



STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 5th DAY OF JANUARY, A.D., 1999, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

JAMES L. POWERS	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
H. S. "SUSIE" CARTER	COMMISSIONER, PCT. 2
WILLIAM "BILL" BURNETT	COMMISSIONER, PCT. 3
RUSS G. MOLENAAR	COMMISSIONER, PCT. 4
LEE CARLISLE	COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

PUBLIC COMMENT SESSION

Judge Powers called the meeting to order . The County Clerk called roll. Judge Powers asked for any public comment and none was received.

17539 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog advised that the check issued to P.A.W.S. in the amount of \$1,750 (quarterly allotment) has been voided. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$468,337.94 as presented by the County Auditor with the exclusion of a voided check in the amount of \$1,750.00 made payable to P.A.W.S. All voting "Aye".

Auditor's Office	\$ 623.89	Treasurer's Office	\$ 165.01	Extension Office	\$ 543.32
Grants Admin	\$ 870.00	Juvenile Probation	\$ 28.00	Election Admin	\$ 108.92
Comm & Soc Svcs	\$ 159,299.33	Transfer Station	\$ 197.18	Bldg. Mtc. Dept.	\$ 3,891.99
Environ Health	\$ 244.16	Personal Health	\$ 1,000.00	Civic Center	\$ 818.52
Countywide Oper	\$ 179,132.81	Tax A/C	\$ 704.28	District Clerk	\$ 1,211.32
County Clerk	\$ 343.47	Sheriff's Ofc	\$ 3,888.71	Jail Operations	\$ 20,320.56
County Judge	\$ 76.80	Human Resources	\$ 94.00	District Attorney	\$ 552.91
J.P. 1-1	\$ 712.94	J.P. 1-2	\$ 0.06	J.P. 2	\$ 13.75
J.P. 3	\$ 113.35	J.P. 4	\$ 36.00	J.P. 5	\$ 170.00
DPS	\$ 362.97	Constable 1	\$ 16.88	Constable 2	\$ 34.47
Constable 4	\$ 80.0	Constable 5	\$ 99.04	Dist Crt Oper	\$ 3,412.89
Veterans Admin	\$ 0.13	Computer Svcs	\$ 19,743.62	Co Crt @ Law 2	\$ 76.00
DPS/L&W	\$ 1.12	Crths Renov Grant	\$ 32,682.06	Dist Crt Reporters	\$ 87.03
Comm Crt Exp	\$ 340.50	EMS & Trauma Grant	\$ 2,922.00	Election Contract	\$ 561.51
R&B Operations	\$ 3,223.12	Precinct 1	\$ 47.65	Precinct 2	\$ 159.50
Precinct 3	\$ 338.64	Right of Way	\$ 598.79	R&B Gen Credit	<\$61.83>
Road Bond Constr	\$ 18,671.66	Sheriff Abandon Veh	\$ 111.20	Health Svcs Grants	\$ 757.73
Law Library Fund	\$ 100.00	Crths Renov Grant	\$ 8,170.53	Sheriff Spec Proj	\$ 581.66
Crths Security fund	\$ 30.00	Sheriffs Drug Forf	\$ 27.79		

17540 APPROVE THE OFFICIAL BONDS OF ELECTED COUNTY & PRECINCT OFFICERS

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the Official Bonds of Elected County and Precinct Officers as presented for County Judge James Powers, Judge County Court at Law #1 Howard S. Warner II, Judge County Court at Law #2 Linda A. Rodriguez, District Clerk Cecelia Adair, County Clerk Lee Carlisle, County Treasurer Michele Tuttle, County Surveyor Kelly Kilber, Commissioner Pct. 2 H. S. "Susie" Carter, Commissioner Pct. 4 Russ G. Molenaar Sr., Justice of the Peace Pct. 1 Place 2 Becky Y. Sierra, Justice of the Peace Pct. 2 Beth Smith, Justice of the Peace Pct. 3 Andrew W. Cable, Justice of the Peace Pct. 4 Rex G. Baker, and Justice of the Peace Pct. 5 Lamont Ramage. All voting "Aye".

