



STATE OF TEXAS ●
COUNTY OF HAYS ●

ON THIS THE 29ND DAY OF AUGUST 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. Commissioner Burnett led the Court in the Pledge of Allegiance to the Flags.

18935 APPROVE THE COMMISSIONERS' COURT MINUTES OF AUGUST 22, 2000

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve the Commissioners' Court Minutes of August 22, 2000 as presented by the County Clerk. All voting "Aye".

18936 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$ 383,383.54 as presented by the County Auditor. All voting "Aye".

Licenses & Permits	\$ 697.15	Fines	\$ 621.00	Other Revenue	\$ 91,267.00
Auditor's Office	\$ 48.76	Extension Office	\$ 1,406.17	Grants Admin	\$ 10.00
Election Admin	\$ 50.00	Comm & Social Svcs	\$ 2,083.33	Indigent Care	\$ 21,913.48
Transfer Station	\$ 1,268.98	Bldg Mtc Dept.	\$ 6,638.39	Environmental Health	\$ 1,984.68
Civic Center	\$ 2,357.76	Countywide Operations	\$ 24,842.08	Tax A/C Office	\$ 84.32
District Clerk's Office	\$ 317.10	County Clerk's Office	\$ 389.70	Sheriff's Office	\$ 12,055.05
Jail Operations	\$ 20,463.28	County Judge's Office	\$ 38.55	Co. Court @ Law 1	\$ 7.40
J.P. 1-2	\$ 68.55	J.P. 2	\$ 77.00	J.P. 5	\$ 294.77
Constable 1	\$ 175.00	Constable 2	\$ 177.62	Constable 3	\$ 170.48
Constable 4	\$ 99.56	Constable 5	\$ 177.85	District Court Operations	\$ 1,787.47
Co & JP Court Oper	\$ 1,368.65	Veterans Admin Office	\$ 39.40	Computer Services	\$ 2,214.70
Fire Marshal/EMC	\$ 181.05	CJD/VAWA Grant	\$ 232.05	CAPCO/Waste Task Force	\$ 131.03
CAPCO/911 Adds Mtc Grant	\$ 229.18	R&B Operations	\$ 108,850.81	Precinct 2	\$ 98.09
Road Reconstruction	\$ 27,960.33	County Engineer Office	\$ 949.15	R&B General Credit	<\$42.90>
Sheriff Abandoned Vehicle	\$ 120.00	Records Mngmnt/Co Clerk	\$ 8,325.51	Health Services Grant	\$ 5,418.85
Health Services Grants	\$ 5,418.85	Law Library Fund	\$ 150.00	Sheriff's Drug Forfeiture	\$ 2,423.96
Family Health Services Fund	\$ 12,481.44	Disaster Buyout Mitigation Fund	\$ 9,950.00	DOJ/Equip & Tech '99	\$ 33.68
Tobacco Settlement Fund	\$ 1,859.76	DOJ/Equip & Tech 2000 Grant	\$ 8,836.32		

18937 APPROVE UTILITY PERMITS

The following Utility Permits were submitted for approval: #00232 on CR129/Cotton Gin Road issued to Blue Bonnet Electric Co-op and #00411 on CR164/Sawyer Ranch Road issued to Time Warner Cable. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve Utility Permit #00232 and #00411 as submitted by the Road Department. All voting "Aye".

18938 APPROVE REFUND OF DOUBLE PAYMENTS AND/OR OVERPAYMENTS ON TAXES

Luanne Caraway, Tax Assessor-Collector, requested approval for refund of the following double payments and/or overpayments on taxes:

The Highlands Sec B Lot 80A Resub	\$ 639.84
Dove Hill Estates Sec 3 Lot 5	\$ 508.41

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve refund of double payments and/or overpayments on taxes as submitted by the County Tax Assessor-Collector. All voting "Aye".

18939 AUTHORIZE TREE TRIMMING ALONG FENCE LINE AND GENERAL CLEAN-UP AT DUDLEY JOHNSON PARK

Quotes were received from Gene Bagwell dba Maintenance Management (\$1,675), Diamondback Landscaping Inc. (\$2,420), A+ Tree Service (\$2,500), Mike's Landscape & Tree Service (\$2,950), and Easter Seals (\$3,250) for tree trimming/chipping, and general clean-up at Dudley Johnson Park. Recommendation was to go with Maintenance Management at a price of \$1,675. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to authorize tree trimming along fence line and general clean-up at Dudley Johnson Park by Maintenance Management in the amount of \$1,675.00. All voting "Aye".

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18940 AWARD ANNUAL CONTRACT FOR STREET MAINTENANCE REPAIR TO DURACO INDUSTRIES

Bids for street maintenance repair (pothole & shoulder repair, overlay utility cuts and alligator cracked areas) were received from Duraco Industries @ \$135 per ton and Potholes Plus, Inc. @ \$150 per ton. Staff recommendation was to award contract to Duraco Industries. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to award annual contract for street maintenance repair to Duraco Industries. All voting "Aye".

18941 AUTHORIZE GEOTECHNICAL TESTING AND ADDITIONAL LAND SURVEY FOR THE HAYS COUNTY HEALTH CLINIC

Purchasing Agent Debbie Bilbrey advised that Fromberg & Associates has requested geotechnical testing and additional land survey information which will be used as the basis for the design of the clinic. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to authorize geotechnical testing and additional land survey for the Hays County Health Clinic. All voting "Aye".

18942 APPROVE AGREEMENT WITH LCRA TO PROVIDE WATER AND WASTEWATER SERVICES VIA THE HAYS COUNTY WATER AUTHORITY TO UNINCORPORATED AREAS OF THE COUNTY

This issue has been before the Court on two previous occasions. The Court approved the agreement on August 1, 2000 and the LCRA Board of Directors approved the agreement at its meeting on August 23, 2000. The LCRA Board amended the agreement to clarify the intent not to interfere with the legal rights of cities to provide water service. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to approve agreement with LCRA to provide water and wastewater services via the Hays County Water Authority to unincorporated areas of the county. All voting "Aye". [see agreement in file]

19843 APPROVE BUDGET AMENDMENT NO. 00-34

Commissioner Carter asked about Sheriff's Drug Forfeiture Fund "special operations line item" receiving an increase of \$6,000 in funding out of "crime prevention line item". She wanted to know the exact expenditure. County Auditor Bill Herzog advised that funds are used for training ammunition, batteries, baseball caps, , task force dues, etc. (misc. items). Commissioner Carter questioned purchase of baseball caps. Commissioner Molenaar spoke of how baseball caps are used (designates various teams of the Sheriff's Dept.). Commissioner Carter asked for more information on how money is being

spent. It was stated that the Court has no authority over how this money is spent (Sheriff's discretionary fund) – it is not taxpayers money. Commissioner Molenaar spoke of pro-active programs that are supported by these monies and equipment that is purchased - this money is spent for good things. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Budget Amendment No 00-34. All voting "Aye".

