



VOLUME R PAGE 478
SEPTEMBER 7, 1999

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 7th DAY OF SEPTEMBER 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:

Judge Powers called the meeting to order and Commissioner Molenaar gave the invocation. Commissioner Ingalsbe led the Court in the Pledge of Allegiance to the American Flag and the Texas Flag.

PRESENTATION CONCERNING REVIEW OF SENATE BILL 1 IN 21 COUNTY REGION L

Bill West, GBRA introduced Maggie Morehouse who represents the consulting firm assisting the planning area with the public input process. She spoke of Senate Bill 1 (from the 1997 Legislative Session) which designated the Texas Water Development Board as the lead state agency for coordinating the regional water planning process and developing a comprehensive state water plan. She spoke of 50 year water plan is being developed for this region. The goal is to have water available at a reasonable cost. There are 16 regional water planning groups and Hays County is a part of Region L. Each regional planning group is responsible for preparing and adopting a regional water plan for their area. The Plan must provide specific projects sufficient to meet all the region's needs. She spoke of tasks for the regional planning groups: · determine water demands · determine water supplies available for use during drought of record · determine where and when there is a surplus of supply or a need for additional supplies · determine social and economic impact of not meeting needs · develop plans that contain · identify ecologically unique streams and rivers · identify unique sites for reservoir construction · coordinate with neighboring regions concerning mutual interests and shared resources · propose regulatory, administrative or legislative recommendations to improve water resource management in the state. She spoke of the schedule for this work: currently working on criteria for evaluating the options (57 water supply options), 6 candidate plans by January 2000, 3 candidate plans by April 2000, initially drafted final plan by August 2000, and final plan award to TWBD for Jan 2001. The TWBD will put together a final plan for submission to the Legislature. There are eleven local conservation re-use options or exchanges, there are five variations of Edwards aquifer recharge options, and there are seven river diversion with storage options, 19 potential reservoir sites being studied, and 10 other aquifers being studied. They are soliciting public input regarding other options and they are asking for a list of 12-25 names for a focus group to look at the criteria that could best be used for the local area. Bill West (GBRA) spoke of \$500,000 funded for public participation/input process. The water development board will take all 16 plans and incorporated them into one statewide plan.

PRESENTATION BY CAROL WHITE, KYLE OFFICE SUPERVISOR OF MHMR [T1-404]

Carol White, Supervisor of Hill Country Community MHMR (Mental Health & Mental Retardation) in the Kyle office spoke of their program covering 19 counties. The Kyle office serves Blanco and Hays County (serves children and adolescent). Scheib Opportunity Center in San Marcos is a part of the Hill Country Community MHMR. She spoke of services provided (psychiatric care, medications, medication/school/hospital monitoring, skill training, parenting classes, and they go into the schools and provide schools). She spoke of being on call for assessments (24 hours per day) for the hospital or local law enforcement. They are separate from the State, however, they are guided and audited by the State. They will provide crisis intervention services at schools, etc. She spoke of anger management program for youth that she would like to get implemented in Hays County.

PUBLIC COMMENTS

[T1-518] John Garcia (resident of Cole Springs Road) spoke of flooding that damaged Cole Springs Road. He advised that he faxed a petition to the court and he had submitted a request for reimbursement for damage to his vehicle and was advised by Risk Management that his claim was denied. He spoke of importance of getting this road repaired. Commissioner Molenaar suggested that Mr. Garcia get with the Road Dept. Director Ernest Garcia. Commissioner Burnett spoke of criteria for roads to be on the road matrix and possibility of getting this road moved up on the priority list. Ernest Garcia advised that this is one of the FEMA roads and it will be repaired in the near future (scheduled for early October).



18074 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve payment of county invoices in the amount of \$224,202.24 as presented by the County Auditor. All voting "Aye".

Licenses & Permits	\$ 144.00	Fines	\$ 2.39	Direct Deposit Error	\$ 100,047.44
Auditors Office	\$ 69.68	Treasurer's Office	\$ 25.50	Extension Office	\$ 541.23
Grants Admin	\$ 243.50	Juvenile Prob	\$ 721.43	Election Admin	\$ 417.50
Comm & Soc Svcs	\$ 2,083.33	Indigent Care	\$ 251.27	Transfer Station	\$ 158.52
Bldg Mtc. Dept.	\$ 2,106.39	Environ Health	\$ 384.84	Civic Center	\$ 54.00
Countywide Oper	\$ 12,116.50	Tax A/C	\$ 132.89	County Clerk	\$ 239.00
Sheriffs Office	\$ 9,782.90	Jail Operations	\$ 12,268.06	Human Resources	\$ 58.83
District Attorney	\$ 123.26	J.P. 1-2	\$ 168.00	J.P. 2	\$ 759.50
J.P. 3	\$ 73.65	J.P. 4	\$ 92.35	J.P. 5	\$ 296.96
DPS	\$ 308.25	Constable 1	\$ 351.87	Constable 2	\$ 49.95
Constable 3	\$ 42.88	Constable 4	\$ 19.69	Constable 5	\$ 64.98
Dist Court Oper	\$ 10,683.02	Co & JP Crt Oper	\$ 3,859.52	Veterans Admin	\$ 54.69
Computer Svcs	\$ 1,915.26	Co Crt @ Law 2	\$ 185.00	TJPC Salaries Grant	\$ 304.81
DPS/L&W	\$ 126.72	Fire Marshal/EMC	\$ 356.89	TJPC CCAP Grant	\$ 53.76
Comm Crt Exp	\$ 100.00	DA DARE Grant	\$ 219.10	Waste Task Force	\$ 60.94
R&B Operations	\$ 26,754.48	Precinct 1	\$ 125.72	Precinct 2	\$ 163.15
Precinct 3	\$ 246.38	Precinct 4	\$ 311.57	Road Reconstruct	\$ 4,218.43
R&B Gen Credit	<\$401.40>	Rd Bond Constr 95	\$ 1,696.35	Health Svcs Grants	\$ 3,793.86
Law Library Fund	\$ 100.00	Court Security	\$ 265.00	Sheriff's Drug Forf	\$ 180.00
Family Health Svcs	\$ 3,462.28	Court Reprtr Svc	\$ 2,760.60	Certif of Oblig '97	\$ 9,445.00
DOJ/Eqpt & Tech '98	\$ 8,960.57				

18075 APPROVE UTILITY PERMITS

The following Utility Permits were submitted by the Road Department for approval:

PERMIT #	ON COUNTY ROAD	ISSUED TO
#99-253	CR 136/Old Stagecoach Road	TIME WARNER CABLE
#99-254	CR 137/Roland Lane	TIME WARNER CABLE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Utility Permits #99-253 and #99-254 as submitted by the Hays County Road Department. All voting "Aye".

18076 APPROVE BUDGET AMENDMENT # 99—033

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve Budget Amendment No. 99-033 as proposed by the County Auditor. All voting "Aye".

