



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 31<sup>ST</sup> DAY OF JULY, 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>LEE CARLISLE</b>	<b>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.

**PRESENTATION OF EMPLOYEE SERVICE PINS**

Sheriff Don Montague presented a 10 year service pin to Patrol Capt. Samuel Williams and a 10 year pin to Jail Chaplain Hicks. Carolyn Brown, District Attorney Office Manager, presented a 10 year pin to Dolly Ortiz.

**19633 APPROVE THE COMMISSIONERS' COURT MINUTES OF JULY 24, 2001**

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the Commissioners' Court Minutes of July 24, 2001 as presented by the County Clerk. All voting "Aye".

**19634 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$184,416.23 as presented by the County Auditor. All voting "Aye".

State Shared Rev	\$ 202.00	Public Safety Svcs	\$ 90.00	Fines	\$ 50.00
Lease Payments	\$ 816.72	Auditors Office	\$ 158.34	Treasurers Ofc	\$ 86.88
Extension Office	\$ 619.67	Grants Admin	\$ 110.49	Juvenile Prob Ofc	\$ 1,488.02
Indigent Care	\$ 91.80	Building Mtc Dept	\$ 25,896.22	Environ Health	\$ 512.55
Civic Center	\$ 2,348.55	Countywide Oper	\$ 32,624.75	District Clerks Ofc	\$ 193.92
Sheriffs Office	\$ 4,380.43	Jail Operations	\$ 15,659.03	County Judges Ofc	\$ 123.39
J.P. 1-1	\$ 47.98	J.P. 2	\$ 103.00	J.P. 5	\$ 244.56
DPS	\$ 1,500.37	Constable 1	\$ 511.78	Constable 2	\$ 22.93
Constable 5	\$ 344.61	District Crt Oper	\$ 20,364.94	Co & JP Crt Oper	\$ 4,966.58
Vetrans Adm Ofc	\$ 757.40	Computer Svcs	\$ 2,377.42	TJPC Salaries	\$ 6,400.00
DPS/Lic & Wgts	\$ 99.63	Fire Marshal/EMC	\$ 763.77	TJPC CCAP Grant	\$ 11,771.44
Assoc Judge/Fam Law	\$ 161.77	CJD/VAWA Grant	\$ 172.83	Waste Task Force Grnt	\$ 134.56
Juv Justice Alt Ed Grant	\$ 8,961.00	Gen Fund Credit	<\$201.03>	Road & Bridge Oper	\$ 32,069.33
Precinct 1	\$ 101.72	Precinct 2	\$ 343.83	Precinct 4	\$ 152.22
R&B Gen Credit	<\$93.37>	Health Svcs Grants	\$ 3,230.32	Law Library Fund	\$ 873.50
Courthouse Security	\$ 61.37	Sheriff's Drug Forf	\$ 1,613.40	Family Health Svcs	\$ 1,105.61

**19635 APPROVE BUDGET AMENDMENT #01-32**

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Budget Amendment #01-32 as proposed by the County Auditor. All voting "Aye".

AMENDMENT NO. 2001-32 FY 2001 BUDGET 7-31-01				
FUND NO. 01 FUND TITLE <u>GENERAL FUND</u>				
	APPROPRIATION BEFORE	AMENDMENT		APPROPRIATION AS
<b>LINE ITEM - EXPENDITURES</b>	<b>AMENDMENT</b>	<b>INCREASES</b>	<b>DECREASES</b>	<b>AMENDED</b>
<b>EXTENSION OFFICE (403):</b>				
01-403-5211 Office Supply	2,700	600		3,300
01-403-5271 Fuel	2,000	400		2,400
01-403-5473 Equipment Lease	5,800	165		5,965
01-403-5480 Utilities	4,500	1,100		5,600
01-403-5160 Insurance	16,666		(2,265)	14,401
		2,265	(2,265)	
<i>Transfer for needed expense from personnel savings</i>				
01-403-5712 Data Proc Equipment	-0-	1,500		1,500
01-403-5160 Insurance	14,401		(1,500)	12,901
<i>Transfer for two each replacement computer towers from balance of personnel savings</i>				