**AMENDMENT
NO. 00-34
FY 2000 BUDGET
08/29/00**

FUND NO. 01

FUND TITLE GENERAL FUND

<u>LINE ITEM - EXPENDITURES</u>	<u>APPROPRIATION</u>	<u>AMENDMENT</u>		<u>APPROPRIATION</u>
	<u>BEFORE</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AS</u>
	<u>AMENDMENT</u>			<u>AMENDED</u>
SHERIFF'S OFFICE (418):				
01-418-5031 Holiday/OT	120,000	2,821		122,821
01-418-5213 Books	4,000		(2,821)	1,179
01-418-5271 Fuel	135,000	20,135		155,135
01-418-5362 C.I.D	8,000	2,070		10,070
01-418-5235 Law Enf Supply	17,000	875		17,875
01-418-5480 Utilities	20,900	4,775		25,675
01-418-5489 Telephone/Data Lines	65,000	12,159		77,159
01-418-5473 Equipment Lease	15,000	7,200		22,200
01-418-5160 Insurance	222,534		(11,370)	211,164
01-418-5394 Estray	1,000		(775)	225
01-418-5411 Office Equipment Maintenance	800		(700)	100
01-418-5413 Vehicle Maintenance	86,075		(20,135)	65,940
01-418-5415 Comm Maintenance	8,483		(3,275)	5,208
01-418-5715 Comm Equipment	42,537		(8,700)	33,837
01-418-5717 Law Enf Equipment	24,096		(759)	23,337
01-418-5801 Training	34,966		(1,500)	33,466
		<u>50,035</u>	<u>(50,035)</u>	

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**AMENDMENT
NO. 00-34
FY 2000 BUDGET
08/29/00**

FUND NO. 01

FUND TITLE GENERAL FUND

<u>LINE ITEM - EXPENDITURES</u>	<u>APPROPRIATION</u>	<u>AMENDMENT</u>		<u>APPROPRIATION</u>
	<u>BEFORE</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AS</u>
	<u>AMENDMENT</u>			<u>AMENDED</u>
JAIL OPERATIONS (419):				
01-419-5231 Medical	30,000	26,911		56,911
01-419-5480 Utilities	195,000	27,638		222,638
01-419-5489 Telephone/Data Lines	1,000	1,850		2,850
01-419-5031 Holiday/OT	128,000		(9,000)	119,000
01-419-5101 FICA/RET	514,427		(11,600)	502,827
01-419-5160 Insurance	306,330		(7,800)	298,530
01-419-5213 Books	1,000		(900)	100
01-419-5214 Photo Supply	8,500		(1,300)	7,200
01-419-5232 Meals	310,000		(15,000)	295,000
01-419-5235 Law Enf Supply	700		(458)	242

01-419-5241 Building Maintenance supply	40,000	(3,000)	37,000
01-419-5311 Travel	500	(500)	-0-
01-419-5321 Dues & Bonds	1,000	(453)	547
01-419-5324 Inspection Fee	1,450	(1,450)	-0-
01-419-5411 Office Equipment Maintenance	250	(200)	50
01-419-5419 Miscellaneous Equipment Maint	4,000	(1,850)	2,150
01-419-5473 Equipment Lease	2,900	(2,888)	12
		<u>56,399</u>	<u>(56,399)</u>
01-419-5431 Medical Services	96,000	1,421	97,421
REVENUE		DECREASE INCREASE	
01-347-3419 LEC Co-Pay Fees	2,500	1,421	3,921

Budget prisoner co-pay received to Jail Medical

FUND NO. 32

FUND TITLE SHERIFF DRUG FORFEITURE FUND

<u>LINE ITEM - EXPENDITURES</u>	<u>APPROPRIATION BEFORE</u>		<u>AMENDMENT</u>		<u>APPROPRIATION AS</u>
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>	
<u>SHERIFF DRUG FORFEITURE (484):</u>					
32-484-5301 Spec Operations	10,000	6,000		16,000	
32-484-5222 Crime Prevention	17,016		(6,000)	11,016	

FUND NO. 03

FUND TITLE ROAD & BRIDGE GENERAL FUND

<u>LINE ITEM - EXPENDITURES</u>	<u>APPROPRIATION BEFORE</u>		<u>AMENDMENT</u>		<u>APPROPRIATION AS</u>
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>	
<u>COUNTY ENGINEER (468):</u>					
03-468-5211 Office Supply	1,000	760		1,760	
03-468-5611 Construction	1,611	900		2,511	
03-468-5021 Staff	17,101		(1,660)	15,441	
		<u>1,660</u>	<u>(1,660)</u>		

Transfer additional office construction at Kyle from Personnel Savings

18944 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT FROM THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION AND TO EXECUTE A CONTRACT FOR \$47,027.00 TO CONTINUE THE TRUANCY PROGRAM IN SAN MARCOS AND WIMBERLEY SCHOOL DISTRICTS

This is a second year grant – the money will be used to pay the salary of the Truancy Officer in the Sheriff's Office and to pay overtime for the SRO's in the San Marcos CISD and for Deputies in the Wimberley ISD to make evening visits at the truant student's home. The County will provide 50% of the matching funds and each school district will provide 25%. Commissioner Carter advised that she has a basic philosophical or principal difference with our law enforcement going into people's homes. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the County Judge to accept a grant from the Office of the Governor – Criminal Justice Division and to execute a contract for \$47,027 to continue the truancy program in San Marcos and Wimberley School District. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".



Clerk's Note: Item #10 RE: Grant from the Office of the Governor-Criminal Justice Division-Juvenile
Accountability Block Grant for \$34,823 was pulled from the agenda