AMENDMENT NO. <u>99-033</u>				
FY 99 BUDGET				
<u>09-07-99</u>				
FUND NO. <u>01</u>				
FUND TITLE <u>GENERAL FUND</u>				
	APPROPRIATION	AMENDMENT		APPROPRIATION
	BEFORE			AS
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<u>EXTENSION OFFICE (403):</u>				
01-403-5480 Utilities	3,500	1,400		4,900
01-403-5489 Telephone	3,700	1,500		5,200
01-403-5473 Copier Lease	4,325	500		4,825
01-403-5211 Office Supplies	2,200	550		2,750
01-403-5271 Fuel	1,750	200		1,950
01-403-5311 Travel	1,100		(200)	900
01-403-5160 Insurances	11,920		(400)	11,520
01-403-5101 FICA/RET	12,192		(3,550)	8,642
			<u>4,150</u>	<u>(4,150)</u>
Transfer needed expense from personnel savings				
<u>COUNTY COURT AT LAW 1 (422):</u>				
01-422-5211 Office Supplies	800	500		1,300
01-422-5331 Cont Ed	800	25		825
01-422-5473 Copier Lease	1,700	700		2,400
01-422-5212 Postage	1,600		(500)	1,100
01-422-5213 Books	800		(100)	700
01-422-5101 FICA/RET	29,031		(600)	28,431
<u>COUNTY COURT AT LAW 2 (461):</u>				
01-461-5331 Cont Ed	150	200		350
01-461-5461 Printing	150	120		270
01-461-5489 Telephone	500		(345)	155
			<u>1,545</u>	<u>(1,545)</u>

Transfer between Depts. for shared expenses

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME R PAGE 480
SEPTEMBER 7, 1999

AMENDMENT NO. 99-033
FY 99 BUDGET
09-07-99

LINE ITEM - EXPENDITURES	FUND NO. 01		APPROPRIATION AS AMENDED
	AMENDMENT	INCREASES	
FUND TITLE GENERAL FUND			
	BEFORE	AMENDMENT	
	AMENDMENT	INCREASES	DECREASES
COMPUTER SERVICES (456):			
01-456-5712 Equipment	62,842	<u>5,840</u>	68,682
DISTRICT COURT OPERATIONS (436):			
01-436-5445 Transcriptions	12,000		<u>(5,840)</u> 6,160
Authorize and transfer Hays County share of Laptop computers – balance to be repaid by Comal/Guadalupe to Computer Services. Actual cost to Hays County - \$2,468			
CONSTABLE 5 (435):			
01-435-5212 Postage	400	120	520
01-435-5489 Telephone	2,700	400	3,100
01-435-5413 Vehicle Maintenance	3,600	—	<u>(520)</u> 3,080
			<u>520</u> <u>(520)</u>
Transfer for needed expense			

18077 APPROVE REFUND OF DOUBLE PAYMENT AND/OR OVERPAYMENT ON TAXES

The following applications for refund of double payment was submitted by the Tax Assessor-Collector's office: 7.12 acres Z Hinton Survey refund request in the amount of \$2,015.51. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve refund of overpayment of taxes as submitted by the County Tax Assessor-Collector. All voting "Aye".

18078 ADOPT AN ORDER RESTRICTING OUTDOOR BURNING PURSUANT TO LOCAL GOVERNMENT CODE 204.906 AND OTHER APPLICABLE STATUTES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to adopt an Order Restricting Outdoor Burning Pursuant to Local Government Code 204.906 and other applicable statutes. All voting "Aye".

STATE OF TEXAS §
§
COUNTY OF HAYS §

ORDER RESTRICTING OUTDOOR BURNING

WHEREAS, the Commissioners' Court has determined that circumstances present in all or part of the unincorporated area of the county create a public safety hazard that would be exacerbated by outdoor burning;

IT IS HEREBY ORDERED by the Commissioners' Court of Hays County that all outdoor burning is banned in the unincorporated area of the county for 90 days from the date of adoption of this Order, unless the restrictions are terminated earlier based on a determination made by the Texas Forest Service or this Court. The Order is adopted pursuant to Local Government Code § 204.906, and other applicable statutes. This Order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Natural Resources Commission for (1) firefighter training; (2) public utility, natural gas pipeline or mining operations; or (3) harvesting of agricultural crops.

In accordance with Local Government Code § 204.906(h), a violation of this Order is a Class C misdemeanor, punishable by a fine not to exceed \$500.00.

ADOPTED this the 7th day of September, 1999 by a vote of 5 ayes and 0 nays.

18079 APPOINT VICKI BRODBECK AND BRITNEY RICHEY TO THE INSURANCE COMMITTEE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to appoint Vicki Brodbeck and Britney Richey to the Hays County Insurance Committee. All voting "Aye".

18080 APPROVE SPECIFICATIONS AND AUTHORIZE THE PURCHASING AGENT TO GO OUT FOR BIDS TO REPLACE THE EXISTING FIRE ALARM SYSTEM FOR THE JAIL

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve specifications and authorize the Purchasing Agent to advertise for bids to replace the existing fire alarm system for the county jail. All voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 7, 1999
PAGE 481

VOLUME R

18081 AUTHORIZE AN EXPENDITURE NOT TO EXCEED \$500 FROM THE TOBACCO SETTLEMENT FUND FOR APPRAISAL SERVICES FOR PROPERTIES FOR NEW HEALTH DEPARTMENT FACILITIES

Environmental Health Director Allen Walther advised that appraisals are necessary so that court members may give consideration for possible negotiations for property purchase for new health department facilities. Commissioner Molenaar spoke of using the Road Dept./Kyle yard as the location for the new health facility. Allen Walther advised that they are looking a another property that may be more cost effective (an existing facility). Commissioner Molenaar stated that he wants more specifics about the property in question before he supports this action. Commissioner Burnett felt like this is standard procedures. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to authorize an expenditure not to exceed \$500.00 from the tobacco settlement fund for appraisal services for properties for new Health Department facilities. Commissioner Ingalsbe, Judge Powers, and Commissioner Burnett voting "Aye". Commissioner Molenaar and Commissioner Carter voting "No".

18082 APPROVE THE COMMISSIONERS' COURT MINUTES OF JULY & AUGUST 1999

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of July and August 1999 as presented by the County Clerk. All voting "Aye"

18083 GIBSON-WERTH SUBDIVISION RESUBDIVISION OF LOT 2 * PUBLIC HEARING AND APPROVE FINAL PLAT [T1-7300]

Judge Powers declared the public hearing open - no input was received and the public hearing was closed. Environmental Health Director Allen Walther gave staff recommendation for approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Gibson-Werth Resubdivision of Lot 2". All voting "Aye".

18084 RELEASE DRAINAGE AND UTILITY EASEMENTS FOR LOT 13 OF RABBIT HILL SUBDIVISION [T1-746]

Environmental Health Director Allen Walther advised that property owners of Lot 13 of Rabbit Hill Subdivision are requesting release of easements on the north and east side of their lot. There are two buildings existing in the easements at this time. PEC & GTE have signed a vacation and release of the easement as requested. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to release a 25' drainage easement per the plat along the north lot line of Lot 13 Rabbit Hill Subdivision, a 10' drainage and public utility easement per the plat along the east and north lines of Lot 13 Rabbit Hill Subdivision and a 15' utility and drainage easement per the Declaration of Covenants, Conditions and Restrictions along the east and north lot lines of Lot 13 Rabbit Hill Subdivision. All voting "Aye".

