



APRIL 25, 2000

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STATE OF TEXAS □
 COUNTY OF HAYS □

ON THIS THE 25TH DAY OF APRIL A.D., 2000, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

**JAMES L. POWERS
 DEBBIE GONZALES INGALSBE
 H. S. "SUSIE" CARTER
 WILLIAM "BILL" BURNETT
 RUSS G. MOLENAAR
 LEE CARLISLE**

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

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order and gave the invocation and Commissioner Molenaar led the Court in the Pledge of Allegiance to the Flags.

PRESENTATION OF EMPLOYEE SERVICE PINS

The following county employees were presented with service pins:

Rosemary Rodriguez (District Clerk's. Office)	20 years *presented by District Clerk Cecelia Adair*
Dale Haney (Sheriffs Dept.)	15 years *presented by Sheriff Don Montague*
Billy "Buster" Brown (Sheriffs Dept)	10 years *presented by Sheriff Don Montague*
David Jordan (Sheriffs Dept)	10 years *presented by Sheriff Don Montague*
Richard Rutledge (Sheriffs Dept)	5 years *presented by Sheriff Don Montague*

The following employees were not present to receive their pins:

Clarence Bankston, Constable Pct. 4	15 years
Lynn Lueders (Sheriffs Dept)	5 years
Mary Garcia (JP5 Office)	5 years

18617 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON "RHODES LANE"

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Commissioner Burnett spoke of need for traffic regulations on this road. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to establish traffic regulation of 30MPH speed limit on Rhodes Lane. All voting "Aye"

18618 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON "LANGE ROAD"

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to establish traffic regulation of 30MPH speed limit on Lange Road. All voting "Aye"

PUBLIC COMMENT REGARDING WATER ISSUES IN NORTHWEST HAYS COUNTY

Alan Hardy (Sunset Canyon Water Resource Committee Chairman) spoke on behalf of residents in Sunset Canyon Subdivision who are concerned about the emergency situation which has developed as the water table under their houses sinks ever lower and the quality of their ground water deteriorates. This committee has twenty members

who have volunteered in an effort to help secure a reliable supply of surface water for Sunset Canyon. They are seeking assistance in bringing surface water to Sunset Canyon and neighboring communities now before the situation becomes even worse. They feel like the solution to the water problem they are facing is to proceed immediately with the pipeline project which LCRA began a year or more ago to bring water to the area. They feel like we cannot afford to wait for completion of an environmental impact study, which some have advocated and LCRA has begun, because the current supply of well water is failing and quality is worsening. The supply is too dependent upon uncertain rainfall, too burdened by continued development and increasing demand. They believe the impact study should go forward but that in the interim construction of the LCRA pipeline to bring water to the current residents of Sunset Canyon and neighboring areas should begin. He spoke of survey sent out to residents of Sunset Canyon during the month of April. All those surveyed were asked to sign a declaration saying they intend to hook up to surface water when it become available – 93.9% want surface water to be brought to Sunset Canyon. 102 of 258 (74.4%) signaled their intention to sign up – 50 (19.4%) do not wish to commit themselves but signaled their support for bringing water to Sunset Canyon – 16 (6.2%) have no interest in surface water. 14 of 130 (10.7%) have had to deepen or re-drilled their wells recently and another 31 out of 124 respondents (25%) have had been without water intermittently because their wells were temporarily or repeatedly exhausted. . He spoke of responses to silt and odor problems in their water – 63.3% have silt problems, 87.7% have objectionable odor frequently, and 83.5% find that the water had an objectionable taste. There is an urgent need for a reliable water source. 56% of the residents responded to the survey. Commissioner Burnett stated that he would like to know how many residents have not had any problems with their water. Commissioner Molenaar spoke of area in his precinct that is having the same problems with their water as Sunset Canyon.