18945 RESUBDIVISION OF CREEKSIDE ADDITION [00-4-091] * PUBLIC HEARING AND FINAL PLAT APPROVAL [T1-164]

Judge Powers declared the public hearing open. Morgan Little, resident of Creekside Addition and lives on Sycamore Creek Drive, appeared before the court. He spoke of water problems in this subdivision and he spoke of the current drought condition. Mr. Little spoke of new wells being put in and he is having to go to extreme measures to not have to re-drill his own well. He does not think this is a good idea. Mr. Little spoke of inadequate services (phone service, electric service, etc.) and his concerns of the fire danger in this area. He feels like new lots should have to go to rainwater collection and tax incentives should be given to people reverting to rainwater collection. Commissioner Carter spoke of following the statute in regards to people in the neighborhood that are opposed to resubdivision. Allen Walther advised that this was not required to meet water availability requirements because of the number of lots and their size – notification requirements have been met and it this does meet the county requirements, therefore, he gave staff recommendation for approval. Commissioner Burnett advised that we are working on a tax incentive based program to encourage people to put in rainwater collection systems. They will be presenting to the Court and hopefully to a CAPCO 10 county region and probably even statewide is a “tax exemption notice” that they hope it will be adopted by counties, cities, and school districts. Morgan Little advised that he is delighted to hear that. Commissioner Molenaar read from the Local Government Code §232.009(d) Revision of Plat. Commissioner Ingalsbe asked how we determine if established rights are being violated. Allen Walther advised that the burden would be on the property owner who feel their established rights have been violated and we would have to weigh that against an individuals rights to subdivide based on our rules and the right of capture (which has always been upheld by the Legislature as it relates to water wells). Commissioner Molenaar spoke of need to establish who has the right – no laws says they can't pull water out of the ground. He spoke of water situation in his own subdivision - he is on his second well now and plans to go to rainwater collection instead of drilling a third well. We cannot stop growth without more authority and changes need to be made in the Legislature. Commissioner Molenaar stated that he is trying to make a decision that is right for everyone. Commissioner Carter spoke of need for consultation from legal counsel. Commissioner Burnett spoke of need for assistance from the citizens to work to get legislation passed to give county's authority to have water protection authority - public support is needed at the legislative level. Commissioner Ingalsbe asked if the county has authority to set guidelines for situations we are seeing. Allen Walther spoke of concerns being legitimate and we have addressed water availability in our rules pursuant to Senate Bill 1. He spoke of State rules that would allow more lots than our rules allow and we have tried to limit density. We cannot discount his concerns but we have a requirement to approve a plat that meets our rules. Public hearing was closed. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve final plat of “Resubdivision of Creekside Addition”. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting “Aye”. Commissioner Carter voting “No”. Commissioner Burnett asked that staff make sure that lot size does not violate restrictions. Mike Rose stated that the Restrictions have expired on these lots.

18946 CHAMPIONS BUSINESS PARK REPLAT OF LOT 17 [00-2-084] * WAIVE PUBLIC NOTIFICATION AND APPROVE FINAL PLAT [T1-620]

Environmental Health Director Allen Walther advised that lots are owned by one property owner – this is a consolidation of seven lots into one lot. The utilities for this subdivision (water and wastewater) are being provided by the City of San Marcos and it has met their preliminary approval and has received utility approval and permitting by TXDOT and TNRCC as well as the approval of the extension of utilities by the City of San Marcos. He gave staff recommendation for approval. Commissioner Carter spoke of condition of Yarrington Road – she prevailed upon the property owner to help with road improvement. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to waive public notification and approve final plat of “Champions Business Park Replat of Lot 17”. All voting “Aye”.

18947 SUNSET HILLS [99a-2-053] * APPROVE EXTENSION OF TIME TO GAIN PRELIMINARY PLAT APPROVAL [T1-661]

Environmental Health Director Allen Walther advised that the subdivision was originally submitted 10/15/99 and was held up for a number of months by the City of Niederwald's development moratorium. The developer is seeking to extend his time for gaining approval to keep from having to repay his fees – the period for extension six months - Niederwald approval is still needed. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve extension of time gain preliminary plat approval for “Sunset Hills” subdivision. All voting “Aye”.

18948 BURNETT RANCH RESUBDIVISION OF LOT 26 [00-3-089] * PRELIMINARY PLAT APPROVAL [T1-677]

Environmental Health Director Allen Walther advised that this is a 14 acre parcel being divided in two tracts. He gave staff recommendation for preliminary approval. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve preliminary plat of "Burnett Ranch Resubdivision of Lot 26". All voting "Aye".

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18949 RELEASE FISCAL SECURITY (ROAD CONSTRUCTION) FOR "EDWARDS BUSINESS PARK" AND ACCEPT MAINTENANCE SECURITY [T1-696]

Environmental Health Director Allen Walther advised that fiscal security for road maintenance is in place and staff recommends release of road construction security. A motion was made by Commissioner Carter, seconded by Commissioner Molenaar to release fiscal security (road construction Letter of Credit #S061847 = \$82,400.00 and accept maintenance security (Letter of Credit #S062168 = \$8,240.00) for "Edward Business Park" subdivision. All voting "Aye".

18950 RELEASE FISCAL SECURITY FOR "POUNDBOUSE HILLS SECTION 1" [T1-711]

Environmental Health Director Allen Walther gave staff recommendation to release fiscal security. This subdivision has met the construction standards for Hays County and has passed the inspection process. The City of Dripping Springs is to accept immediate responsibility for the maintenance of the streets once the construction has been accepted by Hays County. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to release fiscal security for "Poundhouse Hills Section 1". All voting "Aye".

18951 AWARD CONTRACT FOR REPAIR OF ELEVATOR AT THE COURTHOUSE ANNEX BUILDING TO THYSSEN DOVER ELEVATOR [T1-738]

Maintenance Supervisor Ron Knott spoke of 2 bids submitted by Thyssen Dover Elevator (repair = \$62,654 & replacement = \$67,454). He recommended repair of the elevator rather than replacement because replacement would require extensive work with additional costs. He stated that only the new elevator would be ADA compliant. Roger Freeman (Thyssen Dover Elevator) advised that the existing elevator is not ADA compliant, however, if repaired the elevator will comply with all requirements except for size. Ron Knott advised that the added cost, above the bid for replacement, would be approximately \$8,000-10,000 to increase the size of the elevator shaft. County Auditor Bill Herzog advised that cost of repair/replacement will come out of capital improvements (\$70,000 budgeted). A motion was made by Judge Powers, seconded by Commissioner Carter to award contract for repair of elevator (\$62,654.00) at the courthouse annex building to Thyssen Dover Elevator. All voting "Aye".

ACTION TABLED TO ADOPT A RESOLUTION CONFIRMING PUBLIC HEARING REQUIREMENTS FOR THE CITY OF CAMERON EDUCATION CORPORATAION STUDENT HOUSING REVENUE BONDS TO FINANCE CERTAIN STUDENT HOUSING FACILITIES LOCATED NEAR THE CAMPUS OF SOUTHWEST TEXAS STATE UNIVERSITY AND APPROVING THE BONDS AND THE PROJECTS AS REQUIRED BY SECTION 147(F) OF THE INTERNAL REVENUE CODE [T1-878]