HAYS COUNTY 2025 TRANSPORTATION PLAN [T1-780]

Commissioner Burnett spoke of court having contracted with Prime Strategies for a transportation plan. He would like to adopt this plan in the next two weeks for submission to the CAMPO board and to TxDot. Mike Weaver & Pix Howell of Prime Strategies was present. Mike Weaver spoke of developing a 2025 long range transportation plan for Hays County (90% complete at this time). He spoke of notebook presented to the court and information provided in that notebook (The Hays County Multi-Corridor Plan). It provides cost estimates. He spoke of CAMPO's long range forecast of populations, etc. He spoke of area east of IH35 having a network of roadways, however, west of IH35 the roads need some connectivity - new corridors are needed. He spoke of having a plan will provide more leverage in new developments. He spoke of taking the San Marcos plan and incorporating it into the Hays County plan. He spoke of population estimates (currently @ approximately 100,000) and we do not have the roadway capacity for the anticipated growth. RR12 and RM150 are almost impossible to widen in some areas due to terrain and environmental issues. He spoke of adding turn lanes to improve driving conditions. He spoke of low water crossing issues. Mike Weaver spoke of extension of State Highway 45 being an important issue for Hays County as well as Travis County. He spoke of widening needed on RM967, portions of RR12 (near Dripping Springs) and FM1626. He spoke of development agreements included in the notebook (under tab 4). Need to come up with a budget to address road maintenance and safety issues. Pix Howell advised that this is a nationwide problem (of funding) and all jurisdictional entities are going to have to work together to accomplish infrastructure needs. Need to identify partnerships and participation agreements for infrastructure improvements. He spoke of development districts that can be created by developers with tax burden put on the homeowners of that development. He spoke of need to identify options and develop parameters. Special District are available to provide for funding either through reimbursement or bonding of improvements. Many of these districts can be formed by counties. They range from Water Control and Improvement Districts (WCID), Research and Development Districts, County Development Districts (CDD), Road Districts, parks Districts, etc. to Economic Development Districts (EDD). A County Development District CDD has the authority to provide a wide variety of infrastructure, from roads to utility service. These and other

districts not only allow for development to fund major improvements or reimburse major infrastructure improvements, but allow the County to determine the parameters by which development could occur through a creation agreement.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME R PAGE 482
SEPTEMBER 7, 1999

Mike Weaver spoke of Tab 4 page 2 "next steps": Whether Hays County cooperates with landowners/developers with a district or a simple agreement, the limitations or conditions would be basically the same. How much money is the County willing to spend up front How much money is the County willing to reimburse How long is the County willing to enter into an agreement or contract for What type of infrastructure improvements are the County willing to participate in, and Which districts/agreements are acceptable to the County as vehicles to accomplish managed growth in Hays County. No agreement or contract can be the same. Conditions or parameters of financial participation help both the citizens of the County and the development community understand the level of commitment that Hays County is willing to enter into. Mike Aulick (CAMPO Board) advised that their board deals mainly with the State highway system and their area is in northern Hays County. They assume all city and county roadway plans into their modeling. Their plan will be presented to TxDot in March 2000 and adopted in June 2000 as a basis for federal transportation funds. Commissioner Burnett spoke of need to adopt our plan and submit it to CAMPO.

18085 AUTHORIZE THE COUNTY JUDGE TO SUBMIT GRANT APPLICATION TO OFFICE OF THE GOVERNOR – FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR UP TO \$62,600 [T1-1446]

Grants Administrator Richard Salmon advised that FEMA has allocated an additional \$42 million to Texas for unmet needs related to the disaster floods of October 17, 1998. Hays County was recently notified of a home located at 2600 Green Leaf Road which was flooded on that day and on a previous time. It qualifies for the Mitigation Buyout Program. The owner has requested a buyout. This is the second time she has been flooded in the last three years. The development around her has been elevated, therefore her home will continue to flood and is not repairable. The Texas Dept. of Housing and Community Affairs has indicated they will provide matching funds. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to submit a grant application to the Office of the Governor – Federal Emergency Management Agency (FEMA) for up to \$62,600.00. All voting "Aye".

18086 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO OFFICE OF THE GOVERNOR – FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR UP TO \$350,492 [T1-1479]

Grants Administrator Richard Salmon advised that this grant is for public assistance for projects that have been turned down in the past. Hays County has several road projects and improvements to retention dam #5 (located behind Hernandez Middle School in San Marcos) that may qualify for grant funding. The money that has been spent on the moving and rebuilding of Stagecoach Road will qualify as the county's matching funds. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to authorize the County Judge to submit a grant application to the Office of the Governor – Federal Emergency Management Agency (FEMA) for up to \$350,492.00. All voting "Aye".

18087 ADOPT A COUNTY POLICY FOR SAVING ENERGY [T1-1549]

Commissioner Carter spoke of input from staff regarding concerns regarding lights and air conditioning running during non-working hours. She proposed an energy saving policy whereby each office for which Hays County pays utilities, appoint an employee and an alternate to turn air conditioners to 82 degrees at the end of the day in summer or heater to 65 degrees at the end of the day in winter. She stated that she did talk to Ron Knott about energy savings and he will be presenting a proposal to conserve energy from an infrastructure point of view and hers is to do it from a manpower point (no cost to the county). This would be a voluntary effort by offices that don't already have energy saving measures in place. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to adopt a policy for savings energy whereby each office for which Hays County pays utilities, appoint an employee and an alternate to turn thermostats to energy saving temperatures at the end of the day and the end of the week. Judge Powers voiced his concerns about the logistics as far as who will do what and what buildings it will be done in. Commissioner Carter stated that the responsibility will be left up to the Department Head to determine who will be doing this and to encourage energy savings. Commissioner Molenaar advised that this will not work at all county buildings because there are some buildings where law enforcement, etc. are coming in an out all hours of the day and night. All voting "Aye".

18088 PAYMENT OF \$3000.00 OUT OF COUNTY-WIDE LINE ITEM TO THE HAYS COUNTY SEARCH AND RECOVER DIVE TEAM (San Marcos Recovery Team) [T1-1628]

Commissioner Burnett spoke of presentation made by the San Marcos Recovery Team last week regarding this issue. He felt like \$3,000 could be funded out of the countywide operating budget from the current budget. By paying for this in this years budget, they can immediately apply for the LCRA grant and will be able to purchase the SCUBA equipment needed. Commissioner Burnett stated that he will ask them to also request funds in the future from the other counties that use their services. A motion was made by Commissioner Burnett, seconded

by Commissioner Molenaar to approve payment of \$3,000.00 to the San Marcos Recovery Team out of contingencies in the countywide operating budget . All voting "Aye".

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 7, 1999
PAGE 483

VOLUME R

18089 ACCEPT PETITION FROM VOTERS OF PROPOSED DRIPPING SPRINGS COMMUNITY LIBRARY DISTRICT AND ENTER AN ORDER CALLING FOR SAID ELECTION TO BE HELD ON NOVEMBER 2ND, 1999 PURSUANT TO SECTION 326.004 AND SECTION 326.023 OF THE LOCAL GOVERNMENT CODE, TITLE 10, CHAPTER A AND B, CHAPTER 326

[T1-1684] Missy Atwood (a Member of the Board of Directors of the Dripping Springs Community Library) asked the court to call for an election to create a library district in Dripping Springs. They want to see if their voters will support a library district to generate revenue (1/4 % local sales and use tax) to fund their local library. She spoke of procedure set out by the Legislature and she presented the required petitions and designations needed to call for the election. They have identified five people to serve as the initial board of trustees: Missy Atwood, Bill Ferrick, Penny Johnson, Brenda Smith, and Linda Woodward. \$3700 has been deposited with the Elections Administrator for cost of the election. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept petition from voters in favor of creation of the Dripping Springs Community Library District. All voting "Aye". A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to enter an Order calling for an election to be held on November 2, 1999 to determine whether or not to create the Dripping Springs Community Library District pursuant to Section 326.004 and Section 326.023 of the Local Government Code, Title 10, Chapter A and B, Chapter 326. All voting "Aye".