				AMENDMENT NO. <u>2001-32</u> FY 2001 BUDGET 7-31-01
FUND NO. <u>03</u> FUND TITLE <u>ROAD &amp; BRIDGE GENERAL FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	<u>APPROPRIATION</u> <u>BEFORE</u>	<u>AMENDMENT</u>		<u>APPROPRIATION</u> <u>AS</u>
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<b><u>ROAD &amp; BRIDGE OPERATIONS (438):</u></b>				
03-438-5351 Road Materials	2,383,466	11,652		2,395,118
03-438-5714 Equipment	566,600	<u>39,600</u>		606,200
		<u>51,252</u>		
<b><u>REVENUE:</u></b>				
03-363-3633 Auction Proceeds	-0-	<u>DECREASE:</u> 10,647	<u>INCREASE:</u>	10,647
03-369-3691 Other	43,500	<u>40,605</u>		84,105
		<u>51,252</u>		
<i>Transfer for authorized asphalt storage tank and material for concrete pad at site from unused portion of buy-back equipment and auction.</i>				

**19636 APPROVE UTILITY PERMIT #01490**

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Utility Permit #01490 on Stag Horn Pass issued to Time Warner Cable as submitted by the Hays County Road Department. All voting "Aye".

**19637 APPROVE REFUND OF DOUBLE PAYMENTS AND/OR OVERPAYMENTS ON TAXES**

The following applications for refund of double payments and/or overpayments on taxes were submitted by the County Tax Assessor-Collector:

Plum Creek Ph I Sec 1A Blk C Lot 24	\$ 667.36	overpayment
1.00 ac. Robert McCombs Survey	\$ 1,214.10	overpayment
Rolling Hills Sec. 1 Blk 1 Lot 1	\$ 815.00	overpayment
Creekside Park Sec. 1 Blk A Lot 8	\$ 2,883.45	double payment

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

**19638 APPROVE SPECIFICATIONS FOR REQUEST FOR PROPOSAL FOR HISTORIC PRESERVATION CONSULTING SERVICES TO COMPLETE A HISTORIC DISTRICT NOMINATION FOR THE CITY OF BUDA, TEXAS AS PHASE III OF A MULTIPLE PROPERTY NATIONAL REGISTER NOMINATION**

The objective of this RFP is to select a professional consultant to prepare a National Register nomination of a historic district in downtown Buda. The current project involves the nomination of a six-block length of Main Street (with approximately 27 historic buildings) to the National Register as a historic district. This project will be partially funded with a grant from the U.S. Dept. of the Interior administered by the Texas Historical Commission. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve specifications for request for proposal for Historic Preservation Consulting Services to complete a Historic District Nomination for the City of Buda, Texas as Phase III of a Multiple Property National Register Nomination. All voting "Aye".

**19639 APPROVE SPECIFICATIONS FOR REQUEST FOR PROPOSAL FOR HISTORIC PRESERVATION CONSULTING SERVICES TO COMPLETE A HISTORIC PRESERVATION PLAN FOR HAYS COUNTY, TEXAS**

The objective of this RFP is to select a professional consultant to prepare a comprehensive historic preservation plan for the County of Hays, encompassing all of its incorporated as well as its unincorporated areas. This project will be partially funded with a grant from the U.S. Dept. of the Interior as administered by the Texas Historical Commission. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve specifications for request for proposals for Historic Preservation Consulting Services to complete a Historic Preservation Plan for Hays County, Texas. All voting "Aye".



**19640            AUTHORIZE PURCHASING TO OBTAIN A SURVEYOR TO SURVEY 6 ACRES OF LAND IN THE VICINITY OF THE KYLE CEMETERY [FOR INDIGENT BURIALS]**

Summary: 6 acres of land was deeded to the County in 1877 to be used for school/cemetery purposes (1 acre for school and 5 acres for cemetery). As of 7/18/01 the County is completely out of plots for indigent burials at the San Marcos cemetery and additional burial spaces need to be secured as quickly as possible. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize Purchasing Department to obtain a surveyor to survey 6 acres of land in the vicinity of the Kyle Cemetery, to be used for indigent burials. All voting "Aye".