17541 AUTHORIZE THE PURCHASE OF A TRANSCRIBER FOR THE ASSOCIATE JUDGE/FAMILY LAW AND AMEND THE BUDGET ACCORDINGLY

Purchasing Agent Debbie Bilbrey advised that funds *(\$1800) were put into computer and software line item for the Associate Judge. The laptop computer will be purchased from grant funds received by the District Judge's office. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize the purchase of a Lanier Transcriber in the amount of \$1,165.00 for the Associate Judge/Family Law and amend the budget accordingly. All voting "Aye".



17542 AUTHORIZE THE PURCHASE OF A LATERAL CABINET FOR THE COUNTY EXTENSION OFFICE

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize the purchase of a lateral cabinet for the County Extension Office in the amount of \$529.00 from monies available in line item 01-430-5371 (Oak Wilt Project). All voting "Aye".

17543 APPROVE THE HIRING OF J.P. 1-2 COURT CLERK (SHIRLEY GARZA) AT A GRADE 22 STEP 4

J.P. Pct. 1 Pl 2 Becky Sierra requested approval to hire Shirley Garza, a former employee in her office, at Grade 22 Step 4. She feels like Shirley's knowledge, skills, abilities and people interface skills are excellent. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the hiring of Shirley Garza as J.P. 1-2 Court Clerk at Grade 22 Step 4. All voting "Aye".

17544 APPROVE UTILITY PERMIT #99-401 ON SPRINGLAKE DRIVE TO PEC; #99-201 ON PEACEFUL VALLEY DRIVE TO GOFORTH WATER SUPPLY

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Utility Permit #99-401 on Springlake Drive to P.E.C. and #99-201 on Peaceful Valley Drive to Goforth Water Supply as submitted by the Road Department. All voting "Aye".

17545 APPROVE UTILITY PERMIT # 99-402 & #99-403 ON SAWYER RANCH ROAD TO ECO RESOURCES INC.

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Utility Permit #99-402 and #99-403 on Sawyer Ranch Road to ECO Resources Inc. as submitted by the Road Department. All voting "Aye".

17546 REAPPOINT EDDIE GUMBERT AND RON SPANGENBERG TO THE WIMBERLEY RURAL FIRE PREVENTION DISTRICT (1999-2000 TERM)

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to re-appoint Eddie Gumbert and Ron Spangenberg to the Wimberley Rural Fire Prevention District (Term: Jan 1999 - Dec 2000). All voting "Aye".

17547 ACCEPT APPOINTMENT OF COUNTY AUDITOR & ASSISTANT COUNTY AUDITOR PER ORDER OF THE DISTRICT COURT

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept the appointment of Bill Herzog as County Auditor and Paula Pond as Assistant County Auditor pursuant to Order of the 22nd, 207th, and 274th Judicial District Courts of Hays County. All voting "Aye". (see copy of orders in the resolution file)

17548 HAYS COUNTY GRIEVANCE COMMITTEE SELECTION

The following individuals were selected to serve on the 1999 Hays County Grievance Committee pursuant to Local Government Code § 152.015 (Nine Member Selection): Linda S. Bingham, Franklin Herzog, Mary Ann Hinze, Linda Lee Yanez, Deborah Font, George G Wynne III, Cindy Sue Willie, Armando Pruity, & Guadalupe Torres. Alternates: James Carroll Dees, Eva Sanchez, & Mrs. Darell Patricia Todd. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to accept the random selection of the 1999 Hays County Grievance Committee. All voting "Aye".