**ORDER OF ELECTION TO CREATE
DRIPPING SPRINGS COMMUNITY LIBRARY DISTRICT**

THE STATE OF TEXAS §
COUNTY OF HAYS §

WHEREAS, on the 7th day of September, 1999, a petition signed by at least five percent (5%) of the number of voters in the territory of the proposed district who voted in the most recent gubernatorial election was presented to the Hays County Commissioners' Court for an election to be held to determine whether or not the proposed Dripping Springs Community Library District ("District") shall be created within the boundaries set forth in the petition ("Petition") and described in Exhibit "A" attached hereto, which exhibit is hereby incorporated herein by reference for all purposes, to adopt a local sales and use tax at a rate of one fourth of one percent (1/4%), to provide revenue, and to elect five (5) persons who shall serve as the initial board of trustees for the District.

WHEREAS, satisfactory proof has been made to the Commissioners Court, and it finds that:

- (i) The Petition is in proper form and conforms to the requirements of Section 326.023 of the Local Government Code;
- (ii) The petitioners have deposited with the Elections Administrator an amount of money equal to the cost of conducting the election for the proposed creation of the District, as computed by the County.
- (iii) The Petition is signed by at least five percent (5%) of the number of voters in the territory of the proposed District who voted in the most recent gubernatorial election.

NOW, THEREFORE, THE HAYS COUNTY COMMISSIONERS COURT DOES HEREBY ORDER THAT:

Section 1. The matters and facts set out in the preamble of this Order are hereby found and declared to be true and correct.

Section 2. An election shall be held within the territory described in Exhibit "A" attached hereto on November 2, 1999 between the hours of 7:00 a.m. and 7:00 p.m. within said territory to decide whether or not to create the District and approve the adoption of a local sales and use tax at the rate of one fourth of one percent (1/4%) to provide revenue for the District and for the election of five (5) initial trustees listed in the Petition.

Section 3. At the election, the resident electors residing within the territory described in Exhibit "A", attached hereto, shall vote on whether to create the Dripping Springs Community Library District, composed of and including the territory within the boundaries described in Exhibit "A", attached hereto, and whether to impose a local sales and use tax in the Dripping Springs Community Library District at the rate of one fourth of one percent to provide revenue for the District.

Section 4. The names of the following five (5) persons shall be submitted to the resident voters as the initial board of trustees of the Dripping Springs Community Library District:

1. Missy Atwood
2. Bill Ferrick
3. Penny Johnson
4. Brenda Smith
5. Linda Woodward

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME R PAGE 484
SEPTEMBER 7, 1999

Section 5. Voting in the election for the proposition shall be by the use of punch card ballots, which are to be printed in both English and Spanish and which shall conform to the requirements of the Texas Election Code.

PROPOSITION

THE CREATION OF THE DRIPPING SPRINGS COMMUNITY LIBRARY DISTRICT AND ADOPTION OF A LOCAL SALES AND USE TAX IN THE DRIPPING SPRINGS COMMUNITY LIBRARY DISTRICT AT THE RATE OF ONE FOURTH OF ONE PERCENT (¼%) TO PROVIDE REVENUE FOR THE DISTRICT.

FOR

AGAINST

In the election, the ballot shall be printed to permit voting, "For" or "Against" each of the five (5) initial trustees listed in the Petition submitted on September 7, 1999. A write in stub will be provided in which a voter may write in the name or names of another person or persons for trustee. Each voter may vote for none, one, two, three, four or five persons for trustee by placing a punch hole in the space provided adjacent to the name of the candidate or by writing the person or persons on the stub provided. A voter may not vote for more than five (5) persons for trustee.

Section 6. Oral assistance in Spanish will be made available to all persons requiring such assistance. Any person requiring oral assistance in Spanish should contact the presiding judge of the election precinct in which the person is voting, or the early voting clerk. Assistance to voters who are eligible for assistance will be provided in accordance with applicable provision of the Texas Election Code.

Section 7. For the election, certain county election precincts will be consolidated as follows: (A) County election precincts 440, 441 and 449 will be consolidated at the regular polling place for county election precinct 449.

The polling place for the above referenced consolidated precincts is as follows:

- A. Precincts 440, 441 and 449: Dripping Springs City Hall, 202 Mercer St., Dripping Springs, Tx. 78620

The Hays County Commissioners Court shall appoint the presiding judge and the alternate presiding judge for each consolidated election precinct. Each Presiding Judge of each consolidated election precinct shall appoint 2 clerks to assist in the conduct of the election. The election shall be conducted in accordance with the provisions of the Texas Election Code.

The early voting ballot board shall consist of the Presiding Judge who is appointed by the Hays County Commissioners Court, and 2 other members who will be appointed by the Presiding Judge.

Early voting in the election by personal appearance shall occur on each weekday from October 18, 1999 through October 29, 1999, which is not a Saturday, Sunday or an Official State holiday between the hours of 8:00 a.m. and 5:00 p.m. The early voting clerk for said election shall be Ms. Joyce A. Cowan and the deputy early voting clerks shall be Ms. Emily Sierra, Ms. Peggy Cruz and Ms. Mary Salinas. The early voting clerk's mailing address to which ballot applications and ballots to be voted by shall be sent is: Ms. Joyce A. Cowan, Early Voting Clerk, P. O. Box 907, San Marcos, Tx. 78667-0907. Early voting by personal appearance for said election shall be conducted at the main early voting polling place, located at 401 C Broadway St., San Marcos, Tx. 78666 and at Temporary Branches described in Exhibit "B".

Section 8. All qualified resident electors of the territory described in Exhibit "A" attached hereto shall be entitled to vote in the election.

Section 9. Notice of the election shall be given by publishing a substantial copy of the election order once a week for two consecutive weeks in a newspaper of general circulation in Hays County, not earlier than the 30th day or later than the 10th day before election day.

Not later than the 21st day before election day, a copy of the notice, which must include the location of each polling place, shall be posted on the bulletin board used for posting notices of the meetings of the Commissioners' Court of Hays County, Texas. The time and date of said notice would be recorded at the Hays County Clerks Office.

Section 10. Conduct of Election and Canvass of Election Returns. The election on the proposed creation of the Dripping Springs Community Library District shall be conducted in accordance with the provisions of the Texas Election Code. The Hays County Elections Administrator, Honorable Joyce A. Cowan, shall conduct or supervise the conduct of the election.

Election returns shall be canvassed in accordance with Chapter 67 of the Texas Election Code. Election results shall be declared in accordance with Section 326.029 of the Local Government Code.

Be it so ordered on this the 7th day of **September, 1999.**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 7, 1999
PAGE 485

VOLUME R

18090 ACCEPT PETITION FROM VOTERS OF PROPOSED WIMBERLEY VILLAGE LIBRARY DISTRICT AND ENTER AN ORDER CALLING FOR SAID ELECTION TO BE HELD ON NOVEMBER 2ND, 1999 PURSUANT TO SECTION 326.004 AND SECTION 326.023 OF THE LOCAL GOVERNMENT CODE, TITLE 10, CHAPTER A AND B, CHAPTER 326 [T1-1940]

Tom Ballard (President of the Village Library in Wimberley) presented petition from voters in favor of creation of the Wimberley Village Library District and other required documentation. The initial board of trustees for the district would be Joan Heath, Linda Hewlett, Mel Larkin, Cal Neill, and Steve Schubert. A local sales and use tax of 1/2% would provide revenue for the district. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept petition from voters in favor of creation of the Wimberley Village Library District. All voting "Aye". A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to enter an Order calling for an election on November 2, 1999 to determine whether or not to create the Wimberley Village Library District pursuant to Section 326.004 and Section 326.023 of the Local Government Code, Title 10, Chapter A and B, Chapter 326. All voting "Aye".