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18619 APPROVE THE COMMISSIONERS' COURT MINUTES OF APRIL 18, 2000

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of April 18, 2000 as presented by the County Clerk. All voting "Aye"

18620 APPROVE PAYMENT OF COUNTY INVOICES

Bill Herzog asked to add a payment of \$526,777 for closings related to Wimberley Buyout (grant funds). A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve payment of county invoices in the amount of \$192,497.11 as presented by the County Auditor with addition of invoice in the amount of \$526,777 as requested. All voting "Aye"

Public Safety Services	\$ 363.00	Auditor's Office	\$ 704.73	Treasurers Office	\$ 322.66
Grants Admin Office	\$ 703.74	Election Admin	\$ 1,492.80	Transfer Station	\$ 4,640.39
Bldg Mtc. Dept.	\$ 2,551.50	Environ Health	\$ 990.00	Civic Center	\$ 733.01
Countywide Oper	\$ 27,161.42	Tax A/C	\$ 295.33	District Clerk's Ofc	\$ 334.06
County Clerk's Ofc	\$ 557.82	Sheriff's Office	\$ 3,287.74	Jail Operations	\$ 18,407.05
County Judge's Ofc	\$ 11.50	Co Court @ Law 1	\$ 190.00	District Attorney	\$ 88.88
J.P. 1-1	\$ 145.00	J.P. 1-2	\$ 378.53	J.P. 2	\$ 546.21
J.P. 3	\$ 147.74	J.P.4	\$ 145.00	J.P. 5	\$ 20.00
Constable 1	\$ 81.18	Constable 3	\$ 129.69	Constable 4	\$ 361.13
Constable 5	\$ 19.95	District Crt Oper	\$ 7,462.24	Co & JP Crt Oper	\$ 1,795.93
DPS/L&W	\$ 4,589.39	TABC Office	\$ 156.72	Comm Crt Expenses	\$ 410.15
CJD/VOCA Grant	\$ 252.28	CJD/VAWA Grant	\$ 76.37	CDJ/Truancy Ofc Grant	\$ 21.95
LCRA/Fire Marshal Grant	\$ 1,199.94	Gen Fund Credit	<\$131.34>	R&B Operations	\$ 79,267.86
Precinct 3	\$ 619.03	Precinct 4	\$ 49.05	Road Reconstruction	\$ 87.09
Co Engineer Office	\$ 6,320.34	R&B Gen Fund Credit	<\$582.64>	Rec Mng/Co Clerk	\$ 20,585.32
Health Svcs Grants	\$ 390.06	Courthouse Renovation	\$ 4,175.00	Sheriffs Drug Forf Fund	\$ 115.00
Family Health Svcs	\$ 343.00	Tobacco Settlement Fund	\$ 35.31		

18621 APPROVE BUDGET AMENDMENT #00-20

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Budget Amendment #00-20 as proposed by the County Auditor. All voting "Aye"

			AMENDMENT NO. 00-20 FY 2000 BUDGET 04/25/00
FUND NO. 01			
FUND TITLE GENERAL FUND			
APPROPRIATION	APPROPRIATION	AMENDMENT	
LINE ITEM - EXPENDITURES	BEFORE	INCREASES	AS
AMENDED	AMENDMENT		DECREASES
GRANTS ADMINISTRATION (404):			
01-404-5311 Travel	200	100	
300			
01-404-5211 Office Supply	800	100	
900			
01-404-5331 Cont Ed	400	(200)	200
Transfer for needed expense			
COMPUTER SERVICES (456):			
01-456-5421 Countywide Maint	16,796	4,865	
21,661			
01-456-5712 Data Proc Eqpt	185,727	1,990	187,717
01-456-5212 Postage	100	(90)	10
01-456-5213 Books	1,500	(1,500)	-0-
01-456-5321 Dues & Bonds	100	(100)	
-0-			
01-456-5311 Travel	2,000	(1,000)	1,000
01-456-5331 Cont Ed	5,000	(3,865)	1,135
01-456-5461 Printing	300	(300)	-0-
	6,855	(6,855)	
Transfer needed expense from available balances			

18622 APPROVE REFUND OF DOUBLE PAYMENT/OVERPAYMENT OF TAXES

Tax Assessor-Collector Luanne Caraway submitted the following applications for refund of double payment/over payment of taxes: Lot 6 Block 6 Timmeron Section 1 = \$2,115.42 Lot 18 Wilson Creek = \$ 527.76. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve refund of double payment/overpayment of taxes as presented by the Tax Assessor-Collector. All voting "Aye"

Clerk's Note: There were no Utility Permits submitted by the Road Department for approval.