Jonathan Leatherberry (Vinson & Elkins, LLP) advised that the City of Cameron Education Corp. is planning to issue tax exempt student housing revenue bonds to finance the purchase of Jefferson Commons student housing facility located near the campus of SWTSU. In order for the interest on the bonds to be exempt from federal income tax, Section 147(f) of the Internal Revenue Code requires that a public hearing be held regarding the issuance of the bonds to give people a chance to comment on the bonds and the project. Public notice was given and the public hearing was held on August 3, 2000. Since the project is located in Hays County, the Commissioners' Court is being requested to approve the issuance of the Bonds and the project. This approval is being sought for tax purposes only. Neither the Commissioners' Court nor the County will incur liability, financial or otherwise, by approving the bonds and the project. The property will be removed from the ad valorem tax rolls. He spoke of benefit being indirect to the county - SWTSU will benefit from funds that will be created from the bond document. They want to close the deal October or November. Commissioner Burnett stated that he has a

problem with approving something that is in the corporate city limits of the City of San Marcos without having a letter or resolution from them because they will be providing services to this facility. Judge Powers suggested tabling this item. Commissioner Burnett advised that he would like some kind of consideration from the City of San Marcos before it comes back to the court. No action taken

18952 ADOPT A RESOLUTION SOLELY FOR THE PURPOSES OF SATISFYING SECTION 147(F) OF THE INTERNAL REVENUE CODE, RELATING TO THE ISSUANCE OF THE HIGHLANDS COUNTY HEALTH FACILITIES AUTHORITY REVENUE BONDS (ADVENTIST HEALTH SYSTEM/SUNBELT INC. ACCOUNT RECEIVABLE PROGRAM) SERIES 2000 [T1-988]

John Orr (Fulbright & Jaworski) spoke of being the county's attorney in these matters for a number of years (since 1981) and he suggested taking agenda items #21 & 22 into consideration first. He explained the State law and advised that the City of San Marcos has approved this issue and county approval is now needed. The money to be spent in Hays County (at Central Texas Medical Center) is well over \$5 million. He spoke of hearing which is required to make sure that people will know what's going on (bad projects will not go forward). He explained what approval is needed for Items #20, 21, & 22. There is no obligation to the county. The resolutions make clear that Hays County has no obligation to financing. Ken Bacon (CTMC Rep) spoke of additions to the hospital (\$3 million of \$5 mil), additional equipment, etc. that are being funded by these bonds. John Orr spoke of hearings being to insure that State and Federal laws are being followed. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to adopt a resolution solely for the purposes of satisfying Section 147(f) of the Internal revenue code, relating to the issuance of the Highlands County Health Facilities Authority Revenue Bonds (Adventist Health System/Sunbelt Inc. Accounts Receivable Program) Series 2000. All voting "Aye". [see Resolution in file]

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18953 ADOPT A RESOLUTION FOR PURPOSES OF CHAPTER 221 OF THE TEXAS HEALTH AND SAFETY CODE, AS AMENDED, RELATING TO THE ISSUANCE OF THE TARRANT COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION REVENUE BONDS (ADVENTIST HEALTH SYSTEM/SUNBELT) SERIES 2000 ("THE BONDS"), WHICH APPROVAL IS REQUIRED AS THE BONDS ARE BEING ISSUED BY A SPONSORING ENTITY FOR THE BENEFIT OF A HEALTH FACILITY THAT IS LOCATED OUTSIDE THE LIMITS OF THE SPONSORING ENTITY

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to adopt a resolution for purposes of Chapter 221 of the Texas Health and Safety Code, as amended, relating to the issuance of the Tarrant County Health Facilities Development Corporation Revenue Bonds (Adventist Health System/Sunbelt) Series 2000 ("the Bonds"), which approval is required as the bonds are being issued by a sponsoring entity for the benefit of a health facility that is located outside the limits of the sponsoring entity. All voting "Aye". [see Resolution in file]

18954 ADOPT A RESOLUTION SOLELY FOR THE PURPOSES OF SATISFYING SECTION 147(F) OF THE INTERNAL REVENUE CODE, RELATING TO THE ISSUANCE OF THE TARRANT COUNTY HEALTH FACILITIES AUTHORITY DEVELOPMENT CORPORATION REVENUE BONDS (ADVENTIST HEALTH SYSTEM/SUNBELT) SERIES 2000

A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to adopt a Resolution solely for the purposes of satisfying Section 147(f) of the Internal Revenue Code, relating to the issuance of the Tarrant County Health Facilities Authority Development Corporation Revenue bonds (Adventist Health System/Sunbelt Series 2000). All voting "Aye". [see Resolution in file]

PUBLIC HEARING ON A PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING YEAR BY 5.9524% WHILE MAINTAINING THE CURRENT TAX RATE OF \$0.4539 [T1-1207]

Judge Powers declared the public hearing open. No public input was received. Commissioner Carter stated that she feels like the objective of a budget is to not increase taxes on existing residents by means of higher tax rates or appraisals. Numerous citizens have spoken to her about their worry about losing their homes that have been paid off. Their taxes keep going up while their incomes do not increase Owners of small businesses, farmers, ranchers, and folks on a fixed income cannot survive the constant spiral of tax and spending that needs to be arrested from the courthouse and school house to Austin and Washington DC. She stated that the primary role of county commissioners, as originally established by law, was to maintain the roads and bridges and this is the time for Hays County to concentrate on rebuilding and repairing the many county roads that have been neglected and are beset by staggering growth. She believes we should not raise taxes and if we do it should be used primarily for their good. She does not believe the budget this year reflects the values of the taxpayer. Commissioner Burnett spoke of need to work with the legislature, in his opinion, to rewrite the tax code - ad valorem tax is an antiquated system - we technically do not own our property, we are renting it from the government - the system we have is outdated and somewhat unfair but it is the current system we have right now and we need to be vigilant and influence some change. Judge Powers closed the public hearing and advised that the Court will vote on the tax rate on September 5, 2000 at 10 A.M. Bill Herzog advised that an advertisement has been in the newspaper and will again be in the newspaper.

PUBLIC HEARING ON THE FY2001 HAYS COUNTY BUDGET [T1-1320]

Judge Powers declared the public hearing open on the FY2001 Hays County Budget.

[T1-1338] Diana Ross (lives on Lonie Lane) spoke of ineffectiveness of the Sheriff's Department in **animal control**. She spoke of dogs that are loose in her neighborhood which has affected the safety and welfare of our children waiting for school buses. They have called the Sheriff's Dept. and they have not picked up dogs are issued citations and they are afraid for their lives. Mrs. Ross spoke of having been injured by a pit bull dog – she called the Sheriff's Dept. and that dog is still running loose. Judge Powers asked Mrs. Ross to give her name and telephone number to his staff and he will follow up on this. Commissioner Carter asked why this animal has not been picked up and quarantined according to State Law and County Ordinance. Commissioner Molenaar spoke of need to follow the *law* - he has no answer as to why this has not been done.

[T1-1418] Jimmie Robinson appeared representing the **Wimberley Community Center**. She spoke of funding for the Wimberley Senior Citizens Activities. She also spoke of the "Wimberley Way" and volunteer services provided as well as the need for a community center building in Wimberley. \$10,000 has been budgeted by Hays County in FY2001 and they are requesting a commitment for additional funding and continued funding.