**ORDER OF ELECTION TO CREATE
WIMBERLEY VILLAGE LIBRARY DISTRICT**

THE STATE OF TEXAS §
COUNTY OF HAYS §

WHEREAS, on the 7th day of September, 1999, a petition signed by at least five percent (5%) of the number of voters in the territory of the proposed district who voted in the most recent gubernatorial election was presented to the Hays County Commissioners' Court for an election to be held to determine whether or not the proposed Wimberley Village Library District ("District") shall be created within the boundaries set forth in the petition ("Petition") and described in Exhibit "A" attached hereto, which exhibit is hereby incorporated herein by reference for all purposes, to adopt a local sales and use tax at a rate of one half of one percent (1/2%), to provide revenue, and to elect five (5) persons who shall serve as the initial board of trustees for the District.

WHEREAS, satisfactory proof has been made to the Commissioners Court, and it finds that:

- (i) The Petition is in proper form and conforms to the requirements of Section 326.023 of the Local Government Code;
- (ii) The petitioners have deposited with the Elections Administrator an amount of money equal to the cost of conducting the election for the proposed creation of the District, as computed by the County.
- (iii) The Petition is signed by at least five percent (5%) of the number of voters in the territory of the proposed District who voted in the most recent gubernatorial election.

NOW, THEREFORE, THE HAYS COUNTY COMMISSIONERS COURT DOES HEREBY ORDER THAT:

Section 1. The matters and facts set out in the preamble of this Order are hereby found and declared to be true and correct.

Section 2. An election shall be held within the territory described in Exhibit "A" attached hereto on November 2, 1999 between the hours of 7:00 a.m. and 7:00 p.m. within said territory to decide whether or not to create the District and approve the adoption of a local sales and use tax at the rate of one half of one percent (1/2%) to provide revenue for the District and for the election of five (5) initial trustees listed in the Petition.

Section 3. At the election, the resident electors residing within the territory described in Exhibit "A", attached hereto, shall vote on whether to create the Wimberley Village Library District, composed of and including the territory within the boundaries described in Exhibit "A", attached hereto, and whether to impose a local sales and use tax in the Wimberley Village Library District at the rate of one half of one percent to provide revenue for the District.

Section 4. The names of the following five (5) persons shall be submitted to the resident voters as the initial board of trustees of the Wimberley Village Library District:

1. Joan Heath
2. Linda Hewlett
3. Mel Larkin
4. Cal Neill
5. Steve Schubert

Section 5. Voting in the election for the proposition shall be by the use of punch card ballots, which are to be printed in both English and Spanish and which shall conform to the requirements of the Texas Election Code.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



**VOLUME R PAGE 486
SEPTEMBER 7, 1999**

PROPOSITION

THE CREATION OF THE WIMBERLEY VILLAGE LIBRARY DISTRICT AND ADOPTION OF A LOCAL SALES AND USE TAX IN THE WIMBERLEY VILLAGE LIBRARY DISTRICT AT THE RATE OF ONE HALF OF ONE PERCENT (½%) TO PROVIDE REVENUE FOR THE DISTRICT.

FOR

AGAINST

In the election, the ballot shall be printed to permit voting, "For" or "Against" each of the five (5) initial trustees listed in the Petition submitted on September 7, 1999. A write in stub will be provided in which a voter may write in the name or names of another person or persons for trustee. Each voter may vote for none, one, two, three, four or five persons for trustee by placing a punch hole in the space provided adjacent to the name of the candidate or by writing the person or persons on the stub provided. A voter may not vote for more than five (5) persons for trustee.

Section 6. Oral assistance in Spanish will be made available to all persons requiring such assistance. Any person requiring oral assistance in Spanish should contact the presiding judge of the election precinct in which the person is voting, or the early voting clerk. Assistance to voters who are eligible for assistance will be provided in accordance with applicable provision of the Texas Election Code.

Section 7. For the election, certain county election precincts will be consolidated as follows: (A) County election precincts 335 and 337 will be consolidated at the regular polling place for county election precinct 337.

The polling place for the above referenced consolidated precincts is as follows:

- A. Precincts 335 and 337: St Marys Catholic Church, 14711 Ranch Rd. 12, Wimberley, Tx. 78676
- B. The Hays County Commissioners Court shall appoint the presiding judge and the alternate presiding judge for each consolidated election precinct. Each Presiding Judge of each consolidated election precinct shall appoint 2 clerks to assist in the conduct of the election. The election shall be conducted in accordance with the provisions of the Texas Election Code.

The early voting ballot board shall consist of the Presiding Judge who is appointed by the Hays County Commissioners Court, and 2 other members who will be appointed by the Presiding Judge.

Early voting in the election by personal appearance shall occur on each weekday from October 18, 1999 through October 29, 1999, which is not a Saturday, Sunday or an Official State holiday between the hours of 8:00 a.m. and 5:00 p.m. The early voting clerk for said election shall be Ms. Joyce A. Cowan and the deputy early voting clerks shall be Ms. Emily Sierra, Ms. Peggy Cruz and Ms. Mary Salinas. The early voting clerk's mailing address to which ballot applications and ballots to be voted by shall be sent is: Ms. Joyce A. Cowan, Early Voting Clerk, P. O. Box 907, San Marcos, Tx. 78667-0907. Early voting by personal appearance for said election shall be conducted at the main early voting polling place, located at 401 C Broadway St., San Marcos, Tx. 78666 and at Temporary Branches described in Exhibit "B".

Section 8. All qualified resident electors of the territory described in Exhibit "A" attached hereto shall be entitled to vote in the election.

Section 9. Notice of the election shall be given by publishing a substantial copy of the election order once a week for two consecutive weeks in a newspaper of general circulation in Hays County, not earlier than the 30th day or later than the 10th day before election day.

Not later than the 21st day before election day, a copy of the notice, which must include the location of each polling place, shall be posted on the bulletin board used for posting notices of the meetings of the Commissioners' Court of Hays County, Texas. The time and date of said notice would be recorded at the Hays County Clerks Office.

Section 10. Conduct of Election and Canvass of Election Returns. The election on the proposed creation of the Wimberley Village Library District shall be conducted in accordance with the provisions of the Texas Election Code. The Hays County Elections Administrator, Honorable Joyce A. Cowan, shall conduct or supervise the conduct of the election.

Election returns shall be canvassed in accordance with Chapter 67 of the Texas Election Code. Election results shall be declared in accordance with Section 326.029 of the Local Government Code.

Be it so ordered on this the 7th day of **September, 1999.**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 7, 1999
PAGE 487

VOLUME R

18092 APPROVE CONSOLIDATION OF VOTING PRECINCTS FOR THE NOVEMBER 2, 1999 ELECTION [T1-2043]

Joyce Cowan, Election Administrator, requested consolidation of voting precincts for the November 2, 1999 election. This is standard procedure for every odd year election (constitutional amendment elections) to reduce costs. This has already been pre-cleared by the Justice Department. She explained her recommendations for consolidation: will open 18 polls with consolidation in 12 of those polls – no change in early voting sites. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to approve consolidation of voting precincts for the November 2, 1999 Election as proposed by the Elections Administrator. All voting “Aye”.

