321.69  | \$ -          | \$ 1,321.69   | \$ -        | \$ -        | \$ -            | \$ -            |
| Wimberley Water System           | \$ 1.00     | \$ -    | \$ 7,500.00  | \$ 5,200.00   | \$ 6,800.00   | \$ 5,900.00 | \$ 1.00     | \$ 10,311.16    | \$ 10,312.16    |

On the original January Treasurer's Report, the figure used for the total amount invested was incorrect. The totals invested in First Southwest were added in twice in error.

HAYS COUNTY TREASURER'S REPORT

FOR THE MONTH OF JANUARY 1996

Page 2

CHECKING

| INTEREST AND SINKING FUNDS       | BEGINNING | Interest | Revenues      | Deposits         | Disbursements | Transfer to   | ENDING  | TOTAL         | TOTAL         |
|----------------------------------|-----------|----------|---------------|------------------|---------------|---------------|---------|---------------|---------------|
|                                  | BALANCE   |          |               | From Investments |               |               |         |               |               |
| Crths Ren & Rd Const. I & S 1994 | \$ 1.00   | \$ -     | \$ 202,415.06 | \$ -             | \$ -          | \$ 202,415.06 | \$ 1.00 | \$ 289,170.02 | \$ 289,171.02 |
| Road Const. Bond I & S 1995      | \$ 1.00   | \$ -     | \$ 322,670.73 | \$ -             | \$ -          | \$ 322,670.73 | \$ 1.00 | \$ 404,175.64 | \$ 404,176.64 |
| Limited Tax Refunding            | \$ 1.00   | \$ -     | \$ 92,716.20  | \$ -             | \$ -          | \$ 92,716.20  | \$ 1.00 | \$ 353,769.97 | \$ 353,770.97 |
| Jail I & S                       | \$ 1.00   | \$ -     | \$ -          | \$ -             | \$ -          | \$ -          | \$ 1.00 | \$ 380,796.05 | \$ 380,797.05 |
| Jail Addition I & S              | \$ 1.00   | \$ -     | \$ 101,896.02 | \$ -             | \$ -          | \$ 101,896.02 | \$ 1.00 | \$ 150,403.21 | \$ 150,404.21 |
| Hays County I & S                | \$ 1.00   | \$ -     | \$ 79,864.44  | \$ 6,060.32      | \$ 6,060.32   | \$ 79,864.44  | \$ 1.00 | \$ 82,702.56  | \$ 82,703.56  |
| Public Works I & S               | \$ 1.00   | \$ -     | \$ 99,142.07  | \$ -             | \$ -          | \$ 99,142.07  | \$ 1.00 | \$ 140,885.71 | \$ 140,886.71 |
| Springlake I & S                 | \$ 1.00   | \$ -     | \$ 41,743.76  | \$ -             | \$ -          | \$ 41,743.76  | \$ 1.00 | \$ 56,404.34  | \$ 56,405.34  |
| Pioneer Trails I & S             | \$ 1.00   | \$ -     | \$ 805.24     | \$ -             | \$ -          | \$ 805.24     | \$ 1.00 | \$ 16,310.61  | \$ 16,311.61  |
| Burnett Road I & S               | \$ 1.00   | \$ -     | \$ 3,422.09   | \$ 2,982.89      | \$ 6,404.98   | \$ -          | \$ 1.00 | \$ 9,387.61   | \$ 9,388.61   |
| Anticipation Notes I & S 1994    | \$ 1.00   | \$ -     | \$ 162,482.83 | \$ -             | \$ -          | \$ 162,482.83 | \$ 1.00 | \$ 214,701.62 | \$ 214,702.62 |
| Anticipation Notes I & S 1995    | \$ 1.00   | \$ -     | \$ 251,986.10 | \$ -             | \$ -          | \$ 251,986.10 | \$ 1.00 | \$ 296,455.76 | \$ 296,456.76 |

GRAND TOTALS: \$ 68,575.03 \$ 358.73 \$ 6,611,092.78 \$ 2,191,596.12 \$ 2,671,102.08 \$ 6,008,197.45 \$ 192,323.13 \$ 23,815,464.92 \$ 24,007,788.05

Transfers Outstanding:

- 1-96 11/22/96 General to Foster Care \$3134.19
- 2-96 12/11/96 General to Hays County Interest and Sinking \$11319.51
- 3-96 01/17/96 General to Foster Care \$1041.49

*Michele Tuttle*  
Michele Tuttle, Hays County Treasurer

APRIL 30, 1996

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**14991 APPROVE UTILITY PERMIT NO. 96-104 & 96-208**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to approve Utility Permit #96-104 issued to Century Telephone Co. for utility road bore on El Camino Way Drive and #96-208 to Goforth Water Supply Corp. for a water line on Susan Drive in Hillside Terrace Subd. All voting "Aye".