**19641            APPROVE PURCHASE OF PRESSURE WASHER FOR ROAD & BRIDGE DRIPPING SPRINGS YARD**

Three quotes were received for a 2HP electric pressure washer for the Road Dept.: Northern Equipment = \$504.00, Hosty = \$895.00 and TekSupply Co. = \$864.13. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve purchase of pressure washer for the Road & Bridge Dripping Springs Yard in the amount of \$504.00 from Northern Equipment (from line item #03-438-5719). All voting "Aye".

**19642            PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS AT THE INTERSECTION OF SYCAMORE CREEK AND HILLVIEW DRIVE [T1-74]**

Judge Powers declared the public hearing open – no public input was received and the public hearing was closed. Road Supv./Eng. Jerry Borcharding recommended placement of an official STOP sign at this intersection. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to establish traffic regulations of a STOP sign on Hillview Drive at its intersection with Sycamore Creek Drive in Pct. 4. All voting "Aye".

**19643            PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS AT THE INTERSECTION OF POWDER HORN AND HUNTERS GLEN [T1-95]**

Judge Powers declared the public hearing open – no public input was received and the public hearing was closed. Road Supv./Eng. Jerry Borcharding advised that a STOP sign is needed at this Tintersection. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to establish traffic regulations of a STOP sign on Powder Horn Trail at its intersection with Hunters Glen Drive in Pct. 4. All voting "Aye".

**19644            RELEASE ROAD MAINTENANCE SECURITY FOR SADDLERIDGE SECTION 2 AND ACCEPT ROAD FOR COUNTY MAINTENANCE [T1-110]**

Road Supv/Eng. Jerry Borcharding requested release of road maintenance security and acceptance of roads into the county road maintenance system. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to release maintenance security for Saddleridge Section 2 and accept roads for county maintenance [Saddleridge Drive, Canyon Gap Road, Arrowhead Pass, & Mission Trail]. All voting "Aye".

**19645            RELEASE ROAD CONSTRUCTION SECURITY AND ACCEPTANCE OF FISCAL SECURITY FOR ROAD MAINTENANCE IN COVES OF CIMARRON SECTION 2 PHASE 5 [T1-123]**

Environmental Health Director Allen Walther & Road Dept. Supv/Eng. Jerry Borcharding requested release of road construction security and acceptance of fiscal security for road maintenance (Maintenance Bond #929211331 = \$20,225.45). A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to release construction security for roads in the "Coves of Cimarron Section 2 Phase 5" and accept fiscal security for road maintenance. All voting "Aye".

**19646            RELEASE ROAD CONSTRUCTION SECURITY FOR LA VENTANA WEST [T1-135]**

Environmental Health Director Allen Walther advised that these are privately maintained roads and no maintenance security is required. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to release road construction security for "La Ventana West". All voting "Aye".

**19647            APPROVE ROAD NAME DESIGNATION FOR A PRIVATE ROAD IN LA VENTANA FROM "ESCONDIDO VENTANA" TO "NICHOLAS LANE" [T1-146]**

Environmental Health Director Allen Walther advised that this recommendation is based on request by property owners. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve renaming of a private road in La Ventana Subdivision from "Escondido Ventana" to "Nicholas Lane". All voting "Aye".



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**19648 FOSTER PLACE [PCT. 2 #01-2-054] \* APPROVE PRELIMINARY PLAT [T1-158]**

"Foster Place" is a 7 lot subdivision with access on County Road 125 being developed by Douglas & Nova Jane Crumley. Each lot is 1.51 acres in size and will receive water from the Goforth Water Supply Corp. Environmental Health Director Allen Walther gave staff recommendation for preliminary approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat of "Foster Place". All voting "Aye".