**Polling Locations
Constitutional Amendment Election
November 2, 1999**

<u>Precincts Voting</u>	<u>POLLING PLACE</u>
110 & 113	Hays County Elections Office 401-C Broadway St San Marcos, TX. 78666-7751
111 & 112	Dunbar Center 801 Martin Luther King Dr. San Marcos, TX. 78666
114	Allenwood Hms Auditorium 1201Thorpe Lane San Marcos, TX. 78666
116	Hernandez Intermediate School 333 Stagecoach Trl San Marcos, TX. 78666
120 & 121	CM Allen Hms Office 801 River Rd (off Sturgeon) San Marcos, TX. 78666
222, 226 & 230	Hays Hills Baptist Church 1401 N FM 1626 Buda, TX. 78610
223, 225, 227 & 229	Kyle City Hall 101 S Burleson St Kyle, TX. 78640
224 & 228	Senior Citizens Bldg 401 Barton Crossing Buda, TX. 78610
315	Doris Miller Jr. High 301 Foxtail Run San Marcos, TX. 78666
330 & 334	First Presbyterian Church 410 W Hutchinson St. San Marcos, TX. 78666
331 & 336	Crockett Elementary School 1300 Girard San Marcos, TX. 78666
335 & 337	St. Mary’s Catholic Church 14711 Ranch Rd 12 San Marcos, TX. 78676
440, 441 & 449	Dripping Springs City Hall 402-G Mercer Dripping Springs, TX. 78620

- | | |
|-----------|--|
| 442 | Driftwood Community Center
County Rd 150
Driftwood, TX. 78619 |
| 443 | Sunset Canyon Baptist Church
4400 E Hwy 290 (corner of 290 &
Sunset Canyon)
Dripping Springs, TX. 78620 |
| 445 & 451 | First Lutheran Church
130 W Holland St
San Marcos, TX. 78666 |
| 446 & 447 | Travis Elementary School
1437 Post Road
San Marcos, TX. 78666 |
| 448 | Rolling Oaks Clubhouse
Lonesome Trl
Driftwood, TX. 78619 |

HAYS COUNTY COMMISSIONERS' COURT MINUTES



**VOLUME R PAGE 488
SEPTEMBER 7, 1999**

HAYS COUNTY COMMITTEE HANDBOOK [T1-2119]

Special Counsel Jacquelyn Collum Murphy advised that the objective of the handbook is to better communicate with appointees to committees. She suggested a one page charge to appointees and designated terms. Judge Powers asked that members look over the proposed handbook and come back with suggestions. Jacquelyn Collum Murphy advised that this would primarily be for citizen committees and not staff committees. No action taken this date.

18092 AUTHORIZE THE COUNTY JUDGE TO PROVIDE NOTIFICATION TO CSC OF THE COUNTY'S INTENTION NOT TO RENEW THE OPERATIONS AGREEMENT FOR THE COUNTY'S JUVENILE DETENTION FACILITY [T1-2191]

Special Counsel Jacquelyn Collum Murphy spoke of need for authorization to send letter out to let CSC/YSI know that we intend to let their contract expire September 30, 1999. She has visited with Russell Rau of CSC/YSI (Correctional Services Corp) who has agreed to allow the current contract expire as provided. Texson will take over operation of our current facility under an interim contract to be considered next week. The Juvenile Board has approved this letter. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to authorize the County Judge to provide notification to Correctional Services Corporation (CSC/YSC) of the county's intention not to renew the operations agreement for the county's Juvenile Detention Facility. All voting "Aye".

EXECUTIVE SESSION TO CONFER WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE § 551.071 TO DISCUSS NORTH HAYS COUNTY WATER PLANNING ASSOCIATION V. HAYS COUNTY and TO CONFER WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE § 551.071 TO DISCUSS WINDY HILL ROAD (CR 131) AND ONGOING LITIGATION WITH JKL INC.

The Court convened into closed executive session to confer with legal counsel pursuant to Texas Government Code § 551.071 to discuss *North Hays County Water Planning Association v. Hays County* and to confer with legal counsel pursuant to Texas Government Code § 551.071 to discuss *Windy Hill Road (CR131) and ongoing litigation with JKL Inc.* Upon completion of the closed session, the court reconvened into open meeting.

18093 ACTION REGARDING WINDY HILL ROAD (CR131) [T1-2288]

A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to instruct Special Counsel to contact the Bonding Company to explore the rights of Hays County in regards to Windy Hills Road (CR131). All voting "Aye".

18094 HIRE ATTORNEY TO REPRESENT HAYS COUNTY IN LAWSUIT STYLED HAYS COUNTY WATER PLANNING PARTNERSHIP, ET AL V. HAYS COUNTY, TEXAS [T1-2303]

A motion was made by Judge Powers, seconded by Commissioner Burnett to hire Jennifer Riggs, Attorney at Law, to work with legal counsel to represent Hays County in lawsuit styled Hays County Water Planning Partnership, et al v. Hays County, Texas [No. 99-0898], authorize the County Judge to execute an outside legal counsel agreement with Mrs. Riggs (Austin Law Firm of Hills, Gilstrap, Adams, & Graham), and to authorize expenditure of \$10,000 for retainage fee. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

PUBLIC HEARING ON THE FY2000 HAYS COUNTY BUDGET (1:30 PM) [T1-2372]

Judge Powers declared the public hearing regarding the FY2000 Hays County Budget open. **C.A.R.T.S.** representative Edna Burrough requested \$25,000 in additional funding for vehicle replacement. They have 8 vehicles and are replacing 5. The replacement vehicles will be utilized in Hays County. She advised that there is no criteria for riding the bus - fare schedule is flexible – they primarily serve the elderly and disabled. She spoke of funding sources (State, & Federal). The County is currently budgeting \$15,000 for operational costs. They operate in nine rural counties in this area.

Ernest Cummings (**Hays County Soil Conservation District**) requested funding in the amount of \$6,000 which had been cut from the budget. Commissioner Carter advised that this is an important organization and works closely with the federal government. Commissioner Molenaar asked what the funding is used for. Ruby Owen, District Secretary, advised that she has supplied financial information to the County since receiving notice that funding had been cut. She spoke of matching funds received from the federal government. Gary Rainwater spoke of each county having a conservation district which supplies education material to our youth and they give tours for farmers or other interested parties regarding conservation issues. He spoke of creation of the Upper San Marcos Watershed District to oversee the five dams that were built in Hays County. No further input was received and the County Judge closed the public hearing.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 7, 1999
PAGE 489

VOLUME R

18095 SET SALARIES AND ALLOWANCES OF HAYS COUNTY ELECTED OFFICIALS [T1-2843]

County Auditor Bill Herzog provided a list of salaries for elected officials. Increases reflect a 2% across the board COLA and several officials who were entitled to longevity increases. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to set salaries and allowances of Hays County Elected Officials as presented. Commissioner Carter felt like the lower paid people in the county probably need the money more than those at the higher end of the scale and she prefers not to receive a raise. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