**14992 AUTHORIZE OVERTIME PAY FOR ROAD DEPARTMENT SIGN CREW FROM MAY 1, 1996 THROUGH SEPTEMBER 1996**

Summary: 911 sign installation is behind schedule and we need to catch up this funding cycle in order to comply with our 911 addressing grant - there is currently \$9,600 in overtime. A motion was made by Commissioner Barton, seconded by Judge Etheredge to authorize overtime pay for Road Department Sign Crew from may 1, 1996 through September 1996. All voting "Aye".

**14993 AUTHORIZE HIRING ASSISTANT DISTRICT COURT ADMINISTRATOR AT GRADE 5 STEP 2**

Summary: Normally the County hires new employees at step minimum. The person hired to fill the position of Assistant District Court Administrator has legal, bookkeeping, and accounting experience, therefore, the District Judge is requesting that this new employee be hired at Grade 5 Step 2 effective April 22, 1996 - funds are available in the current budget. A motion was made by Commissioner Barton, seconded by Judge Etheredge to hire the Assistant District Court Administrator at Grade 5 Step 2 effective April 22, 1996. All voting "Aye".

**14994 ADOPT PROCLAMATION RECOGNIZING "PEACE OFFICER'S MEMORIAL WEEK" MAY 13-17TH**

A motion was made by Commissioner Barton, seconded by Judge Etheredge to adopt Proclamation recognizing the week of May 13, 1996 through May 17, 1996 as "Peace Officer's Memorial Week". All voting "Aye".

**PROCLAMATION**

**STATE OF TEXAS  
COUNTY OF HAYS**

**WHEREAS, each year peace officers tragically lose their lives in the line of duty; and**

**WHEREAS, a National Memorial Service is held annually in Washington, D.C. to honor those officers and families; and**

**WHEREAS, in 1963 President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day; and**

**WHEREAS, since times subordinate, and state's auxiliaries have been marking the occasion with memorial services in their own jurisdiction; and**

**WHEREAS, through the efforts of the Grand Lodge Ladies Auxiliaries, the first national peace officers memorial service was performed on May 15th, 1982 on Capitol Hill in Washington, D.C.; and**

**WHEREAS, the Hill Country Fraternal Order of Police Lodge #23 has made a commitment to share, support and serve the law enforcement community; and**

**WHEREAS, the Hill Country Fraternal Order of Police Lodge #23 actively contributed to and supports this worthwhile endeavor;**

**NOW, THEREFORE, BE IT PROCLAIMED BY THE COMMISSIONERS' COURT OF HAYS COUNTY, Texas, that MAY 13-17, 1996 be recognized as**

**PEACE OFFICERS' MEMORIAL WEEK**

**and it further proclaimed that citizens and officials be encouraged to participate in observance of this special occasion.**

**PROCLAMATION ADOPTED on the 30th day of April, 1996.**

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**DISCUSSION REGARDING AMENDING THE RULES FOR OUTDOOR BURNING**

Fire Marshal A.D. Carroll appeared before the court requesting amendments to the Rules for Outdoor Burning based on changes in rules of TNRCC - spoke of maximum wind speed of 23MPH in Rules #2 is too high and suggested lowering that to 10MPH - proposed changing rule #3 and allowing burning between the hours of 8 a.m. to 6 p.m. instead of 9 a.m. to 5 p.m. Commissioner Barton spoke of the narrow window for wind speed (6MPH - 10MPH) - suggested that maximum be increased to at least 15MPH. A.D. Carroll stated that 15MPH would be acceptable. Commissioner Molenaar requested a change in Rule #1 from burning at least 300 feet from occupied structures to 150 feet. A.D. Carroll spoke of the 300 ft. primarily being for the protection of adjoining property owners. Court agreed that more time is needed to go through the rules before amending them. No action taken.

**14995 OAK FOREST SECTION 2 \* SECOND READING APPROVAL [T1-135]**

Allen Walther, Environmental Health Director, gave staff approval - he did question whether the developer had obtained TXDOT approval for three lots with sole access off FM967. Doug Lewis advised that TXDOT approval had been obtained. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "Oak Forest Section 2" (a 109 lot subdivision) on second reading. All voting "Aye".

**14996 RIVER MOUNTAIN RANCH SECTION 1 REPLAT OF LTS 70, 71, & 74 \* SECOND READING APPROVAL [T1-157]**

Allen Walther, Environmental Health Director, advised that no plat has been submitted, only a drawing. Commissioner Molenaar stated that he sees no problem with accepting on second reading at this time - a final plat will be required for third reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "River Mountain Ranch Section 1 Replat of Lots 70, 71, & 74" on second reading. Commissioner Molenaar, Commissioner Payne, and Judge Etheredge voting "Aye". Commissioner Rodriguez and Commissioner Barton voting "No". PASSED.

**14996 3G RANCH ADDITION SECTION 4 \* PUBLIC HEARING & APPROVAL TO VACATE LOT 2 [T1-196]**

Judge Etheredge called the public hearing open - no public input was received and public hearing was closed. Allen Walther, Environmental Health Director, gave staff approval - this lot is being included in the Nester Estates subdivision. A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve vacation of "Lot 2 of 3G Ranch Addition Section 4". All voting "Aye".

