



STATE OF TEXAS \*  
\*  
COUNTY OF HAYS \*

ON THIS THE 12<sup>th</sup> DAY OF JUNE, A.D., 2001, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<b>JAMES L. POWERS</b>	<b>COUNTY JUDGE</b>
<b>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</b>
<b>H. S. "SUSIE" CARTER</b>	<b>COMMISSIONER, PCT. 2</b>
<b>WILLIAM "BILL" BURNETT</b>	<b>COMMISSIONER, PCT. 3</b>
<b>RUSS G. MOLENAAR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LINDA C. FRITSCHÉ</b>	<b>ASSISTANT COUNTY CLERK</b>

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

**Commissioner Burnett was not present at this time.**

**19543 APPROVE THE COMMISSIONERS' COURT MINUTES OF JUNE 5, 2001**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of June 5, 2001 as presented by the County Clerk. All present voting "Aye".

**19544 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$317,284.03 as presented by the County Auditor. All voting "Aye".

Public Safety Services	\$ 112,032.00	Fines	\$ 175.00	TDHC	\$ 2,665.76
Auditor's Office	\$ 10.12	Extension Office	\$ 60.93	Grants Administration	\$ 165.46
Juvenile Probation Office	\$ 60.86	Election Administration	\$ 1,380.60	Transfer Station	\$ 324.91
Building Maintenance Dept.	\$ 4,997.29	Environmental Health	\$ 1,399.42	Civic Center	\$ 795.06
Countywide Operating	\$ 19,079.35	Tax Assessor-Collector	\$ 474.02	District Clerk's Office	\$ 337.33
Sheriff's Office	\$ 11,584.80	Jail Operations	\$ 11,395.19	County Judge's Office	\$ 90.21
County Court at Law 1	\$ 159.77	District Attorney's Office	\$ 843.20	Justice of the Peace 1-1	\$ 138.11
Justice of the Peace 1-2	\$ 530.83	Justice of the Peace 2	\$ 288.90	Justice of the Peace 5	\$ 91.77
Dept. of Public Safety	\$ 389.85	Constable 1 Office	\$ 300.01	Constable 2 Office	\$ 95.48
Constable 4 Office	\$ 159.76	Constable 5 Office	\$ 787.94	District Court Operations	\$ 3,577.34
Co & JP Court Operations	\$ 3,367.18	Veterans Adm Office	\$ 1,593.84	Computer Services	\$ 747.86
DPS/License & Weights	\$ 378.66	Fire Marshal/EMC Ofc	\$ 172.92	TABC Office	\$ 98.03
District Court Reporters	\$ 80.36	Special Counsel Office	\$ 738.78	Commissioners Crt Exp	\$ 347.82
CJD/VOCA Grant	\$ 951.00	CJD/Tuancy Ofcr Grant	\$ 36.08	CAPCO/Wast Task Force	\$ 79.40
CJD/Juvenile Acct. Grant	\$ 1,729.54	<b>General Fund Credit</b>	<b>&lt;\$119.58&gt;</b>	Road & Bridge Operations	\$ 108,579.20
Precinct 1	\$ 104.12	Precinct 3	\$ 265.96	Precinct 4	\$ 47.04
<b>R&amp;G General Fund Credit</b>	<b>&lt;\$11.16&gt;</b>	Sheriff Abandoned Veh	\$ 207.42	Hays Co Parks Fund	\$ 1,198.98
Records Mng/Co Clerk	\$ 14,354.29	Health Svcs Grants	\$ 693.90	Law Library Fund	\$ 35.21
Sheriff Spec Projects Fund	\$ 543.50	Courthouse Security Fund	\$ 506.06	Sheriff's Drug Forf Fund	\$ 145.00
Family Health Svcs Fund	\$ 486.67	Disaster Buyout Mitigation	\$ 5,534.68		

**19545 APPROVE BUDGET AMENDMENT #01-26**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve Budget Amendment #01-26 as proposed by the County Auditor. All present voting "Aye".