[T1-1482] David Glenn, Member of the Board Of Directors of the Wimberley Senior Citizens Activities Inc./ WSCAI) spoke of proposed Wimberley Community Center to be built on community land (located at intersection of RR12 and River Road). He spoke of land that has been donated and the goals of their organization - planning began in 1998 to ascertain their needs. He gave details of the proposed facility. Estimated cost is \$1.5 million - \$360,000 has been committed from the community & \$175,000 in-kind donations. For \$1.2 million phase I a total of \$600,000 will be donated from residents and small business owners in the Wimberley Valley – the remaining \$600,000 will be acquired from corporate contributions and public & private foundations that generally require community commitments of about ½ construction costs prior to their finalizing funding as matching grant. They are requesting partnership funding from the county in the amount of \$25,000.

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[T1-1582] Linda Hewlett, Mayor-Village of Wimberley, spoke of being committed to the citizens for minimal government (without property tax) and they must keep their cost down. They want to continue to have clubs and organizations working for them (a separate arm of the government) and they need a place to meet. She requested additional funding for the Wimberley Community Center. The existing facility will become an expanded thrift shop to raise operating funds.

[T1-1628] Dr. Kay Hofer asked for revision to the budget in regards to **Elected Officials salaries**. She stated that some of us worked very hard to get republicans elected which they hoped would bring more efficient government and a more conservative government system to Hays County. She spoke of salaries of elected officials in Comal County, SMCISD starting teachers (\$24,000), SWT starting Professors (\$24,000), entire armed services received only a 3.7% salary increase, all retired Americans received only a 2.0% salary increase, San Marcos City Officials received 2-6% increase. She spoke of salary increases given to Hays County officials over the last couple of years. She asked the court to reconsider these numbers. Dr. Hofer spoke of her concern for money sitting in reserves and compared Hays County to Comal County. She asked the court to reconsider holding budget hearings at night like other taxing entities.

[T1-1721] Patsy Moore reminded the court that 4 out of the 5 members on the court were voted under the republican philosophy- a philosophy of conservatism – and she asked the court to review the budget with that philosophy in mind

[T1-1727] Sam Davis asked about “Ace in the Hills” grant and what happened to the Pioneer Road District & Springlake Road Dist. money? He asked about drug forfeiture money for the Sheriff’s Dept. and DA’s office? Is there a mileage record for what each Commissioner drives for county business? He asked about 200% increased for Juvenile Probation staff salaries? Why have we approved \$200,000 for Medical & Dental Insurance for Indigents? What is longevity pay? There is \$1 million approved for ROW cost? Records Preservation approved \$80,000.00? Commissioner Burnett stated that “Ace in the Hills” is a grant that is set up by the State for economic development which we administer. Road Districts were set up for Springlake Subdivision and Pioneer Ranch Subdivision for road improvements in which the property owners agreed to pay back the debt and they have now paid off that debt. Drug Forfeiture money is set up by the State for District Attorney’s office & Sheriff’s office and is under the control of those Departments and the Commissioners’ Court has no control over those funds. Commissioner Molenaar explained that money, etc. that is confiscated in Drug cases are placed into these funds depending on which department is directly involved in those cases. Commissioner Burnett spoke of Right-of-Way funds budgeted for State projects that have already been adopted by the Court - the FM1626 project = \$300,000 and SH45 project = \$500,000. Now that the county has an engineer on staff we will save money and the remaining funds (\$200,000) will be used for any other projects or R-O-W for any other roads. County Auditor Bill Herzog spoke of Juvenile Probation increase is because of adding an Asst. Juvenile Probation Officer. He advised that the county is responsible for Medical/Dental for Indigents for up to \$30,000 for each indigent, by Law. The longevity is paid to all county employees with more than 4 years of service (capped at \$100 per mo). Records Preservation funds will be used for records preservation for the Tax Office and District Clerk. There is no record of mileage by Commissioners. Commissioner Burnett spoke of mileage he drives being approximately 30,000 miles per year (15,000 on county business which if he were reimbursed per mile would equal \$4800 per yr which is more than he gets now) - he would support a system for mileage reimbursement. Commissioner Carter spoke of there being so little dialogue on the specifics of our budget - almost non-existent discussion and she feels like the court should account to the public for the changes.

[T1-1925] Brenda Schlomach spoke on behalf of her husband Dr. J. Byron Schlomach (President of Concerned Taxpayers of Hays County) - he feels like government is to do the bidding of the people who allow it to govern them – the bidding of all the people – and providing law enforcement and commodities like roads that benefit everyone. He feels like this budget fails the test: a significant percent of the budget fails the test of benefiting all the people, most of the social services budget, in particular, should simply be wiped out. This budget also fails in several areas to hold other county officials accountable – instead it appears that many of the items in the county budget are calculated to produce the highest possible probability of re-election for members of the commissioners’ court. Road maintenance appears to be habitually neglected until they reach crisis proportions – need to more rapidly pay down the county debt and improve the county’s road investment. He feels like right now individuals and charities are more capable than ever to taking care of other human needs. Specific questions 1. Treasurer’s salary will have been increased by 22% and staff salaries will have more than doubled in two years - what is the justification? 2. Are there statistics on how productive the grants administration office is? – can you justify a 5% raise. Commissioner Burnett [T1-2027] spoke of lowering the Hays County tax last year. Mrs. Schlomach stated that her husband is not all critical of everything in the budget. Commissioner Burnett stated that he takes offense to the questioning of their Republican credentials – he advised that Commissioner Carter voted against lowering the tax rate last year – she was pleased with most of the budget, but felt like more money should be spent for roads in the high growth area. Mrs. Schlomach spoke of debt being the main concern. County Auditor Bill Herzog advised that the county owes about \$24 million and we paid \$2 million off the principal last year. Commissioner Burnett read item #5 off the list Mrs. Schlomach presented to the Court which states that in the nation, senior citizens are the most wealthy of all age groups - he stated that he is proud to support senior citizens. Commissioner Carter stated that she voted against the budget last year because the road department was not receiving the due it was needing in Pct. 2, primarily where 60% of the growth is. Commissioner Burnett spoke of R-O-W funds in the amount of \$800,000 in this budget for projects in Pct. 2. Commissioner Carter spoke of need to address the county roads in Precinct 2. [T1-2093] Mrs. Schlomach asked if we are using the money effectively and efficiently and are we prioritizing in the right areas. Her husband’s list speaks of Sheriff’s Dept. having more cars than deputies and questions the funding of special counsel – what is the authority of this position which seems to serve the County Judge. Judge Powers advised that special counsel works under the District Attorney and works for the Commissioners’ court and works for all commissioners. He stated that it was a mistake that the court did not have this position before – cities, school boards, etc. all have legal advisers – it is important to have someone who understands the law. Commissioner Burnett spoke of Comal County having a District Attorney and a County Attorney (that acts in the same capacity as our special counsel). Our legal counsel is under the District Attorney. Commissioner Carter spoke of other counties using an Asst. D.A. to handle questions from the Court.