**DISCUSSION REGARDING NESTER ESTATES SUBDIVISION [T1-226]**

Commissioner Barton made a motion that was seconded by Commissioner Rodriguez to approve "Nester Estates" subdivision on second reading. Allen Walther, Environmental Health Director, spoke of Lot 15 = 0.70 acres which Developers intends to provide future access to Lot 5 for future development - does not recommend creating this Lot 15 - should extend the road to Lot 5 of 3G Ranch Addition Section 2. Robert Nester advised that Yvonne Gardner plans to sell part of Lot 5. Mr. Nester stated that he will not bear the expense of extending this road without some compensation from Mrs. Gardner. Allen Walther requested that the Developer either do away with Lot 15 all together or extend the road to the adjoining property. Commissioner Barton and Commissioner Rodriguez withdrew their motions. Commissioner Barton stated that he would expedite procedures and consider approving on second & third readings at a later date. No Action.

**HAYS CITY ESTATES PHASE 2 \* NO ACTION TAKEN [T1-297]**

Allen Walther, Environmental Health Director, advised that no plat has been submitted and more information is needed. No action was taken.

**14998 ESTRELLITA ESTATES \* SECOND READING APPROVAL [T1-300]**

Allen Walther, Environmental Health Director, advised that the plat filed with his office does not have the dedication page. Commissioner Payne advised that he has a copy of the easement agreement maintenance agreement and sees no problems with it. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to approve "Estrellita Estates" subdivision on second reading. All voting "Aye".

APRIL 30, 1996

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**14999 QUARRY SPRING SECTION 2 REPLAT OF LOTS 14 & 15 \* CALL FOR A PUBLIC HEARING** [T1-336]

Allen Walther, Environmental Health Director, spoke of concerns about access to Lot 15B and the topography of the lots will make it difficult to develop - unlikely that a conventional septic could be utilized - developing these lots and wastewater permitting will be extremely expensive. Ron Bischoff, Road Director, spoke of Lot 15B not having access of Quarry Crest Circle. No one was present to address the concerns of staff. Commissioner Payne advised that he will consider approving on first and second readings at a later date. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to call for a public hearing to consider "Quarry Springs Section 2 Replat of Lots 14 & 15" to be held May 14, 1996. All voting "Aye".

[11-495]David Williamson (Byrn & Associates) appeared before the Court representing this subdivision and advised that City of San Marcos staff has agreed to a private driveway access to Lot 15-B.

**15000 35 SOUTH RANCHES SECTION 1 \* FIRST READING APPROVAL** [T1-422]

Allen Walther, Environmental Health Director, advised that this is a 21 lot subdivision with all lots having access off CR127 - it appears to be in the ETJ of Umland and it appears to have openings for future development. Commissioner Barton requested submission of a master plan from the Developer. David Williamson (Byrn & Associates) advised that a Master Plan could be submitted - Developer is willing to dedicate additional r-o-w on CR127 (Phase 2 of Road Bond Projects). A motion was made by Commissioner Barton, seconded by Commissioner Rodriguez to approve "35 South Ranches Section 1" on first reading. All voting "Aye".

**15001 SUNSET CANYON SECTION 1 RESUB LOT 406-A \* 1ST READING AND CALL FOR A PUBLIC HEARING** [T1-515]

Allen Walther, Environmental Health Director, gave staff approval - property owner is making one lot out of two so that he can build on the property line - resubdivision is being required by finance company. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve "Sunset Canyon Section 1 Resub Lot 406-A" on first reading. All voting "Aye".

**15002 TIMMERON SECTION 1 REPLAT RESERVE 1.2A & 1.3A \* SECOND AND THIRD READING APPROVAL** [T1-558]

Allen Walther, Environmental Health Director, gave staff approval. A motion was made by Commissioner Payne, seconded by Commissioner Rodriguez to approve "Timmeron Section 1 Replat Reserve 1.2A & 1.3A" on second and third reading. All voting "Aye".

**15003 GILLILAND SUBDIVISION LOT 1 \* FIRST, SECOND, AND THIRD READING APPROVAL** [T1-570]

Allen Walther, Environmental Health Director, advised that this is a short form voluntary plat and gave staff approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Gilliland Subdivision Lot 1" on first, second, and third reading. All voting "Aye".

**15004 MC CARTY RANCH ESTATES \* VARIANCE GRANTED ON LANE WIDTH AT ENTRANCE** [T1-595]

A written request for variance to median design was submitted by Blake Nelson, President of Concept Builders - requesting that the lane openings be acceptable at 14' width on each gated drive - this is not a public thoroughfare and these widths will accommodate the hydraulic slide gates which have been purchased for this entrance to McCarty Ranch subdivision. Ron Bischoff, Road Director, advised that he had no problem with allowing this 14' width (county standard is 18') for a gated private entrance. Commissioner Payne stated that McCarty Lane is in the Phase 2 Road Bond Project and we need to be sure and get the needed right-of-way at this location. David Williamson (Byrn & Associates) stated that they have provided Doucet & Associates with information regarding the r-o-w and will dedicate 40 ft. from the centerline of McCarty Lane. A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to grant a variance to allow a median width of 14 feet at the entrance to McCarty Ranch Estates. All voting "Aye".