<u>Elected Position</u>	<u>Base Salary</u>	<u>Steps</u>	<u>Longevity</u>	<u>Total</u>
Constable #1	30,516	(2) 1,858	982	33,356
Constable #2	30,516	(4) 3,830	1,008	35,354
Constable #3	30,516	(2) 1,858	875	33,249
Constable #4	30,516	(4) 3,830	830	35,176
Constable #5	30,516	(4) 3,830	990	35,336
Justice of the Peace 1-1	33,405	-0-	516	33,921
Justice of the Peace 1-2	33,405	(4) 4,193	1,090	38,688
Justice of the Peace 2	33,405	-0-	-0-	33,405
Justice of the Peace 3	33,405	-0-	-0-	33,405
Justice of the Peace 4	33,405	(2) 2,034	240	35,679
Justice of the Peace 5	33,405	(2) 2,034	240	35,679
Commissioner Pct. 1	42,813	-0-	395	43,208
Commissioner Pct. 2	42,813	-0-	-0-	42,813
Commissioner Pct. 3	42,813	-0-	-0-	42,813
Commissioner Pct. 4	42,813	(2) 2,607	420	45,840
County Judge	55,954	-0-	-0-	55,954
Sheriff	54,873	-0-	695	55,568
Treasurer	40,943	(2) 2,493	815	44,251
Tax Assessor	43,671	(2) 2,660	275	46,606
District Clerk	42,074	(2) 2,562	80	44,716
County Clerk	42,074	-0-	-0-	42,074

18096 ADOPT THE FY2000 COUNTY BUDGET WITH CHANGES [T1-2882]

County Auditor Bill Herzog submitted a list of unresolved issues (new revenue, rollover funds, increase expense, and other).

SOIL CONSERVATION DISTRICT

Commissioner Ingalsbe advised that she is willing to fund \$3,000 allocated this fiscal year for repairing the parking lot at the health dept. for the Soil Conservation District. Commissioner Burnett advised that he is willing to fund \$1,500 out of his Special Projects from this fiscal years budget. Commissioner Molenaar has \$1,500 he can budget out of his FY2000 budget. (Line Items #5211 = \$300 #5212 \$100 #5313 \$300 #5311 \$100 #5331 \$300 #5309 \$400). **A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve line item adjustment in Commissioner Pct. 4 budget to fund \$1,500 for the Hays County Soil Conservation District. All voting "Aye".**

INSURANCE [T1-3024]

Doug Miller, Insurance Consultant, introduced Bill Norwood (TAC) Christi Lopez (TAC) and Donna Kaiser (BC/BS). Premiums have increased 54% due to 109% claims experience this year (this has since deteriorated even more). They have been working on changes that can be made to reduce the cost. It would cost \$264 for

health insurance for each employee if we leave the plan as is - making changes has decreased that amount by 11%. The PPO costs are slightly higher. A PPO gives the employee freedom of choice whereas the HMO is more restrictive. In 1998 PPO coverage was \$174 (a cost of \$80.88 for employees) in 1999 the proposal with changes = \$238.32 (\$96.78). There are only 23 employees on the PPO plan (2 of these have children with an additional cost of \$71.96 - 2 have spouse covered will have an additional \$91.64+\$15.92. HMO (478 employees) plan changes [Plan B]: physician co-pay & well child co-pay goes from \$10 to \$15 * In-patient hospital was covered in full and will change to \$100 per day (\$400 maximum per visit) * ambulance coverage was covered in full but will not be \$25 * mental health coverage changed somewhat * maximum In-patient co-pay went from zero to \$1,000 (\$1500 family) * maximum out of pocket that a family would pay would be \$2,000 v. \$3,000 and per person would be \$1,000 v. \$1500 * vision care is with Eye Masters which provides a 35% discount * dental coverage premiums are to be paid by the employee if they want dental care * life insurance (\$5,000) will cost \$1.90 per month per employee. There was a fund equal to \$2.00 per month for each employee to put towards other insurance (cancer, life, etc) which will now go away. [T1-3400] Under Plan B there is still a deficit of \$193,000. He spoke of need to take a pro-active approach and educate the employees on use of their benefits. Commissioner Molenaar asked where the high utilization is at in Hays County? Bill Norwood (TAC/Employees Benefits) advised that they have no information that the county cannot access.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME R PAGE 490 SEPTEMBER 7, 1999

Donna Kaiser (Representative of Blue Cross Blue Shield) advised that the HMO has been with 5 different companies which operated separately - as of May 1 they now operate under 1 entity (San Angelo unit). She advised that PPO data is available and reports are provided on a monthly basis. They are not able to generate all the information (reports) for the HMO. Bill Norwood advised that there is a 3 month lag in reporting for HMO's. The data is simply the numbers and a report compiles data into a meaningful document from which conclusions are drawn. [T2 -104] The data captures the final financial figures (12 months ending July 1999). Claims = \$1.7 million and premiums = \$1.5 million. The \$1.7 mil. in claims does not include all the claims which are being submitted. He spoke of 5% cap in our contract that did not allow premiums to go up as they should have. He spoke of attempts to see if they could lower the premiums. He advised that two of the largest school district in Travis County did not get renewals from their HMO (2 of the largest HMO's). Mr. Norwood spoke of PPO coverage over the last 36 months with premiums = \$420,627 and claims = \$1,724,928. He spoke of it being a struggle to get HMO data. He spoke of new legislation that will improve reporting information. He spoke of using that information. TAC will provide a disease management program (heart, diabetes, and asthma) for Hays County. Prescription drugs are running higher than normal. TAC will start sharing with all the courts the data they are generating. Bill Norwood spoke of TAC pool serving 23,000 employees: 14,000 are in a retention pool (all PPO and fully insured) - that PPO renewal came in at 7.3% this year - it does not have the disadvantage of having an HMO drawing off the young and the healthy to create the adverse selection of Hays County. He spoke of HMO account, HMO/PPO accounts, and the self funded accounts. He spoke of premium tax exemptions and negotiated administration prices that TAC has and he spoke of programs at no cost to the county (Eye Masters discount, Disease Management Program, and Healthwise Program). The county could go to a full PPO plan but there would be an increase in premiums. Jacque Jordan spoke of problems with change from El Paso to San Angelo office in May 1999. He spoke of administrative costs. The cost of health care is increasing due to legislation that allows collective bargaining for doctors. The proposed rates are good for 12 months. [T2-571] Gay Helmly, Personal Health Director, spoke of small businesses that have had to drop their insurance. Her department is willing to take on a new road and help educate the employees. Bill Norwood stated that he wished more counties had that approach - it is the heart of the solution. Commissioner Carter spoke of double duty with having 2 agents of record. Commissioner Molenaar spoke of need for a local "agent of record". Jacque Jordan advised that she helps sign up all the employees in the county and helps solve claim problems. She does work with Jim Rotan (agent-of-record). Jim Rotan spoke of enrollment process which sometimes taking 3 months to complete. He spoke of services he has provided in the past during the bid process and he was involved in enrollment which was a massive amount of work. He stated that he handles problems on a daily basis (some require a visit to Austin). He spoke of visiting with pharmacies and providers to get them signed up on the HMO. He advised that he averages 3-5 problems per week for the county. He spoke of need for specific data so that you can pinpoint any abuse in the program. Bill Norwood advised that they are a health care purchasing coop for local government and they are not brokers. Doug Miller, Insurance Consultant, spoke of agent of record having a local knowledge of your group (regarding personalized issues) and depending on the service provided an agent of record could cost \$12,000 - \$30,000 per year. TAC Administrative fee is 1.5% for PPO & 1% for HMO. County Auditor Bill Herzog gave figures [T1-943]: \$238 X 501 employees X12 months + life insurance = \$1.4 million which reflects \$190,000 shortfall 1/2 cent more to the tax = \$176,000. He feels like attrition and new employees waiting period will make up the difference. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to use the 1/2 cent of the tax rate (\$176,000) to fund additional expense for insurance. All voting "Aye".**

CCL JUDGES - [T2-970] County Auditor Bill Herzog spoke of additional state funding of \$5,000 provided by recent legislation for each County Court at Law Judge. Need to include this increase in the budget. **A motion was made by Commissioner Burnett, seconded by Judge Powers to add an additional expense of \$10,000 in the County Court at Law salary line item and increase revenue by \$10,000.** Jacquelyn Collum Murphy, Special Counsel, advised that CCL Judge Linda Rodriguez is seeking an Attorney General's opinion regarding the issue of setting the CCL Judges salaries @ \$1,000 less than District Judges salaries. Bill Herzog

advised that the Judges salaries are exempt from being advertised along with other elected officials. Commissioner Carter would like to look into using the state funds to meet some of the county's obligation. **Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No"**.