18623 APPROVE RESOLUTION RELATED TO THE SUBMITTAL OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR/CRIMINAL JUSTICE DIVISION FOR A TRUANCY PROGRAM

This is a continuation grant for \$47,027 to pay the salary of the Truancy Officer in the Sheriff's Office. A portion of the funds will be used to pay overtime for SRO's in the SMCISD and to pay overtime County Deputies in the Wimberley ISD to make evening visits at the truant student's home. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve resolution related to the submittal of the grant application to the Office of the Governor/Criminal Justice Division for the Truancy Program. All voting "Aye".

RESOLUTION

A resolution of the Commissioners Court of the County of Hays, Texas, hereby authorizes the submission of a grant request to the Office of Governor/Criminal Justice Division/Juvenile Justice & Delinquency Prevention (JJDP) Program.

WHEREAS, Hays County is the applicant for the grant request under the rules of office of Governor/Criminal Justice Division Grant Program. The grant request is for up to \$47,027 to continue the Truancy Program in partnership with San Marcos ISD, Wimberley ISD and the San Marcos Police Department.

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

1. To request a grant for up to \$47,027 from the Office of Governor/Criminal Justice Division/JJDP Program and to provide the required match.
2. To comply with the provisions of the fiscal reimbursement and reporting requirements of the Office of Governor/Criminal Justice Division/JJDP Program,
3. To use the funds solely for the purposes for which they are provided and to return the grant funds in full to the Office of Governor/Criminal Justice Division in the event of loss or misuse,
4. To authorize the county Judge to execute all necessary documents as may be required to initiate process and complete this Hays County grant application and execute a contract.

PASSED AND APPROVED at a meeting of the Commissioners Court of Hays County, Texas on the 25th day of April, 2000.

18624 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH CENTURYTEL SECURITY SYSTEMS FOR MONITORING THE FIRE ALARM SYSTEM AND SEMI-ANNUAL & ANNUAL INSPECTIONS AT THE JUSTICE CENTER

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize the County Judge to execute a contract with CenturyTel Security Systems for monitoring the fire alarm system and the semi-annual and annual inspections at the Justice Center. All voting "Aye"

18625 APPROVE SPECIFICATIONS FOR ROAD BUILDING MATERIALS TO BE USED AT THE YARRINGTON ROAD COUNTY YARD AND AUTHORIZE THE PURCHASING AGENT TO ADVERTISE FOR BIDS

Purchasing Agent Debbie Bilbrey advised that this material is needed to cover the newly acquired 10 acre building site for the Road Department. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve specifications for road building materials to be used at the Yarrington Road County Yard and authorize the Purchasing Agent to advertise for bids. All voting "Aye"

18626 AUTHORIZE THE PURCHASE OF AN IBM TYPEWRITER FOR THE HEALTH DEPARTMENT

Personal Health Director Gay Helmly requested authorization to purchase an IBM typewriter for \$799 to replace a non-repairable used one. Funds from the current TDH Maternal/Child Health grant will be used for purchase. These funds were initially approved to purchase a Doppler monitor which they have decided not to purchase at this time. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize the purchase of an IBM typewriter for the Health Department. All voting "Aye"

18627 APPROVE SPECIFICATIONS FOR THE ANNUAL LUBRICANTS CONTRACT AND AUTHORIZE THE PURCHASING AGENT TO ADVERTISE FOR BIDS

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve specifications for the annual lubricants contract and authorize the Purchasing Agent to advertise for bids. All voting "Aye"

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Clerk's Note: Agenda Item #14 RE: cancellation/vacation of The Railyard Lots 1-3 was pulled – No discussion and no action taken

18628 TWIN CREEK ADDITION RESUBDIVISION OF LOT 17 BLOCK A * APPROVE PRELIMINARY PLAT [T1-364]

Environmental Health Director Allen Walther advised that this is a resubdivision of one lot into 3 lots. He gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Twin Creek Addition Resubdivision of Lot 17 Block A". All voting "Aye".