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**15005 CREEK ROAD VILLAS \* FIRST, SECOND, AND THIRD READING APPROVAL [T1-690]**

Allen Walther, Environmental Health Director, advised that this is a short form plat that was not required and gave staff approval. Commissioner Molenaar spoke of not having seen any of the plats being submitted by James Garon prior to the meeting date - requested that Mr. Garon notify him prior to submitting plat for approval in Pct. 4. Allen Walther stated that his office policy is to tell developers to contact their Commissioners. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to approve "Creek Road Villas" on first, second, and third readings. All voting "Aye".

**15006 ACCEPT INDEPENDENT AUDIT REPORT FROM ARMSTRONG, VAUGHN & ASSOCIATES [T1-734]**

Gordon Armstrong (Armstrong, Vaughan & Assoc.) presented their independent audit report regarding the various funds and account groups of Hays County for the year ending September 30, 1995 - the following was submitted:

*Armstrong, Vaughan & Assoc., P.C.*  
 CERTIFIED PUBLIC ACCOUNTANTS  
 433 KITTY HAWK, SUITE 113  
 UNIVERSAL CITY, TEXAS 78148  
 TELEPHONE (210) 659-6229  
 FAX (210) 659-7611

Commissioners Court  
 Hays County, Texas

Our examination of the financial statements of the various funds and account groups of Hays County, Texas, for the year ended September 30, 1995, included selected reviews and tests of management procedures and internal accounting controls. The purpose of this letter is to inform you of those items we feel you should be aware of.

County officials have reacted positively to our comments and suggestions in most cases. Our audit work continues to identify areas for improved or more efficient operations, as would be the case in most organizations as large and complex as the County.

All areas we examined evidenced sound management. We reviewed suggestions for improvement from our prior year management report and found the following:

1. The County continues to reduce the number of bank accounts which has reduced both bank fees and the time to review and reconcile these bank accounts on a monthly basis. However, we feel there are still bank accounts that could be closed and deposits made direct to the County Treasurer's bank account.

Suggestion: Continue to evaluate all bank accounts for need and close or consolidate accounts where feasible.

2. We saw little improvement in the inmate trust funds and commissary fund operations from last year. It seems just as one person becomes familiar with accounting system and controls, they are replaced. Management reports are not being fully utilized and reconciliations of inmate accounts are not balanced to bank accounts.

Suggestion: Try to reduce personnel turnover, use management reports to correct books for commissary items and reconcile inmate accounts to cash balances reported by banks.

3. The Sheriff's bonds and fines account was not closed as suggested last year. We did not find any problems with documentation this year but did note that the account was not being reconciled monthly to supporting documentation. Most of the \$325,000 that flowed through this account during fiscal year 1995 was cash. Strict accounting and physical control is a must to reduce the potential for errors or loss.

Suggestion: We still feel that it would be in the best interest of the Sheriff's department and the County if the bonds and fines account was closed and deposits made directly to the County Treasurer. The County Treasurer can provide an independent check of supporting documentation, account for receipts and deposit money orders or checks made payable to other County officials. It would also reduce the workload in the Sheriff's department.

4. During the year, the jail telephone contract was changed to another vendor who is providing the County with documentation to support the revenues received.
5. The Purchasing Agent is now working with all County officials in procuring professional services for the County.
6. All County funds on deposit at the bank were fully secured during the year. The bank pledged securities far in excess of the County's cash balance at the bank.

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7. Control problems noted last year in activities funded by federal and state grants were corrected.

During the current audit we noted the following opportunities for improvement to County operations and internal controls:

8. Our review and reconciliation of the District Attorney's Hot Checks holding account indicated \$82,000 more in the account than owed to other agencies or citizens based on current available records. Our review of the District Clerk's Criminal and Civil Cash bond accounts indicates funds in excess of supporting documentation by over \$7,000. As a result, there is no means to reconcile these accounts on a monthly basis. Lack of timely reconciliation would allow for misappropriation of funds to go undetected. Also, the accounting documentation for these funds was done manually.

Suggestion: The District Attorney's and District Clerk's Office should determine the amount of funds owed to other agencies or citizens and move all excess funds to another account. This would mean that the bank account should equal supporting documentation. Thereafter, reconcile the bank account to the supporting documentation on a monthly basis and determine the cause of any discrepancies if they occur. As soon as possible, convert to the Software Group accounting computer software used by other County offices to track amounts owed. The District Attorney and District Clerk should determine the status of the excess funds and make appropriate disposition.

9. We noted two trust checking accounts (Cemetery Preservation fund and Claiborne Log House) held at the County Treasurer's Office were not on the computer. All County funds should be accounted for in their accounting system.