**19649 ARROYO RANCH [PCT. 2 #01-2-055] \* APPROVE PRELIMINARY PLAT [T1-170]**

"Arroyo Ranch" is a 141+ acre tract on FM150 being developed into 129 lots by KB Homes – the average lot size is 1.00 acre and water will be supplied by Aqua Source Water Supply. Environmental Health Director Allen Walther advised that staff has asked for a culdesac at the end of Arroyo Ranch Road – he gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat of "Arroyo Ranch". All voting "Aye".

**19650 RESUBDIVISION OF THE PRESERVE PHASE 1 LOT 1-B [PCT. 4 #01-4-002] \* APPROVE PRELIMINARY PLAT [T1-186]**

Environmental Health Director Allen Walther advised that this is an 8 lot subdivision being created from Lot 1-B of The Preserve subdivision (30.01 acres) with access on Hwy. 290 West and Drifting Wind Run. He gave staff recommendation for preliminary approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Resubdivision of the Preserve Phase 1 Lot 1-B. All voting "Aye".

**19651 RESUBDIVISION OF GLEN KOTHMANN SUBDIVISION TRACT 7 [PCT. 4 #01-4-057] \* APPROVE PRELIMINARY PLAT [T1-206]**

Environmental Health Director Allen Walther advised that this is a 3 lot subdivision (out of 10 acres) - Tract 7B has a 20' easement to gain access from Windy Hills Road that previously existed (on the original plat) – Tracts 7A & 7C have road frontage on Glenn Cove & Windy Hills Road. He gave staff recommendation for preliminary approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Resubdivision of Glen Kothmann Subdivision Tract 7". All voting "Aye".

**19652 HAYS COUNTY GRIEVANCE COMMITTEE SELECTION [T1-225]**

Judge Powers selected the following for service on the Hays County Grievance Committee. This was done by random selection and they will be notified by the County Clerk (they may accept or reject service on this committee): Anita Gracia Pompa (San Marcos), Margarita Galicia (Buda), Michael Harold Henry (Wimberley), Judy A. Gautier (Kyle), Laurie Jean Jones (San Marcos), Jessie Oscar Reyna (Manchaca), Eric Russell Dunham (San Marcos), Theresa Martha Wilson (Woodcreek), & Larry Foster Taylor (Driftwood).

**19653 ADOPT AN ORDER OF THE HAYS COUNTY COMMISSIONERS' COURT AUTHORIZING THE CONVEYANCE OF 2.319 ACRES OUT OF THE Z. HINTON SURVEY NO. 12, ABSTRACT 219 TO THE ABUTTING PROPERTY OWNER, BAR-O, LTD., PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 263.002 AND TEXAS LOCAL GOVERNMENT CODE SECTION 263.054 [T1-251]**

Dan Davidson (representing Steeplechase Ltd, Dan H. Davidson Enterprise, & Bar O Ltd), spoke of new subdivision being developed between IH35 and Goforth Road which will consist of 132 single family lots + 6 commercial lots. Research indicates that in 1916 there was property (a triangular piece of property) that was given to Hays County along Goforth Road - the property owners have paid taxes on this property since 1916. He spoke of procedures he has followed to get this matter resolved – Graham & Associates have appraised the property at \$32,450. Commissioner Carter spoke of her research regarding this property - the entire parcel is larger than what he wants to purchase - she spoke of LGC 263.054. She requested consideration of adjacent property (school property) which sold for a high amount per acre and she made reference to Local Government Code 263.002(c). Mr. Davidson spoke of value of property. Commissioner Burnett advised that the Local Government Code clearly states that we get an appraisal and you pay the appraised value. Commissioner Carter spoke of price paid by the school district 4 years ago for the adjacent property (\$15,580 per acre) – she spoke of inflation that would put it at a current value of \$18,226 per acre which in her opinion should be the minimum bid for this property. Dan Davidson spoke of 10 ft that will be dedicated for road fo-w. The widest section of the property in question is in the floodplain and has gas lines and fiber optics easement in it. Mr. Davidson spoke of remaining portion of this property and need to rectify this situation. Judge Powers spoke in support of this conveyance. [T1-532] A motion was made by Judge Powers, seconded by Commissioner Molenaar to adopt an Order of the Commissioners' Court authorizing the conveyance of 2.319 acres out of the Z. Hinton Survey No. 12, Abstract 219 to the abutting property owner Bar-O Ltd. pursuant to Texas Local Government Code Section 263.002 and Texas Local Government Code Section 263.054. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No". MOTION PASSED.