[T1-2175] Patricia Tessaro, Director of the **San Marcos Area Food Bank**, thanked the court for their annual funding and FY2001 funding in the amount of \$25,000. She recognized Commissioner Ingalsbe for her service on the board of directors. Mrs. Tessaro reported that the SMFB feeds 750 families per week throughout the county (4,000 individuals per week). They moved 1.38 million pounds of food in Hays County in 1999. They have 3 fulltime employees and a host of volunteers. She commended the court on their partnership. Although the economy is booming, there are senior citizens on fixed incomes, children who live below the poverty line, and a population of transient and homeless folks in this county who are hungry and they work very hard to impact that problem. She spoke of sources of their income. Commissioner Ingalsbe thanked Pat for her hard work and advised her that we appreciate what she has done with the food bank in the short time she has been here.

[T1-2244] John Bryant spoke of freezing of taxes for senior citizens - he wanted to remind the court that we have the republican majority on this body by the hard work of a lot of good taxpayers – we assumed that we would start to see some changes that would reduce our taxes - we continue to get our taxes raised both in the rate and the assessed valuations (from FY96/97 the ad valorem taxes have increased more than 20% each year) – sales taxes have increased by more than 9% per year and each department has grown. They want more money spent for road systems. He spoke of family income and various taxes that come out of their income and he would like to see taxes reduced.

[T1-2359] Jackie Craig spoke of keeping salary increases down with property appraisal going up. Judge Powers stated that we have no control over property values - this budget deals with issues that should have been dealt with a long time ago. He spoke of it being difficult to maintain and keep employees - we are losing employees to other counties close to us and to private industry. He stated that he appreciates the input and comments and he feels like the county has some of the finest employees and he wants to do whatever he can to keep those folks. We might disagree but it is his job to put together a budget and he and the county auditor spent many hours going through it. He feels like we are dealing with issues that have not been dealt with in a long time and not problems we have created in the last couple of years. He stated that he did not run for office to be popular, he ran for office because he wanted to do a job that he thinks is right and as long as it is not illegal, unethical or immoral, he is going to do it. [T1-2455] Commissioner Carter stated that she believes this is a budget for the people, it is the taxpayers budget because it is their money, these funds are collected to perform the necessary functions for the common good of all citizens that cannot be accomplished by individuals on their own. She stated that we are paying 1/2 of our income to the government in sales tax, fees, and licenses and we have substantial reason to expect government to be conscientious and careful to fill our obligations. She spoke of need to keep effective taxes down and make a concentrated effort to rebuild our roads and bridge infrastructure. Commissioner Carter spoke of Comal County investing in their roads on a year by year basis. She spoke of Hays County debt and paying down this debt should be a priority. She spoke of number of vehicles being purchased each year by the county. She stated that charities should be freely chosen by the citizens rather than certain charities being forced upon the government. She stated that she voted against elected officials salary increases because the average salaries of elected officials in counties that are the same population size as our county are lower than the salaries of Hays County elected officials. Judge Powers closed the public hearing. County Auditor Bill Herzog advised that the Road Dept. budget has increased to \$6.317 million.

18955 ACTION REGARDING PROPOSED CHANGES TO THE FY2001 HAYS COUNTY BUDGET

[T1-2596] County Auditor Bill Herzog provided a list of additional expenditures, additional revenue sources, rollover funds, new funds, transfers, and policy decisions for consideration:

ADDITIONAL EXPENDITURES

ADDITIONAL COSTS

1. GRADE/STEP COMMITTEE RECOMMENDATIONS:

A. Allow upgraded positions to retain steps		
1. Office Administrator – Auditor’s office		\$ 1,985
2. Substation Chief Deputy – Tax Assessor/Collector Office		\$ 3,217
3. Upgrade Chief to Assistant District Clerk		\$ 2,994
4. Commissioner #2 – Assistant		\$ 1,329
5. Commissioner #3 – Assistant		\$ 2,821
B. Upgrade following positions		
1. Assistant Auditor	35-1 to 38-1	\$ 6,178
2. Accountant	31-5 to 33-5	\$ 3,721
3. Grant Accountant	31-1 to 33-5	\$ 3,721
4. Internal Auditor	31-1 to 35-1	\$ 6,619
5. Solid Waste Enforcement Officer	27-1 to 28-1	\$ 1,326
6. Constable #2-Senior Office Specialist	18-1 to 19-1 (PT)	\$ 427
7. Bookkeeper to Accountant-Treasurer Office	22-2 to 33-2	\$11,790

Start Safety Officer 1/1/01 (Savings)	(\$ 5,729)
(Savings) in hiring new staff at Step 1	(\$ 1,866)
C. Fringe Benefits on above changes	<u>\$6,389</u>
TOTAL	\$ 44,922

2. <u>HEALTH INSURANCE COST FOR EMPLOYEES:</u>	
A. General Fund	\$ 57,000
B. Road & Bridge Fund	\$ 11,915
C. Health Fund (10)	\$ 1,988
D. Health Fund (35)	<u>\$ 1,633</u>
TOTAL INSURANCE	\$ 72,536

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3. <u>OTHER:</u>	
A. Printing of Atlas	\$ 10,000
B. Postage-Environmental Health	\$ 6,000
TOTAL OTHER	\$ 16,000
GRAND TOTAL.....	<u>\$ 133,458</u>

Cluster Court Expense	?
San Marcos/Hays County EMS	\$ 10,000

ADDITIONAL REVENUE SOURCES

1. Sales of Atlas Books	\$ 10,000
2. Change in fees for Environmental Health Services as approved by Commissioners' Court	
1300 permits @ \$75(275-200)	\$ 97,500
100 Subdivision reviews @\$200	\$ 20,000
3. Revenue from Dripping Springs ISD for collection of taxes	<u>\$ 12,000</u>
TOTAL REVENUES SOURCES.....	<u>\$139,500</u>