Suggestion: Create a fund in the accounting system and load these two accounts into the system.

10. We noted checking accounts with authorized signatures of County officials no longer with the County.

Suggestion: The County Treasurer's Office along with all other offices having checking accounts should review all signature cards of all accounts. In the future, signature cards should be changed as soon as a person leaves County service.

11. During our confirmation of County bank accounts, we found a bank account using the County's federal identification number which had no relationship to the County. The account in question was called Child Welfare Board at Balcones Bank.

Suggestion: Contact the bank and have them remove the County's federal ID number from this account. This will require the bank to either close the account or have the owners of the account provide a new federal ID number.

12. The Sheriff's Department made a direct payment of overtime pay to one officer in the amount of \$403.04 from the Discretionary Account. This payment was not processed through the County payroll system and thus not included in the officer's total annual income.

Suggestion: Payroll payments should only be made through the County's payroll system.

13. The County Tax Collector/Assessor converted to Software Group software in September 1994 which has greatly improved operations and overall accounting. However, the tax office is still only depositing receipts to the County monthly. As a result, during high volume periods the General Fund and Debt Service Funds are not able to earn as much interest as they could if they were deposited at the County Treasurer's Office.

Suggestion: The Tax Collector/Assessor's Office should make deposits to the County on a weekly basis.

14. The County Tax Collector/Assessor's Office charges a fee to collect other jurisdiction taxes. The fee for collection of jurisdiction taxes should be based on the cost to the County over and above its normal operating costs. No study has been done in several years to determine what should be charged to jurisdictions.

We noted that this same collection fee is charged for the collection of the County's own taxes including Interest and Sinking Fund taxes. This results in additional unnecessary accounting since all the funds go to the County. Also, by charging Interest and Sinking Funds for collections the County is requiring these funds to increase their rates to support non-debt expenditures.

Suggestion: Prepare a study to determine the costs that should be charged to jurisdictions. Stop charging the County to collect their own taxes and thus reduce the unnecessary accounting it requires.

15. A separate fund has been setup for each of the 12 bond issues the County has and is paying. As a result, there are 12 checking accounts and up to 12 Texpool accounts. Also, when Interest and Sinking Fund taxes are collected, they have to split into 12 different funds. The accounting is cumbersome and the opportunity for errors is high. In addition, many manhours are wasted on this effort.

Suggestion: Consider consolidating these into as few funds as possible.

It has been a pleasure to provide service to Hays County. The Commissioners, members of management and elected officials are to be commended for their commitment to quality financial reporting. We urge you to call on us throughout the year when we can be of service.

Armstrong, Vaughan & Assoc., P.C.  
Armstrong, Vaughan & Assoc., P.C.

February 22, 1996

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A motion was made by Commissioner Payne, seconded by Commissioner Molenaar to accept the Independent Audit Report for Hays County as submitted by Armstrong, Vaughn & Associates. All voting "Aye".

**15007 RIVER MOUNTAIN RANCH SECTION 3 \* NAME "DRIVEWAY EASEMENT" HIDDEN CREEK AND GRANT A VARIANCE TO ROAD CONSTRUCTION STANDARDS [T1-1114]**

Proposal is for a private access or driveway easement off of Water Park Road through nine lots in the River Mountain Ranch Section 3 subdivision - developer does not feel that this driveway should be considered a roadway, however, at the request of the Commissioners' Court it is being named "Hidden Creek" for addressing purposes. Developer is also requesting a variance from the road construction standards of Hays County for this drive - plans are to pave it with 1.5" of asphalt 12' wide - also requested was a variance from subgrade, base and road width and depth requirements. A motion was made by Commissioner Molenaar, seconded by Commissioner Payne to approve naming of a driveway easement in River Mountain Ranch "Hidden Creek" and grant a variance to construction standards as requested by Developer. All voting "Aye".

**DISCUSSION REGARDING USE OF COUNTY ROAD BOND MONEY TO HIRE PERSONNEL AND PURCHASE EQUIPMENT TO CONSTRUCT BOND FUNDED ROADS [T1-1141]**

John Doucet (Doucet & Associates) presented cost details that would allow for the County Road Department to build some of the bond funded roads - advised that the District Attorney sees no problems with the county purchasing equipment and hiring personnel using bond funds as long as there is proper accounting and auditing of the funds - county could sell the equipment after three years - road construction crew could build 12 miles of road per year. The following figures were submitted:

**EQUIPMENT COST DETAIL**

**MATERIAL COST DETAIL AND OUTSIDE LABOR**

|                                                  |                                                                                                                   |                      |                       |                            |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|----------------------------|
| New Equipment:                                   |                                                                                                                   |                      |                       | \$ 24,746/mi               |
| <b>EQUIPMENT</b>                                 | <b>Price</b>                                                                                                      | <b>Warranty Cost</b> | <b>O&amp;M \$/Day</b> | <b>Three Year buy back</b> |
| Reclaimer                                        | 187,205                                                                                                           | 6,000                | 200                   | 103,080                    |
| Grader                                           | 146,633                                                                                                           | 4,000                | 50                    | 115,649                    |
| Roller (84")                                     | 111,533                                                                                                           | 3,000                | 50                    | 61,528                     |
| Roller (pneumatic)                               | 55,288                                                                                                            | 2,000                | 50                    | 24,234                     |
| Track loader                                     | 175,787                                                                                                           | 4,500                | 50                    | 80,754                     |
| Rubber Tired Backhoe/Loader w/hoe-ram            | 106,000                                                                                                           | 3,000                | 50                    | 58,000                     |
| Dumptruck (2 @ \$60,000)                         | 120,000                                                                                                           |                      | 100                   |                            |
| Water Truck (w/tank)                             | 27,000                                                                                                            |                      | 50                    |                            |
| Pickup truck (2 @ \$20,000)                      | 40,000                                                                                                            |                      | 100                   |                            |
| Fuel Truck (upgrade)                             | 35,000                                                                                                            |                      | 50                    |                            |
| Traffic Control System                           | 55,000                                                                                                            |                      | 20                    |                            |
| <b>Totals</b>                                    | <b>1,059,446</b>                                                                                                  | <b>22,500</b>        | <b>770</b>            | <b>443,245</b>             |
| Total equipment cost                             | \$ 1,081,946                                                                                                      |                      |                       |                            |
| 10% down payment                                 | \$ - 108,195                                                                                                      |                      |                       |                            |
| Amount financed                                  | \$ 973,751                                                                                                        |                      |                       |                            |
| Quarterly payment (6%, 5 yrs, 20 qrtly payments) | \$ 56,717                                                                                                         |                      |                       |                            |
| <b>FINANCED COST:</b>                            | $\frac{\$54,715.07 \times 20 \text{ pymnts} \times \text{yr}}{\text{qtr} \quad 5 \text{ yr} \quad 12 \text{ mi}}$ |                      |                       | = \$ 18,238/mi             |
| <b>SALVAGE VALUE:</b>                            | Discount to 1996 value assuming inflation at 4%/yr 443,245 in 1996 dollars = \$372,157                            |                      |                       |                            |
|                                                  | \$372,157 $\frac{(\text{yr})}{12 \text{ mi}} \text{ (project)}$                                                   |                      |                       | = (\$10,338/mi)            |
| <b>O&amp;M COST</b>                              | $\frac{\$770 \times 260 \text{ work days} \times \text{yr}}{\text{work day} \quad \text{yr} \quad 12 \text{ mi}}$ |                      |                       | = \$ 16,683/mi             |
| <b>INSURANCE COST:</b>                           | $\frac{\$1,950 \times \text{yr}}{\text{yr} \quad 12 \text{ mi}}$                                                  |                      |                       | = \$ 163                   |
| <b>NEW EQUIPMENT:</b>                            |                                                                                                                   |                      |                       | \$ 24,746/mi               |

|                                                                                                                                                                                                      |                                                                                                                                            |                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <b>Total Material</b>                                                                                                                                                                                |                                                                                                                                            | \$ 67,542/mi (\$ 83,699/mi w/lime) |
| <b>BASE:</b>                                                                                                                                                                                         |                                                                                                                                            |                                    |
| Factors:                                                                                                                                                                                             |                                                                                                                                            |                                    |
| material required (8")                                                                                                                                                                               | 6,711 tons/mi                                                                                                                              |                                    |
| material cost                                                                                                                                                                                        | 2.50/ton                                                                                                                                   |                                    |
| average material transportation                                                                                                                                                                      | 2.60/ton                                                                                                                                   |                                    |
| Cost(w/o lime):                                                                                                                                                                                      |                                                                                                                                            |                                    |
| 6,711 tons (\$2.50 mtl + \$2.60 trans) =                                                                                                                                                             |                                                                                                                                            | \$ 34,226/mi                       |
| gu* ( ton ton )                                                                                                                                                                                      |                                                                                                                                            |                                    |
| Additional Cost (for lime):                                                                                                                                                                          |                                                                                                                                            |                                    |
| $\frac{27 \text{ lb} \times 30 \text{ ft (width)} \times 5,280 \text{ ft} \times \text{yd}^2 \times \text{tons} \times \$68}{\text{mi} \quad 9 \text{ ft} \quad 2,000 \text{ lb} \quad \text{tons}}$ |                                                                                                                                            | = \$ 16,157/mi                     |
| <b>PAVING:</b>                                                                                                                                                                                       |                                                                                                                                            | \$ 15,000/mi                       |
| Factors: use contract service: chip seal, 2 courses                                                                                                                                                  |                                                                                                                                            |                                    |
| \$12,000/mi material                                                                                                                                                                                 |                                                                                                                                            |                                    |
| \$ 3,000/mi contract labor & equipment                                                                                                                                                               |                                                                                                                                            |                                    |
| \$15,000/mi                                                                                                                                                                                          |                                                                                                                                            |                                    |
| <b>DRAINAGE:</b>                                                                                                                                                                                     |                                                                                                                                            | \$ 4,833/mi                        |
| Factors:                                                                                                                                                                                             |                                                                                                                                            |                                    |
| 1 concrete structure in 3 miles =                                                                                                                                                                    | 33 structures/mi                                                                                                                           |                                    |
| average cost concrete & steel                                                                                                                                                                        | \$5,500                                                                                                                                    |                                    |
| average cost of culverts                                                                                                                                                                             | \$9,000                                                                                                                                    |                                    |
| Drainage Cost: \$5,500 + \$9,000 $\times \frac{1}{3}$ miles                                                                                                                                          |                                                                                                                                            | = \$4,833/mi                       |
| <b>TEMPORARY AND PERMANENT EROSION CONTROL:</b>                                                                                                                                                      |                                                                                                                                            | \$ 5,000/mi                        |
| <b>SIGNS:</b>                                                                                                                                                                                        |                                                                                                                                            | \$ 3,000/mi                        |
| <b>STRIPING</b>                                                                                                                                                                                      |                                                                                                                                            | \$ 2,500/mi                        |
| <b>TESTING</b>                                                                                                                                                                                       |                                                                                                                                            | \$ 1,300/mi                        |
| <b>INSPECTION</b>                                                                                                                                                                                    | $\frac{10 \text{ hr} \times 1.5 \text{ wk} \times \text{mo} \times \$2,750}{\text{wk} \quad \text{mo} \quad 1 \text{ mi} \quad \text{hr}}$ | \$ 1,183/mi                        |
| <b>TOTAL MATERIAL AND OUTSIDE LABOR:</b>                                                                                                                                                             |                                                                                                                                            | \$ 67,542/mi (\$ 83,699/mi w/lime) |