18629 MEADOW CREEK RANCH PHASE 1 REPLAT OF LOTS 45 & 46 * FINAL PLAT APPROVAL AND WAIVE PUBLIC NOTIFICATION [T1-376]

Environmental Health Director Allen Walther advised that this replat is to amend the common lot line between Lots 45 & 46. He recommended waiving public notification and preliminary reading. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to waive public notification and preliminary reading and approve final plat of "Meadow Creek Ranch Phase I Replat of Lots 45 & 46". All voting "Aye".

18630 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HEALTH (TDH) FOR AN IMMUNIZATION GRANT FOR UP TO \$41,169 [T1-390]

Personal Health Director Gay Helmly spoke in support of this grant application. It is a continuation grant to provide childhood immunizations. Grant funds are use for salary of a nurse to provide immunization. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to authorize the County Judge to submit a grant application to the Texas Department of Health (TDH) for an immunization grant for up to \$41,169.00. All voting "Aye".

18631 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HEALTH (TDH) FOR MATERNAL/CHILD HEALTH FOR UP TO \$142,570 [T1-406]

Personal Health Director Gay Helmly spoke in support of this grant application. It is a continuation grant for up to \$142,570 to provide maternal/child programs at the health department. It is a combination grant: Part A is fee for

service grant & Part B is a population education program (salary of prenatal nurses and part of the salary of the community health educator). This is the last year for Part B of the grant. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to submit a grant application to the Texas Department of Health (TDH) for Maternal/Child Health for up to \$142,570.00. All voting "Aye".

18632 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HEALTH (TDH) FOR THE INNOVATION GRANT FOR UP TO \$265,470 [T1-439]

Personal Health Director Gay Helmlly spoke in support of this grant application. This is a new grant to improve public health outcomes in the community by developing an extensive interactive public health information web-site project. This web-site will offer accurate, timely health information, inform the community about the Health Department's clinics and services, and make it easier for the Health Department to gather input from the community about health issues and concerns. They will develop a high tech web page re: local public health information and will have multiple links to other health related pages. It will cost approximately \$100,000 to develop the web page and \$100,000 for marketing. They will have a chat area - there will be maintenance involved - they will sell advertising on the web page in order to maintain the website. The only risk will be continued maintenance of the website. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to submit a grant application to the Texas Department of Health (TDJ) for the innovation grant for up to \$265,470.00. All voting "Aye".

18633 ACCEPT BIDS ON PROPERTY HELD IN TRUST - WOODCREEK LOTS [T1-600]

Luanne Caraway, Tax Assessor-Collector, advised that there are 6 bids on properties in Woodcreek. Commissioner Burnett spoke in support of accepting bids (even though they have low recovery rates) because they have been off the tax roll for a number of years and Wimberley ISD has approved. Bids are as follows:

Woodcreek Section 9A Lot SC-104	\$ 1,200.00 (48% recovery)
Woodcreek Section 9A Lot SC-99	\$ 800.00 (51% recovery)
Woodcreek Section 9A Lot SC-103	\$ 1,000.00 (51% recovery)
Woodcreek Section 15 Lot 106	\$ 1,500.00 (65% recovery)
Woodcreek Section 9A Lot 52-SC	\$ 750.00 (21% recovery)
Woodcreek Section 9B Lot 29	\$ 1,500.00 (94% recovery)

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept bids received for property held in trust (6 Woodcreek Lots) as presented by the County Tax Assessor-Collector. All voting "Aye".

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18634 APPROVE RAISING THE HAYS COUNTY SALARY SCALE (GRADE/STEP CHART) BY 5% [T1-635]

Britney Richey, Personnel Director, advised that Hays County is still paying our employees consistently below the current market. In 1998 Public Sector recommended moving the salaries of our employees toward the prevailing market rates. Due to a lack of funds, the county had had to slowly implement the increase to accomplish this goal. Currently the prevailing market rate is a step 6 on our grade scale. This is approximately 18% above where we currently start our employees. An increase of 5% would reduce this to approximately 13%. There are funds available in the budget for this increase. She read a proclamation adopted by the City of San Marcos recognizing public employees. Luanne Caraway, Tax A/C, spoke of situation in her office where it is difficult to hire new employees and she spoke of need for a living wage. Sheriff Don Montague spoke in support of this increase and he commended the people who are dedicated employees that have stayed with the county. He stated that he appreciates this action by the Court. Allen Walther, Environmental Health Director, spoke of professional staff being very much underpaid and he has lost employees because of the salary issue. We need to look at all the personnel and we need to retain our current employees. Ed Cooper, Chief Juvenile Probation Officer, advised that