**Order of the Hays County Commissioners' Court  
Authorizing the conveyance of 2.319 Acres out of the Z. Hinton Survey  
No. 12, Abstract 219 to the Abutting Property Owner, Bar-O Ltd., Pursuant to  
Texas Local Government Code § 263.002 and  
Texas Local Government Code § 263.054**

**WHEREAS**, the Hays County Commissioners' Court previously acquired an interest in 2.319 acres out of the Z. Hinton Survey No. 12, Abstract 219 described in Exhibit "A", intended by the original grantor to be used as public right-of-way; and

**WHEREAS**, the original grantor's successor in title and current abutting property owner wishes to reacquire the property that has never actually been used as public right-of-way and has, furthermore, been in the actual, continuous, open, peaceful and adverse possession of the abutting property owner for 40 years or more; and

**WHEREAS**, it has been determined by the County Engineer that there is no public need for the property as right-of-way and the Hays County Commissioners' Court further determines that there is no other public need for the property; and

**WHEREAS**, Section 263.002, Texas Local Government Code, authorizes the county to convey the property, which is not currently being used as public right-of-way, to the abutting property owner and Section 263.054, Texas Local Government Code, authorizes the County to relinquish and convey land donated to the County if the property has been abandoned; and

**WHEREAS**, the abutting property owner has obtained an appraisal of the property as required and will pay the County the appraised value of \$32,450 as compensation for the property; and

**WHEREAS**, public notice has been provided in accordance with Section 263.002, Texas Local Government Code.

**NOW, THEREFORE, BE IT RESOLVED**, that the Hays County Commissioners' Court hereby authorizes the conveyance of 2.319 acres out of the Z. Hinton Survey No. 12, Abstract 219 through a Deed without Warranty, attached and incorporated herein as Exhibit "A", to the abutting property owner, such conveyance to be executed by the County Judge on behalf of the County upon receipt of compensation for the property and reimbursement of any other expenses associated with the conveyance.

Adopted this the 31<sup>st</sup> day of July, 2001.

**19654            AUTHORIZE PAYMENT OF \$316.00 TO THE DOWNTOWN ASSOCIATION FOR THE PURCHASE OF CHRISTMAS LIGHTS FOR RECORDS BUILDING AND THE COURTHOUSE ANNEX [T1-545]**

Commissioner Ingalsbe spoke of Main Street Project (MSP) and The Downtown Association (DTA) being in the process of replacing Christmas lights on the buildings around the square. She explained what is being purchased (lights, wiring, sockets, clips, and boards used to secure the lights & clips) – the cost per foot is \$2. San Marcos Electric Utility will install the boards (TDA/MSP will secure the clips to the boards) and lights from bucket trucks as their schedule allows. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize payment of \$316.00 to The Downtown Association for the purchase of Christmas lights for the Hays County Records Building and the Courthouse Annex to be paid out of contingencies. All voting "Aye".

**19655            APPROVE COST REVISIONS TO THE HAYS COUNTY INDIGENT BURIAL POLICY**

[T1-580] Commissioner Ingalsbe spoke of previous consideration of this policy - she negotiated with the funeral homes and was able to get them to go down on proposed pricing. 23 funeral homes were contacted by letter through the County Purchasing Dept. and we received a total of 6 responses, 2 of which stated they were not interested in submitting a quote. There has been no increase for these services since 1996 – costs for cremations will remain the same at \$650. Commissioner Ingalsbe stated that \$8,500 is budgeted and so far, this amount has not been exceeded. She advised that she is still working on the application process. We will be using all local people - Mr. Bagwell went down on his pricing for opening and closing of graves to that offered by Vaquera of Austin. Commissioner Carter spoke of information she received from TAC regarding "average cost for pauper burials" ranging from \$350 (Burleson County) to \$1,350 (Grayson County) - she spoke of need for documentation to prove indigency. Commissioner Ingalsbe advised that she is working on the application process. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to approve cost revisions to the Hays County Indigent Burial Policy. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar and Judge Powers voting "Aye". Commissioner Carter abstained.