TIME PAYMENT FEES - [T2-1046] County Auditor Bill Herzog spoke of time payment fees that are to be used for the benefit of the office collecting the fee (10%). JP1-2 Becky Sierra & JP5 Rex Baker have requested use of their funds. JP1-2 = \$4,500 & JP5= \$1500. JP2 Beth Smith advised that this money should be used for the betterment of the court. This money is currently being put into reserves. **A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to place the County portion of the Time Payment Fees into a separate line item of each individual department collecting it (JP's, District Clerk, & County Clerk). All voting "Aye"**.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 7, 1999
PAGE 491

VOLUME R

PARK FENCE – [T2-1203] Rollover funds = \$16,000 - will increase FY2000 expenditures and revenues.

FIRE ALARM @ LEC – [T2-1225] Bill Herzog spoke of need to roll over \$33,000 budgeted this year and bump it up to \$50,000.

CIVIC CENTER [T2-1237] - Need to roll-over \$300,000 to purchase adjoining property

ROAD RECONSTRUCTION ON BOND ROADS [T2-1245] – Roll-over \$441,000. Bill Herzog advised that there are two roads that will not be completed this fiscal year - need to rollover funds to next fiscal year for roads that have not been completed this fiscal year. [T2-1424] \$166,000 for CR1492 * \$275,000 for CR222/225 = \$441,000 for road construction

RECORDS PRESERVATION – [T2-1274] \$30,000 for Environmental Health filing system needs to be rolled-over.

TOBACCO SETTLEMENT FUNDS [T2-1280] – \$1,200,000 - Budget the entire amount for the new health facilities

COURTHOUSE RENOVATION – [T2-1313] Need to roll over funds = \$40,688 for construction + \$10,172 county match. County Auditor Bill Herzog advised that courthouse renovation is not yet complete (we are still holding retainage).

DOJ EQUIP TECH – [T2-1325] \$5,000 needs to be rolled over

EXTENSION OFFICE – [T2-1327] Utilities \$1,500 more is needed. Bill Herzog suggested funding \$1,000.

JAIL MECHANIC – [T2-1335] County Auditor Bill Herzog spoke of intent for the new Mechanic position @ the LEC to take care of vehicles for other departments. (oil changes, tires, and regular mtc.) * policy related decision * Commissioner Ingalsbe and Judge Powers will create a plan for this position.

TAX OFFICE [T2-1358] - Tax A/C Luanne Caraway advised that Records Preservation funds are needed for her office to repair records in her office. \$17,500 had been budgeted and was cut. She advised that she would be willing to put in half of those funds. Bill Herzog advised that this can be taken out of budgeted funds in Records Preservation.

PARKS MASTER PLAN [T2-1382] - Commissioner Carter spoke of need for funding for a proper master plan. \$8,500 is needed for public input. Commissioner Burnett spoke of need for information to go out to the public.

[T2-1518]

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to rollover funds as follows: \$16,000 for Dudley Johnson Park fence, \$33,000 for fire alarm system at the LEC, \$300,000 for Civic Center property purchase, \$441,000 for Road Reconstruction/Bond Roads, \$30,000 for Records Preservation/Filing System for Environmental Health, \$1,200,000 in Tobacco Settlement Funds for building construction, \$40,688 for Courthouse Renovation/Construction Grant, \$10,172 for Courthouse Renovation/County match, \$5,000 for DOJ Equipment & Technology Grant, and \$8,500 for the Parks Master Plan All voting "Aye".

[T2-1550]

A motion was made by Commissioner Burnett, seconded by Judge Powers to increase the County Extension Office budget by \$1,000 for utilities, to be funded from the estimated \$1,100 that is currently under the budget. All voting "Aye".

[T2-1580]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to adopt the FY2000 Hays County Budget as amended this date. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No" (she is pleased with most of the budget but feels like there should be more money funded for roads in the high growth areas).

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





**VOLUME R PAGE 492
SEPTEMBER 8, 1999**

STATE OF TEXAS
COUNTY OF HAYS

ON THIS THE 8th DAY OF SEPTEMBER A.D., 1999, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL 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:

18097 SET THE TAX RATE FOR THE FY2000 BUDGET AND LEVY THE TAXES

County Auditor Bill Herzog presented the following proposed itemized tax rate for Hays County:

ITEMIZED TAX RATE FOR FY2000 BUDGET			
<u>VALUATION</u>	<u>FUNDS</u>	<u>TAX RATE</u>	<u>ESTIMATED TAX COLLECTION</u>
3,721,996,772 (1¢ = 353,590 @ 95% Collection)	General M&O	26.74¢	9,454,997
	General Debt	9.05¢	3,199,990
3,685,571,802 (1¢ = 350,130 @ 95% Collection)	Road & Bridge M&O	9.60¢	3,361,248
TOTAL AD VALOREM TAX RATE		45.39¢	\$16,016,235
		ASSESSED TAXES	\$16,859,194
EFFECTIVE TAX RATE (Estimate)		43.15¢	
INCREASE		2.24¢	
RECOMMENDED TAX RATE		45.35¢	
RECOMMENDED TAX RATE REPRESENTS A 2.2% DECREASE FRO THE CURRENT RATE AND A 5.2% INCREASE OVER THE EFFECTIVE RATE.			
<u>TAX RATES SPECIAL ROAD DISTRICTS</u>			
18,821,997	Springlake Road	24.18¢	\$ 43,240
12,296,446	Burnett Ranch Road	10.52¢	\$ 12,192

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to set the tax rate for the FY2000 Hays County Budget at 45.39 cents and levy the taxes. Commissioner Carter advised that she will vote against the tax rate because she feels like we are failing and falling behind on road improvements. She feels like more money is needed to address roads in the high growth areas of the county. Commissioner Burnett stated that we cannot levy enough taxes to fix every road and we must go by the road priority matrix. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to set the tax rate for Special Road Districts of Springlake Road District at 24.18¢ and Burnett Ranch Road District at 10.52¢ and levy the taxes. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

Charlie Johnson (Wimberley resident) stated that he is disappointed in the Commissioners' Court. He feels like there is money in the budget to do the things that need to be done. He feels like the County Judge was forced in a position to vote for the tax rate today to keep the county running. He stated that the County Judge came to the court with a two cent tax cut which would still generate a lot of money for this county. He offered to talk to members of the court one on one after the meeting is adjourned.

Court was adjourned.

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

JAMES L. POWERS, COUNTY JUDGE

LEE CARLISLE, COUNTY CLERK