				AMENDMENT NO. 2001-26 FY 2001 BUDGET 6-12-01
				FUND NO. <u>01</u>
				FUND TITLE <u>GENERAL FUND</u>
	APPROPRIATION BEFORE	AMENDMENT		APPROPRIATION AS
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<b>GRANTS ADMINISTRATION (404):</b>				
01-404-5212 Postage	365	120		521
01-404-5311 Travel	350	100		450
01-404-5331 Cont Ed	331	200		531
01-404-5211 Office Supply	1,492		(120)	1,372
01-404-5462 Public Notices	800		(300)	500
		<u>420</u>	<u>(420)</u>	
<i>Transfer for needed expense</i>				



				AMENDMENT NO. 2001-26 FY 2001 BUDGET 6-12-01
FUND NO. <u>01</u>				
FUND TITLE <u>GENERAL FUND</u>				
LINE ITEM - EXPENDITURES	APPROPRIATION BEFORE	AMENDMENT		APPROPRIATION AS
	AMENDMENT	INCREASES	DECREASES	AMENDED
<b>COMPUTER SERVICES (456):</b>				
01-456-5421 Countywide Maintenance	29,795	8,000		37,795
01-456-5718 Software	19,000		(8,000)	11,000
<i>Transfer for needed repair expense</i>				
<b>CONSTABLE 1 (431):</b>				
01-431-5271 Fuel	3,000	320		3,320
<b>CONSTABLE 2 (432):</b>				
01-432-5391 Other	578	320		898
<b>CONSTABLE 3 (433):</b>				
01-433-5235 Law Enforcement Supply	385	320		705
<b>CONSTABLE 4 (434):</b>				
01-434-5271 Fuel	2,500	320		2,820
<b>CONSTABLE 5 (435):</b>				
01-435-5391 Other	125	<u>320</u>		445
		1,600		
<b>REVENUE:</b>				
		<b>DECREASE:</b>	<b>INCREASE:</b>	
01-367-3430 Law Enf Contributions		-0-	1,600	1,600
<i>Budget Sac-N-Pac Law Enf Day 2001 donation received to Constables</i>				
<b>BUILDING MAINTENANCE (410):</b>				
01-410-5489 Telephone/Mobile	7,800	1,315		9,115
01-410-5451 Contract Building Maintenance	31,228	3,000		34,228
01-410-5452 Trash Hauling	2,100	750		2,850
01-410-5458 Contract Janitorial	23,396	2,500		25,896
01-410-5474 Uniform/Mop/Mats	4,300	750		5,050
01-410-5473 Equipment Rental	800	250		1,050
01-410-5212 Postage	75		(40)	35
01-410-5211 Office Supply	500		(125)	375
01-410-5231 Medical Kits	250		(100)	150
01-410-5311 Travel	1,600		(200)	1,400
01-410-5486 Smith Bldg Utilities	5,000		(450)	4,550
01-410-5493 Maintenance/Whse Utilities	4,000		(200)	3,800
01-410-5719 Miscellaneous Equipment	1,950		(200)	1,750
01-410-5741 Miscellaneous Improvements	40,725		(7,000)	33,725
01-410-5499 Service Contract	7,100		<u>(250)</u>	6,850
		<u>8,565</u>	<u>(8,565)</u>	
<i>Transfer for needed expense</i>				

**19546 APPROVE SPECIFICATIONS FOR PACKAGED AIR CONDITIONING UNITS WITH GAS-FIRED HEAT FOR THE JUSTICE CENTER AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve specifications for packaged air conditioning units with gas-fired heat for the Justice Center and authorize purchasing to solicit for bid and advertise. All present voting "Aye".