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LABOR COST DETAIL

COST SUMMARY  
Using Hays Co. acquired assets

LABOR COST/MI: \$ 44,591/mi

|                                 |             |
|---------------------------------|-------------|
| NEW HIRES:                      | 16.5        |
| Road Crew                       | 12.5        |
| 1 Foreman                       |             |
| 9 Full time equipment operators |             |
| 1 Full time laborer             |             |
| 1 Full time clerk               |             |
| .5 Half time fueler             |             |
| Concrete Crew                   | 4           |
| 1 Lead Man                      |             |
| 3 Workers                       |             |
| Total New Hires                 | <u>16.5</u> |

|                                                 |                      |
|-------------------------------------------------|----------------------|
| LABOR COSTS:                                    |                      |
| Average Salary                                  | \$ 23,000/yr         |
| Insurance, Benefits, Release Time & Taxes @ 30% | \$ 6,900/yr          |
| Workman's Comp @ 11%                            | \$ 2,530/yr          |
| Sub-total                                       | \$ 32,430/emp-yr     |
| Total employees                                 | x 16.5               |
| Annual cost                                     | <u>\$ 535,095/yr</u> |

TOTAL COST PER MILE \$ 136,879/mi  
(\$ 153,036/mi with lime)

LABOR [new hires]: \$ 44,591/mi  
(includes salary, benefits & taxes)

MATERIAL AND OUTSIDE LABOR: \$ 67,542/mi

|                                         |          |
|-----------------------------------------|----------|
| Base                                    | \$34,226 |
| Drainage                                | \$ 4,833 |
| Paving                                  | \$15,000 |
| Temporary and Permanent erosion control | \$ 5,000 |
| Signs                                   | \$ 3,000 |
| Striping                                | \$ 2,500 |
| Testing                                 | \$ 1,800 |
| Inspection                              | \$ 1,183 |

EQUIPMENT: \$ 24,746/mi

|           |          |
|-----------|----------|
| Financed  | \$18,238 |
| O&M       | \$16,683 |
| Insurance | \$ 163   |

TOTAL COST PER MILE: \$ 136,879/mi  
(\$153,036/mi with lime)

LABOR COST/MI  $\frac{\$535,095}{yr} \times \frac{yr}{12mi} = \$ 44,591/mi$

John Doucet submitted a summary of which roads would best be suited for county construction and for private contractor construction:

**HAYS COUNTY ROAD IMPROVEMENTS PROJECT**

Date: April 29, 1996  
To: John Doucet, P.E. - Doucet & Associates  
From: Joe Skidmore  
Subject: County Road Department - Summary of Applicable Roads

John:

Here is a summary of my thoughts on which roads the best be suited for county vs. private construction.