17549 RELEASE CONSTRUCTION SECURITY FOR CIRCLE N RANCH SUBDIVISION AND ACCEPT THE MAINTENANCE BOND [T1-147]

Environmental Health Director Allen Walther advised that staff recommendation is to release the construction security and accept the maintenance bond for Circle N Ranch Subdivision. Staff will be discussing with the contractor damages to Rhode Road (Co Rd). Road Director Ron Bishcoff spoke of damage caused during construction that needs to be addressed (overweight vehicles). The Developer may participate in buying additional base material for the county road. Commissioner Carter asked if we should release the construction bond at this time. Commissioner Burnett advised that road construction within the subdivision is up to county standards and technically we have no other option. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to release the construction security for roads in the Circle N Ranch Subdivision and accept the two year maintenance bond. All voting "Aye".



17550 AMEND THE RULES OF PROCEDURE, CONDUCT AND DECORUM AT THE MEETING OF THE HAYS COUNTY COMMISSIONERS' COURT TO INCLUDE A TIME AT THE BEGINNING OF EACH MEETING FOR THE U.S. AND TEXAS PLEDGES OF ALLEGIANCE, AND AN INVOCATION [T1-219]

Judge Powers summarized in his agenda request form that governing bodies from the U.S. Congress to local school boards and city councils begin meetings with pledges of allegiance and invocations and he believes conducting pledges of allegiance to the United States and Texas, as well as the saying of a prayer, is a sign of respect to our history and form of government and gives the court and citizens of Hays County a moment to reflect on the big picture. The Court discussed rotation of invocation and use of clergy from the area. Commissioner Burnett spoke in support of this amendment. A motion was made by Commissioner Carter, seconded by Commissioner Burnett to amend the rules of procedure, conduct and decorum at the Commissioners' Court meetings to include a time at the beginning of each meeting for the U.S. and Texas Pledges of Allegiance, and an invocation. All voting "Aye".

<p>Amendment: III. The Hays County Commissioners' Court meets every Tuesday at 9 a.m. and opens each meeting with the U.S. and Texas Pledges of Allegiance, and an invocation.</p>
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DISCUSSION REGARDING LETTERS TO BE SENT TO REPRESENTATIVE RON PAUL IN REFERENCE TO THE EPA'S PROPOSED PHASE II STORMWATER RULES [T1-242]

Commissioner Ingalsbe spoke in support of sending letters to Congressman Ron Paul advising him of our concerns regarding the new proposed rules and the effect it will have on counties. She reminded the court of effects of these rules: costly to enforce, will require urban and adjacent areas to have to apply for permits for storm water sewer systems (this would mean that hundreds of miles of bar ditches that line county roads could be considered municipal separate storm sewers and would have to be monitored and permitted), small commercial developments and many homesites, subdivisions and routine county road work (including ditch cleaning and grating) would be regulated. The intent of Phase 2 is to extend the regulations to cover smaller communities and small construction projects and it is expected that 38 counties will initially fall under the rules. The census of 2000 will probably bring in others as populations will increase and she believes Hays County would then fall under these regulations. She encouraged members of the court to send letters to our congressman and help with these efforts. Commissioner Burnett advised that he is Treasurer of the Texas Stormwaters Coalition Committee and the goal of sending the letter is to get into each congressional representatives hands our concerns about what these rules potentially could cost counties (could cost \$500-600,00 per year). He spoke of roadside ditches that would require permits to clear them out (stormwater runoff). He encouraged individual letters from members of the court to our congressman. The rules will go into effect March 1999 for the first 38 counties. The previous court passed a resolution and he felt like it would be wise for the current court to do the same. No action taken this date. County Judge's office will submit a new resolution next week.