**19547 APPROVE CONTRACT WITH EVERCOM FOR THE INMATE PAY TELEPHONE SYSTEM**

The Sheriff's Dept. has expressed their satisfaction with Evercom and are pleased that they have a system that works well – now that we have a system in service that actually works, the Sheriff's Dept. would like to continue with the contract we currently have. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve contract with Evercom for inmate pay telephone system. All present voting "Aye". [see contract/agreement in file]

**19548 APPROVE THE JANUARY-APRIL 2001 TREASURER'S REPORTS**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve the January – April 2001 Treasurer's Reports as submitted. All present voting "Aye". [See reports in file]



**19549            ADOPT A RESOLUTION TO PARTICIPATE IN THE MBIA CLASS INVESTMENT POOL**

County Treasurer Michele Tuttle advised that the MBIA CLASS was approved 5/29/01 as an authorized investment and in order to do business with them, a resolution must be adopted. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to adopt a resolution to participate in the MBIA Class Investment Pool. All present voting "Aye".



**RESOLUTION**

**STATE OF TEXAS §  
COUNTY OF HAYS §**

**WHEREAS**, pursuant to the requirements of the Public Funds Investment Act, Texas Government Code, Section 2256.001 et seq. (the "Act"), the Commissioners' Court (the "Governing Body") has previously reviewed and adopted an investment policy (the "Policy") that provides in part that the funds of the Local Government will be invested in investments permitted by the Act in order to: (i) invest only in investments legally permitted under Texas law; (ii) minimize risk by managing portfolio investments so as to preserve principal and maintain a stable asset value; (iii) manage portfolio investments to ensure that cash will be available as required to finance operations; and (iv) maximize current income to the degree consistent with legality, safety and liquidity; and

**WHEREAS**, the Act provides that funds under the control of a Local Government may be invested through investment pools meeting the standards of Section 2256.016 of the Act and the Local Government has reviewed the Information Statement, dated 3/3/96, as supplemented on 12/31/98 (the "Statement"), of Texas Cooperative Liquid Assets Securities System, an investment pool (the "Pool") administered by MBIA Municipal Investors Service Corporation, as the manager of the Pool (the "Manager") and has determined that the investments proposed to be acquired by the Pool are of a type permitted by the Act and consistent with the Policy and that an investment in the Pool will assist in achieving the goals set forth in the Policy; and

**WHEREAS**, the Local Government understands that the Pool is created through an instrument of trust, dated as of January 1, 1996, and amended as of November 20, 1997 (the "Trust Instrument"), which provides the terms on which the Pool will operate and the rights of the participants in the Pool who will be governed and sets forth the responsibilities of the Manager, and of Bank One, Texas, N.A. as trustee (the "Trustee");

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY:** That the form, terms and provisions of the Trust Instrument, a draft of which was presented and reviewed at this meeting, be and the same are hereby approved and adopted; and that Michele Tuttle, heretofore appointed by the Local Government pursuant to the Policy and the Act as its Investment Officer, be and she is hereby authorized and directed to execute and deliver to the Manager and the Trustee in the name and on behalf of the Local Government, a Trust Instrument substantially in the form of the trust instrument reviewed and approved at this meeting, together with such changes as said officer may approve, such approval to be conclusively evidenced by the execution thereof; and

**BE IT FURTHER RESOLVED**, that the investment program described in the Statement is hereby found and determined to be consistent with the Policy, and to preclude imprudent investment activities arising out of investment transactions conducted between the Local Government and the Pool; and

**BE IT FURTHER RESOLVED**, that the Governing Body hereby officially finds and determines that the facts and recitations in the preamble of this Resolution are true and correct and adopts the preamble as a part of the operative provisions of the Resolution; and

**BE IT FURTHER RESOLVED**, that the Governing Body hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted for the time required by law preceding this meeting, and that such meeting was open to the public as required by law at all time during which this Resolution and the subject matter thereof were discussed, considered and formally acted upon, all as required by Chapter 551, Texas Government Code, as amended, and the Act; and

**BE IT FURTHER RESOLVED**, that the officers of the Local Government, each is expressly authorized, empowered and directed from time to time to perform all acts and to execute, acknowledge, seal and deliver in the name and on behalf of the Local Government all certificates, instruments and other documents as they may determine to be necessary or desirable to carry out the provisions of this Resolution and the Trust Instrument, such determination to be conclusively evidenced by the performance of such acts and the execution of any such documents;