his staff enjoys working for Hays County - they must keep up their training which is paid for by the county and he has lost trained employees for higher paying jobs. County Auditor Bill Herzog spoke of not being able to get an applicant for the position of internal auditor in his office and he spoke of advertisement in the local newspaper for an accountant position at San Marcos CISD which is offering a salary of up to \$45,000. His office is not being able to perform their functions without this internal auditor position. Personal Health Director Gay Helmly spoke of some of her staff that have other jobs to supplement their county salary (they must hold two jobs to make ends meet). She is concerned about the number of hours her staff is having to work. District Clerk Cecelia Adair spoke of competing with surrounding counties so that we can keep good help and hire good help. County Clerk Lee Carlisle read letter of support signed by various elected officials and department heads : *"Be it known that the undersigned elected officials and dept. heads are supporting the County Judge's request for the 5% pay increase for all county employees effective 5/1/2000"* - Signed by Luanne Caraway, Jeff McGill, Joyce Cowan, Howard Warner II, Don Montague, Beth Smith, Andy Cable, Mark Chambers, Ron Knott, Ed Cooper, Bill Herzog, and Lee Carlisle. Bill Herzog advised that the increase will be funded from money left over from attrition in various departments, \$100,00 from merit money, \$25,000 from insurance premium line item, \$22,000 from BCBS reimbursement funds, and funds other than the general fund can take care of increases out of their existing budgets. Commissioner Burnett read an editorial from another newspaper (Brazoria County) and he stated that this is not a situation unique to Hays County. He spoke of employees the county has lost due to low wages and stated that we need to be competitive with the City of San Marcos and the San Marcos CISD. Commissioner Ingalsbe stated that she is happy to be able to address everyone in the county and not just certain individuals. Judge Powers stated that he appreciates the county employees. Bill Herzog advised those not covered will be all elected officials, appointed officials (County Auditors), Associate Judge, District Court Reporters, District Judges, Road Engineer, Special Counsel, Extension Agents, and County Physician (currently not filled). Judge Powers advised that it will include Special Counsel and Road Engineer. A motion was made by Judge Powers, seconded by Commissioner Molenaar to approve raising the Hays County Salary Scale (Grade and Step Chart) by 5% effective May 1, 2000. All voting "Aye".

18635 AWARD COUNTY DEPOSITORY CONTRACT [T1-983]

Debbie Bilbrey, Purchasing Agent, advised that 3 bids were received for bank depository contract: Wells Fargo Bank (formerly Norwest), Frost Bank, & Compass Bank. Low Bidder was Frost Bank. County Treasurer Michele Tuttle spoke in support of Frost Bank bid. Contract will be effective May 1st if the court agrees to this contract. She wanted to thank Tom Haley at Compass Bank for his hard work. She stated that Frost Bank fees were slightly lower than the other banks and they are willing to put those charges on an account analysis (county would not have to pay those charges). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to award county depository contract to Frost Bank. All voting "Aye".

HAYS COUNTY GENERAL LIABILITY INSURANCE COVERAGE [T1-1120]

Commissioner Carter read LGC § 119.002 : Creation of Risk Management Pool (a) On the adoption of a resolution by the commissioners courts of at least 10 counties in this state, the County Government Risk Management Pool is created to insure each county in this state that purchases coverage in the pool against liability for the acts or omissions of that county and the officials and employees of that county under the law. Commissioner Carter stated that Hays County's risk pool coverage was purchased before she took office, the deductible is not optional, and the policy would cover any other person in the same circumstances. She stated that this discussion is to correct the misrepresentation and distortions of fact as attributed to elected officials in a media publication.

EXECUTIVE SESSION PURSUANT TO SECTION 551.04 TEXAS GOVERNMENT CODE RELATING TO PERSONNEL-INTERVIEW APPLICANTS FOR POSITION OF CIVIC CENTER MANAGER

The court convened into closed executive session to conduct an interview for the position of Civic Center Manager. Upon completion of the closed session, the court reconvened into open meeting. No action was taken.



Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 2^{BD} DAY OF MAY, 2000

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

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