ROLLOVER FUNDS

**(Projects that will not be completed in FY2000
And need to rollover to FY2001)**

1. Johnson/Heritage Visitor Center	
01-745-5219	\$ 1,050
01-745-5448	\$ 3,175
01-745-5719	\$ 6,500
Funded by current budgeted funds rolling over	
2. CAPCO-Waste Task Force Grant	
01-726-5391	\$ 800
Funded by additional revenue 01-384-4726	(\$ 800)
Rollover training funds into FY2001	
3. NRCS Dam Site #5 Grant	
01-723-5611	\$ 22,358
01-723-5627	\$ 4,000
Funded by additional revenue - 01-381-2723	(\$84,000)
01-381-2418	(\$10,500)
Rollover of Dam repairs into FY2001	
4. Disaster Buyout Mitigation Funds	
45-747-5319	\$ 10,500
45-746-5488	\$234,003
Funded by additional revenue into FY2001 – 45-381-2746	
5. TDED – Stellar Plastics Grant	
36-602-5399	\$ 11,200
36-381-3602	(\$11,200)
Rollover of Administration costs to be paid	

6.	TDED – Ace In The Hills Grant	
	43-603-5399	\$ 2,800
	43-381-3603	(\$2,800)
	Rollover of Administration costs to be paid	
7.	Tobacco Funds	
	47-607-5301	\$300,000
	To reflect additional rollover funds to FY2001	
8.	Fire Alarm System (LEC)	
	01-414-5740 Miscellaneous Improvements	\$ 30,000
	Rollover of funds for installation of new fire alarm system	
9.	Time Payment Fees	
	01-422-5335 County Court at Law	\$ 2,600
	01-424-5335 J.P. 1-1	\$ 270
	01-425-5335 J.P. 1-2	\$ 6,000
	01-426-5335 J.P. 2	\$ 600
	01-428-5335 J.P. 4	\$ 450
	Rollover money not used by offices to be used in FY2001	
10.	Lease Funding	
	01-434-5331 Constable #4	\$ 1,790
	01-435-5331 Constable #5	\$ 500
	Rollover unspent lease funding for Continuing Education	
11.	Parks Fund	
	07-487-5742 Park-Capital Improvements	\$ 29,078
	Rollover donated funds not spent in FY2000	
12.	Road & Bridge Funds	
	03-438-5351	\$300,000
	03-464-5612	\$100,000
	Additional rollover of Road & Bridge funds into FY2001	
13.	Anticipation Notes 95	
	06-610-5635 Building Renovation/ADA	\$ 69,000
	Use rollover money to replace elevator in Annex	
14.	Sheriff Special Projects Fund	
	28-467-5222 Crime Prevention	\$ 2,045
	28-467-5223 DARE Program	\$ 455
	To rollover money into FY2001	
15.	Sheriff Drug Forfeiture	
	32-484-5221 Computer Expense	\$ 3,440
	32-484-5222 Crime Prevention	\$ 5,175
	32-484-5222 DARE Program	\$ 2,490
	32-484-5301 Special Operations	\$ 7,555
	32-484-5362 CID Expense	\$ 7,110
	32-484-5367 Mounted Patrol Expense	\$ 11,305
	32-484-5717 Law Enforcement Equipment	\$ 7,925
	To rollover drug forfeiture funds to FY2001	

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NEW FUND

Create Medical & Dental Fund

EXPENSES:

31-483-5323 Administration Fees	\$ 315,000
31-483-5344 Claims	\$ 1,800,000

REVENUE:

31-361-3611 Interest	\$ 25,000
31-392-0013 Deposits from payroll	\$ 2,115,000
Beginning Balance (rollover)	\$ 100,000

TRANSFERS

(Does not increase revenue or expenses)

1. Election Office – combine line items -	5219	\$ 9,000
	5311	\$ 300
	5445	\$ 18,000
	5446	\$ 1,000
	into one line item 5446	\$ 28,300
2. Move \$6,000 from recycling expenses (01-409-5303)		
to household hazardous waste disposal (new line item)		

3. Move \$1,000 from Commissioner #4 Special Projects (03-442-5353)
To copier rental line item (03-442-5473)
4. Consider moving Commissioners' Special Project funds from Road & Bridge budget
To General Fund – Commissioners' Court budget
5. Park Expenses – Park Fund

07-487-5450 Master Plan	\$ 15,000
01-414-5742 Park Improvements	(\$15,000)
07-487-5453 Park Maintenance & Repair	\$ 14,000
01-414-5453 Park Maintenance & Repair	(\$14,000)
To transfer some park related expenses to the Park fund	

POLICY DECISIONS

1. Currently, County Court at Law Judge's salaries are budgeted at \$1,000 less than District Judges. Additionally, we have budgeted longevity funds for County Court at Law Judges. When added to salaries, longevity will increase the County Court at Law Judge's salaries to above the \$1,000 less than District Judges. Does the Commissioners' Court intend to do that?
2. The budget provides for a part-time bailiff for District Court and a part-time bailiff for J.P. 1-2. The offices are suppose to utilize the bailiff's from the pool of bailiffs in Courthouse Security Fund. District Court wants to hire their own bailiff and they are responsible for them. I recommend we allow them to hire a part-time bailiff and charge half the cost to Courthouse Security Fund and pay for half the cost from a fee that can be assessed of \$5.00 on each civil case for a bailiff fee (approx. \$6,000 per year).

[T1-2611] Commissioner Burnett advised that the Trinity Groundwater Conservation District funds need to be added to rollover list (apprx. \$1800). Bill Herzog spoke of projected income and roll over funds, and additional expenses. Commissioner Burnett spoke of additional revenues which he would like to put into the Wimberley Community Center – They have not asked for substantial funding in the past like other senior citizen groups have. Commissioner Carter spoke of their not being any funds in the budget for the Onion Creek Senior Citizens group.

[T1-2746] **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to take \$8,000 out of additional revenues and put into the Wimberley Senior Citizens Center. A total of \$20,400 in funding. Commissioner Molenaar, Commissioner Burnett, Commissioner Ingalsbe and Judge Powers voting "Aye". Commissioner Carter voting "No". MOTION PASSED**

[T1-2805] **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to increase funding for the San Marcos/Hays County EMS in the amount of \$10,000, out of additional revenues. The EMS funding had been cut in the past and they have now expanded their service area and are in need of additional funding. Commissioner Ingalsbe, Commissioner Carter, Commissioner Burnett, and Judge Powers voting "Aye". Commissioner Molenaar voting "No". MOTION PASSED**

[T1-2868] Bill Herzog spoke of request from JP4 to increase a clerk to a supervisor position and Environmental Health's request that the grade/step committee look at re-organization in his office. Personnel Director Stephanie Trahan spoke of 3 requests submitted by Environmental Health on July 24th: Chief Sanitarian (currently Grade 32) requested a 2 grade increase - committee recommended a 1 grade increase * GIS Coordinator request was for 1 grade increase - no recommended increase * Asst. Chief Sanitarian request was for 1 grade increase – committee recommended a 1 grade increase. County Auditor Bill Herzog spoke of use of reserve funds. Commissioner Burnett stated that he would not support taking any more money out of reserve funds – he does not feel like it is justified to have 6 months of reserves. Commissioner Carter spoke of need for adequate reserves and suggested not adding anymore to the budget.