**BE IT FURTHER RESOLVED, THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FULL FORCE UPON AND AFTER ITS PASSAGE. ADOPTED ON THIS THE 12<sup>TH</sup> DAY OF JUNE, 2001.**

**19550            AUTHORIZE PURCHASE OF A FILE CABINET FOR PRECINCT 4 COMMISSIONER'S OFFICE AND AMEND THE BUDGET ACCORDINGLY**

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to authorize purchase of a file cabinet for Precinct 4 Commissioners' Office and amend the budget accordingly. All present voting "Aye".

**19551            APPROVE PURCHASE OF THREE (3) OVERHEAD LIGHT BARS FROM BUDGETED FUNDS IN THE SHERIFF DEPARTMENT**

Line Item #01-418-5717 is budgeted for cages – request is to re-budget for light bars. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve purchase of three (3) overhead light bars from budgeted funds in the Sheriff's Department. All present voting "Aye".



JUNE 12, 2001

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**19552 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON RED BIRD TRAIL [T1-33]**

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supv./Engineer Jerry Borcharding advised that there is no record of a speed limit having been established on Red Bird Trail, therefore, the Road Dept. is recommending a speed limit of 30MPH. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulation of 30 MPH speed limit on Red Bird Trail near the City of Kyle. All present voting "Aye".

***Commissioner Burnett came into attendance at this time.***

**19553 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON LEHMAN ROAD [T1-52]**

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supv./Engineer Jerry Borcharding gave staff recommendation for a 30 MPH speed limit. He advised that this item has been discussed with the City of Kyle and they agree with the proposal – this road will soon be taken over by the City of Kyle. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulations of 30 MPH speed limit on Lehman Road near the City of Kyle. All voting "Aye".

**19554 MOONLIT MOUNTAIN [PCT.3 #01-3-045] \* APPROVE LETTER OF PLAT AMENDMENT [T1-68]**

Environmental Health Director Allen Walther advised that drafting errors were made on the recorded plat of "Moonlit Mountain" and a Letter of Plat Amendment has been submitted to correct those errors. This letter will be filed in the public record and notated on the recorded plat. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve Letter of Plat Amendment for "Moonlit Mountain" subdivision. All voting "Aye".

**19555 BLUE SKY RANCH [PCT.4 #01-4-031] \* APPROVE FINAL PLAT [T1-87]**

This is a 16 lot subdivision off Sawyer Ranch Road south of US290. Environmental Health Director Allen Walther advised that fiscal security has been posted for 100% of the cost of construction and drainage improvements – developer is using lot averaging. He gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Blue Sky Ranch". All voting "Aye".

**19556 WAIVE THE HAYS COUNTY CIVIC CENTER RENTAL FEE FOR THE CITY OF SAN MARCOS' SESQUICENTENNIAL COMMUNITY PICNIC ON WEDNESDAY, JULY 4<sup>TH</sup>, 2001, AS A POSSIBLE RAIN DATE [T1-101]**

Civic Center Manager Guy Trimble advised that the facility will be available on July 4, 2001 and no maintenance will be required by the county. Louis Doiron, Co-Chair of the San Marcos Sesquicentennial Committee and General Chairman of San Marcos Summerfest, appeared before the court requesting that the Court waive the Hays County Civic Center rental fee for their rescheduled community picnic which will be held on Wednesday, July 4<sup>th</sup>. Rain forced the cancellation of the picnic that was originally scheduled for March 3<sup>rd</sup> and portions of the events planned for that day have been rescheduled for July 4<sup>th</sup> to be held in conjunction with the San Marcos Summerfest. The Sesquicentennial Committee feels strongly that they must have a rain site that will accommodate a large crowd for key portions of the July 4<sup>th</sup> program, including an 8:00 p.m. performance by popular entertainer Terri Hendrix. Mr. Doiron advised that food booths should not need electricity. He stated that, if approved, they will list the county as a major sponsor of the event. If there is no rain, the event will be held at Sewell Park as originally planned. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to waive the Hays County Civic Center rental fee for the City of San Marcos' Sesquicentennial Community Picnic on Wednesday, July 4<sup>th</sup>, 2001, as a possible rain date. All voting "Aye".