**Best Roads for County Construction**

| Road               | Length | Comments                                           |
|--------------------|--------|----------------------------------------------------|
| CR 129             | .70    | Low traffic, however poor soils                    |
| CR 179             | 2.10   | Good subgrade, minimal realignment                 |
| CR 181             | 2.50   | Medium traffic, minimal realignment, good subgrade |
| CR 191             | 3.05   | Low traffic, good subgrade                         |
| CR 218             | 3.90   | Low traffic, good subgrade                         |
| CR 233             | 2.35   | Medium traffic, no soils report yet                |
| CR 272             |        | Already slated for county forces                   |
| Drainage Crossings |        | Limited scope of work                              |

13.7

**Other Roads for County Construction**

| Road    | Length | Comments                                                            |
|---------|--------|---------------------------------------------------------------------|
| CR 101  | 5.15   | Low traffic, good subgrade. However large areas of cut and fill     |
| CR 162  | 4.45   | Darden Hill Road, good subgrade, major cuts and fill                |
| CR 228  | .80    | Minimal realignment, poor soils, coordinate sewer line construction |
| CR 266  | 3.10   | Low traffic, minimal realignment, soils may be an issue             |
| CR 222  | 2.82   | Good subgrade, traffic control will be issue                        |
| CR 225  | 2.05   | Good subgrade, traffic control will be issue                        |
| CR 234E | 1.40   | Low traffic, soils may be an issue                                  |
| CR 235  | 1.25   | High traffic, but minimal earthwork                                 |
| CR 1492 | 1.50   | Medium traffic, no soils info. yet, probably like CR 179            |

22.5

**Best Roads for Private Contractor Construction**

| Road    | Length | Comments                                                           |
|---------|--------|--------------------------------------------------------------------|
| CR 122  | 2.20   | High traffic, poor soils                                           |
| CR 127  | 1.80   | High traffic, poor soils                                           |
| CR 131  | 2.25   | High traffic, poor soils                                           |
| CR 157  | .60    | High traffic, poor soils, dam, ROW constraints                     |
| CR 215  | 1.50   | Already out to bid, not possible to mobilize county quickly enough |
| CR 234W | 1.10   | High traffic, poor soils                                           |

9.5



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John Doucet spoke of looking at alternatives because of the increases in construction costs - in order to meet our budgets we must do something. Ron Bischoff, Road Director, advised that we can get the skilled personnel we need based on the applications he has received in the last six months - some of these employees will fall in the higher step range. Commissioner Barton spoke in support of hiring these personnel - concerned about what will happen to these employees after the work is done. Commissioner Molenaar stated that he felt like we will need more employees in the future to maintain county roads properly - the county is growing rapidly. Commissioner Barton stated that we need to be prepared to let people go through attrition or eliminate those position and not make a commitment to expand the department. Court agreed to hold a workshop to discuss this issue further.

**15008 TRANSFER STATION BUDGET \* AUTHORIZE TRANSFER OF FUNDS FROM TRASH HAULING TO RECYCLING [T1-1708]**

Jerry Pinnix, Transfer Station Manager, appeared before the Court regarding recycling - the market is down and it is costing \$225 to get the boxes removed - to save costs they will start bagging aluminum cans - spoke of working with Ecology Action to reduce costs and he will meet with LCRA to work out a plan. In the meantime, he would like to transfer \$7,000 from the trash hauling line item to the recycling line item so that he can continue with recycling efforts. A motion was made by Commissioner Molenaar, seconded by Commissioner Barton to authorize transfer of \$7,000.00 from the trash hauling line item into the recycling line item of the Transfer Station budget. All voting "Aye".

**15009 APPROVE INVESTMENT POLICY AS PRESENTED BY THE COUNTY TREASURER [T1-1812]**

County Treasurer Michele Tuttle presented the final proposed investment policy (was previously discussed at length on March 12, 1996). Commissioner Barton stated that he feels comfortable with the proposal - suggested that we might offer some compensation to people serving on the committee. Winton Porterfield, Administrative Assistant, suggested that appointments to the committee be made annually. A motion was made by Judge Etheredge, seconded by Commissioner Payne to approve the Hays County Investment Policy as presented by the County Treasurer. All voting "Aye". (see policy in file)

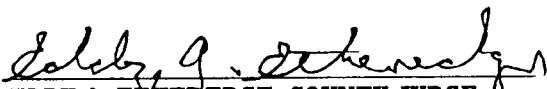
**EXECUTIVE SESSION \* PERSONNEL MATTERS & RIGHT-OF-WAY ACQUISITION**


The Court convened into closed executive session to discuss personnel matters and right-of-way acquisition. Upon completion of the executive session, the Court reconvened into open meeting. No action to be taken this date.

Judge Etheredge spoke of recommendations from Allen Walther in regards to on-site wastewater committee work - he sent out a questionnaire to taskforce members and he has prepared a letter of the results and an agenda of items to be discussed - some of the task force members feel like the agenda is being pointed in a specific direction - advised members of the Commissioners' Court to look at the letter carefully and decide if this is the agenda you want.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 14<sup>TH</sup> DAY OF MAY, 1996.

  
EDDY A. ETHEREDGE, COUNTY JUDGE  
H A Y S COUNTY, TEXAS

  
MARGIE T. VILLALPANDO, COUNTY CLERK  
H A Y S COUNTY, TEXAS