[T1-3039] **A motion was made by Commissioner Carter to stop our spending and not spend any additional funds in the budget, seconded by Commissioner Ingalsbe. Commissioner Ingalsbe, Commissioner Carter, and Judge Powers voting "Aye". Commissioner Burnett and Commissioner Molenaar voting "No". MOTION PASSED.**

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County Auditor Bill Herzog spoke of need to roll over funds for Trinity Groundwater Conservation District (\$1,800) and for Records Management (\$10,000 additional monies).

[T1-3128] **A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to rollover funds as proposed by the County Auditor, including the Trinity Groundwater Conservation District funds and Records Management Funds. All voting "Aye".**

[T1-3185] Bill Herzog recommended creation of a self funding line item for Medical & Dental. **A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to create a new Medical/Dental Fund for self insurance as proposed by the County Auditor. All voting "Aye".**

County Auditor Bill Herzog spoke of line item transfers needed that do not increase revenues or expenses. **A motion was made by Judge Powers, seconded by Commissioner Carter to approve line item transfers as follows: Election Office – transfer line items #5219, 5311, & 5445 into line item #5446 and move \$6,000 from recycling expenses (01-409-5305) to household hazardous waste disposal (new line item) as proposed by the County Auditor. All voting "Aye".**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to transfer \$1,000 from Commissioner Pct. 4 Special Projects (03-442-5353) to Copier Rental line item (03-442-5473) as proposed by the County Auditor. All voting "Aye".

[T1-3300] Commissioner Molenaar spoke of his request to take Commissioners' budgets out of the Road & Bridge budget and put it into the General Fund. Bill Herzog spoke of having to adjust the tax rate if you did this (general fund would have to be increased and road & bridge fund would have to be decreased accordingly). Commissioner Molenaar spoke of statute that does not allow use of their special project funds for anything other than for roads. Commissioner Ingalsbe suggested moving only the special project funds to the general fund. Commissioner Molenaar spoke of other funds in their budget that may not be used for road projects. Tax Assessor-Collector Luanne Caraway spoke of her concern because the proposed tax rate has already been set out. Commissioner Molenaar spoke of Commissioners job not being just county roads. **A motion was made by Commissioner Molenaar to take the Commissioners budgets out of R&B General Fund. Motion died for lack of second.**

[T1-3550] County Auditor Bill Herzog spoke of park maintenance fund and need to transfer funds. Commissioner Carter spoke of money spent in 1999 and expenses when park is re-opened. She spoke of master plan expense - she believes \$15,000 for the master plan is not the best use of the taxpayers dollars. Judge Powers spoke of this money to be used for obtaining a grant.

[T2-18] **A motion was made by Judge Powers, seconded by Commissioner Burnett to approve transfer of funds from Park Expenses (01-414-5742 Park Improvements = \$15,000 & 01-414-5453 Park Maintenance & Repair = \$14,000) to Park Fund (07-487-5450 Master Plan = \$15,000 & 07-487-5453 Park Maintenance & Repair = \$14,000) as proposed by the County Auditor. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No". MOTION PASSED**

[T2-32] Policy Decisions regarding County Court at Law Judge's salaries were discussed. County Auditor Bill Herzog asked the court if they want to give them longevity which will put them above the \$1,000 less than a District Judge makes. Commissioner Carter spoke of paying more and getting less since family law cases were shifted to the family law court. Brenda Smith is being paid \$46,000 as Family Law Judge.

[T2-76] **A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to eliminate longevity and pay the County Court at Law Judges what is consistent with State Law. Commissioner Molenaar, Commissioner Burnett, Commissioner Ingalsbe, and Judge Powers voting "Aye". Commissioner Carter voting "No". MOTION PASSED.**

[T2-115] Bill Herzog spoke of request for additional bailiff in District Court and JP1-2. District Court wants to hire their own bailiff and they want part of the salary paid out of Security Fees with remainder to come from a new Bailiff Fee. District Clerk Cecilia Adare spoke of using her Bailiff staff to cover when court security does not have anyone available. Court will need to approve creation of the new bailiff fee at a later date. The Justices of the Peace should use their respective Constable for bailiff when needed. No action taken.

18956 SET SALARIES AND ALLOWANCES FOR THE HAYS COUNTY ELECTED OFFICIALS [T2-233]

Bill Herzog spoke of car allowances for Tax Assessor-Collector (\$1800), Justices of the Peace (\$1200 each), Commissioners (#1, #2, & #3 = \$4325 each & #4 = \$5,000) and Constables uniform allowances (\$360 each). **A motion**

was made by Judge Powers, seconded by Commissioner Molenaar to set salaries and allowances for the Hays County Elected Officials. Commissioner Ingalsbe, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter and Commissioner Burnett voting "No". MOTION PASSED

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SALARIES OF ELECTED OFFICIALS FY2001		
ELECTED OFFICIAL	FY2001 SALARY	TRAVEL/UNIFORM ALLOWANCE
Treasurer	\$ 49,100	
Tax Assessor	\$ 52,183	\$ 1800 Travel
District Clerk	\$ 49,000	
County Clerk	\$ 49,000	
Sheriff	\$ 69,960	
County Judge	\$ 58,752	\$ 4,380 Travel
Justice of the Peace 1-1	\$ 41,569	\$ 1,200 Travel
Justice of the Peace 1-2	\$ 41,569	\$ 1,200 Travel
Justice of the Peace 2	\$ 41,569	\$ 1,200 Travel
Justice of the Peace 3	\$ 41,569	\$ 1,200 Travel
Justice of the Peace 4	\$ 41,569	\$ 1,200 Travel
Justice of the Peace 5	\$ 41,569	\$ 1,200 Travel
Constable 1	\$ 36,000	\$ 360 Uniform
Constable 2	\$ 36,000	\$ 360 Uniform
Constable 3	\$ 36,000	\$ 360 Uniform
Constable 4	\$ 36,000	\$ 360 Uniform
Constable 5	\$ 36,000	\$ 360 Uniform
Commissioner 1	\$ 47,318	\$ 4,325 Travel
Commissioner 2	\$ 47,318	\$ 4,325 Travel
Commissioner 3	\$ 47,318	\$ 4,325 Travel
Commissioner 4	\$ 47,318	\$ 5,000 Travel

18957 FY2001 HAYS COUNTY BUDGET

[T2-255] A motion was made by Commissioner Molenaar, seconded by Judge Powers to adopt the FY2001 Hays County budget with changes made this date. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar and Judge Powers voting "Aye". Commissioner Carter voting "No".

COURT WAS ADJOURNED.

MINUTES APPROVED IN OPEN COURT ON THE 5th DAY OF SEPTEMBER, 2000.

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

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