17551 RESOLUTION OF SUPPORT FOR THE HAYS COUNTY UNIT ROAD SYSTEM [T1-360]

Road Director Ron Bischoff presented an Infrastructure Report and a Road Department 5 Year Priority List to members of the court. See copies in Resolution File. Final flood project total of \$860,520.39 has been submitted to FEMA for damage to county roads and an additional request to EPA for damages to the flood control dams. Reimbursement will be for 75% of these funds and the county will have to come up with the 25% balance. Ron Bischoff spoke of the road department budget which is decreasing rapidly. He spoke of subcontractor, Central Texas Road, which is currently working on repairs to Lime Kiln & Hilliard Road (flood damage only). It may take 4-6 months to receive funds from FEMA through the State. Damage to dams (\$150,000) was at and below the spillways (erosion damages). Ron Bischoff advised that the majority of the road department funds are being used for road construction, rather than road maintenance. His goal is to be complete with road bond construction by the year 2000. Commissioner Burnett compared Hays County with other counties utilizing the unit road system and he supports the Unit Road System. Commissioner Molenaar spoke in support of the Road Department and the work they are doing. Judge Powers stated that he appreciates the information provided by the road dept. this date and he supports the unit road system. He feels like we can make improvements (a County Engineer could cut costs) and address the challenges. Commissioner Carter advised that she appreciates the potholes that were repaired over the holidays. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to show support of the current Unit Road System for Hays County and that we continue to operate it as such. All voting "Aye".



STAFF REPORT ON THE CURRENT STATE OF COUNTY INVESTMENTS BY THE HAYS COUNTY TREASURER'S OFFICE [T1-598]

County Treasurer Michele Tuttle welcomed new members to the court and presented a bound copy of her financial presentation. She gave a brief overview of the Treasurers office: \supseteq **Payroll** duties include benefits which have been added in the last four years (direct deposit, Texas Tomorrow Fund, ad valorem tax deductions, optional once or twice monthly paychecks), taking care of time sheets (calculation of sick, vacation, & comp time), and paycheck preparation. \sphericalangle **Revenue** duties include receipt of monies that have been collected from all of the county offices along with state and federal grants and misc. other funds, coding them to the proper line items, and daily deposit calculations. \subset **Money Management** duties include investment of funds received (bookkeeping, monitoring cash flows, transfer funds to and from investment, reports, analysis, contracts, etc.) and bookkeeping for 59 different accounts which are maintained by the Treasurer's office. She spoke of being heavily audited by State, Federal, IRS, outside auditors and internal auditors and she spoke of the importance of having a Treasurers office and Auditors office which provides a checks and balance system. Michele spoke of arbitrage calculations on bond money (you must minimize the money earned on bond money) and she spoke of averaging over the period of a bond turning excess money over to the IRS. Michele spoke of keeping surplus funds in checking accounts and she spoke of records retention. A new duty of the County Treasurer is to distribute incoming mail and to meter and monitor the outgoing mail. Section 2 of her presentation covers the Hays County investment policy. Funds in this policy is county funds which are available as soon as needed. She reminded new members of the court that any personal accounts they may have with our county depository (other than personal checking accounts) must be reported to the State Ethics Committee. She spoke of goals: safety, liquidity, & yield. She spoke of Investment strategy and need to keep maturity dates short. She spoke of debt payments being made twice a year and that the investment types are set by State Law. Michele Tuttle spoke of strategy which is to look at what we need now and invest the remainder (T-Bills, Texpool, logic, etc.) She spoke of advisory committee and broker/dealer list that is maintained. Once a year the committee picks three brokers to work with over the next year. She spoke of updates to the policy being approved by the Commissioners' Court. She spoke of bank and pools used for investment. Michele described items listed in her monthly report to the court. Commissioner Burnett asked about funds placed in provident vs. those in TexPool & Logic. Michele spoke of diversification of funds.

Judge Powers introduced legal counsel Jacqueline Murphy from the District Attorney's office. He thanked Maintenance Supervisor Ron Knott for getting the Commissioner's Courtroom ready and he presented former County Judge Administrator Jon Schnautz a gift for his help in the transition.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE _____ DAY OF _____, 1999.

JAMES L. POWERS, COUNTY JUDGE
H A Y S COUNTY, TEXAS

LEE CARLISLE, COUNTY CLERK
H A Y S COUNTY, TEXAS