**19557 HAYS COUNTY GRIEVANCE COMMITTEE SELECTION [T1-149]**

Judge Powers selected nine people who served on the Hays County Grand Jury in calendar year 2000 to serve on the Hays County Grievance Committee pursuant to Local Government Code § 152.024. The County Clerk will notify these individuals requesting their service on the Hays County Grievance Committee for 2001. No action necessary. The people selected were: Patrick John Kotrola (Austin/Hays Co), Charles B. Nagel (Dripping Springs), Brandi Renee Schrader (Wimberley), Jennifer Lynn Hinnenkamp (Wimberley), Michael Carter Price (San Marcos), Stuart Patrick Wilkinson (San Marcos), William Gayle Beaver (Austin/Hays Co), Terri Lynn Polikowsky (Wimberley), and Matthew Richard Britton (Mountain City).



**19558 APPROVE BUDGET CALENDAR FOR FY2002 [T1-175]**

A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve the proposed Budget Calendar for FY2002 as follows: August 21<sup>st</sup> (publish notice of hearing), August 28<sup>th</sup> (public hearing), September 4<sup>th</sup> (public hearing/adopt budget) & September 5<sup>th</sup> (Set tax rate and levy taxes) with proposed workshop dates subject to change. Special Counsel Jacqueline Collum Murphy spoke of most important dates being the dates to adopt the budget and set the tax rate (statutory requirements). Commissioner Burnett stated that any of these dates may change and he suggested approving the proposed calendar as a tentative schedule. Commissioner Molenaar withdrew his motion. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to adopt the proposed FY2002 Budget Calendar as a tentative budget schedule. All voting "Aye".

<b>JULY 24</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b> – County Judge presents his proposed budget to Commissioners' court and files a copy with the County Clerk.
<b>JULY 25</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b> – Chief Appraiser certifies approved appraisal roll.
<b>JULY 26</b>	<b>7:00 P.M.</b>	<b>WORKSHOP</b>
<b>JULY 27</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b>
<b>JULY 30</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b>
<b>JULY 31</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b>

<b>AUG. 1 – 3</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b>
<b>AUG. 6</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b>
<b>AUG. 7</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b> – Vote on proposed tax rate change & schedule Public hearing (if necessary)
<b>AUG. 8 – 10</b>	<b>10:00 A.M.</b>	<b>WORKSHOP</b>
<b>AUG. 19</b>		<b>PUBLISH NOTICE</b> of Public Hearing on Tax Rate Change
<b>AUG. 21</b>		<b>BUDGET NOTICES</b> mailed to Elected Officials; Publish Elected Officials salaries; Summary of Budget; Publish Notice of Hearing on Budget.
<b>AUG. 28</b>	<b>7:00 P.M.</b>	<b>PUBLIC HEARING ON TAX RATE</b> (if necessary); #1 published at least 7 days before Public Hearing; #2 published after hearing but before meeting to vote on tax rate.
<b>AUG. 31</b>		<b>PUBLISH 2<sup>nd</sup> NOTICE ON TAX RATE CHANGE</b>

<b>SEP. 4</b>	<b>1:30 P.M.</b>	<b>PUBLIC HEARING ON BUDGET;</b> Adopt Budget and Set Salaries
<b>SEP. 5</b>	<b>10:00 A.M.</b>	<b>SET TAX RATE AND LEVY TAXES</b>

**Court was adjourned.**

**MINUTES APPROVED IN OPEN COURT ON THE 19<sup>TH</sup> DAY OF JUNE, 2001.**

**JAMES L. POWERS, COUNTY JUDGE  
H A Y S C O U N T Y , T E X A S**

**LEE CARLISLE, COUNTY CLERK  
H A Y S C O U N T Y , T E X A S**