INDIGENT BURIAL	ADULT	CHILD	INFANT
Opening/Closing Grave	\$375	\$375	\$225
Funeral Home Graveside Services	\$850	\$750	\$500



**19656 ACTION TO PLACE THE PERSONNEL DEPARTMENT BACK UNDER COMMISSIONERS' COURT [T1-714]**

Commissioner Molenaar spoke of having talked several times about moving the Personnel Dept. back under the Commissioners' Court. Commissioner Carter stated that she does not see any purpose in moving personnel out where they have less checks and balances. Commissioner Ingalsbe asked if there is a larger plan for this dept. Commissioner Molenaar spoke of putting in under the court to develop policy. Commissioner Burnett felt like human resource problems should be under the responsibility of the Commissioners Court - this is an undo burden for any other elected officials (Treasurers Office) - he appreciates what the Treasurer has taken on but it is beyond the scope of her responsibility. The Personnel Dept. should be a separate entity directly under the court. Commissioner Carter spoke of making it more political by placing it under the Commissioners Court - she feels like it has been well run under the Treasurers office. County Treasurer Michele Tuttle thanked the court for the opportunity to work with Human Resources Dept. - when she took over there was a lot of problems and the court was taking a lot of heat over that and she got everything under control and back running smooth again. She spoke of the grade/step committee (came up with a point system & guidelines), an insurance committee, a grievance committee, and personnel policy committee and she hopes the court continues with these committees. She stated that she will be happy to work with the change over. Commissioner Burnett thanked Michele for cleaning up the personnel dept. but he does feel like it should be under the court. Michele Tuttle spoke of it being hard for one person to listen to 5 people with different agendas and please them all - procedures need to be developed. Commissioner Molenaar stated that this will need to be discussed. Michele Tuttle asked for input on who is hired - there is only one set of files at this time and she is required by law to maintain her files - she would have to trust the person being hired for Personnel Director in order to let that person access her files. Commissioner Carter felt like this change will be costly (duplicate files). Judge Powers supports keeping the committees. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to place the Personnel Department back under the Commissioners' Court. voting "Aye". Commissioner Carter voting "No".

**19657 FY2002 BUDGET WORKSHOP - COUNTY JUDGE PRESENTS HIS PROPOSED BUDGET TO COMMISSIONERS' COURT \* CANCEL BUDGET WORKSHOP SCHEDULED FOR WEDNESDAY, AUGUST 1, 2001 [T1-957]**

Judge Powers presented his FY2002 Budget to members of the court

<b>BUDGET HIGHLIGHTS</b>		
<b>FY2002</b>		
Valuations increased from \$4,243,558,484 to \$5,182,531,929 - an increase of \$938,973,445 which includes new improvements of \$574,776,079.		
Current Tax Rate	45.39¢	
Effective Tax Rate	41.81¢	
Proposed Tax Rate	43.89¢	
The proposed tax rate represents a decrease in the current tax rate by 1.5¢ and an increase over the effective tax rate of 2.08¢		
1¢ of tax rate in FY2001 generated \$403,138		
1¢ of tax rate in FY2002 will generate \$492,206		
	<u>LAST YEAR</u>	<u>THIS YEAR</u>
Average residence homestead value	\$ 110,283	\$ 110,607
Homestead exemption	(5,000)	(5,000)
Average taxable value	\$ 95,283	\$ 105,607
Tax rate	.4539	.4389
Tax	\$ 432.49	\$ 463.51
Average homestead tax increase would be \$31.02 per year or \$2.58 per month.		
Included in the FY2002 Budget are:		
<ul style="list-style-type: none"> <li>∪ Taxes to make the debt payment on the issuance of \$ 14,000,000 of Road Bonds</li> <li>∪ 3% Cost of Living Allowance, as well as funds for Merit raises</li> <li>∪ 20% increase in health and dental insurance</li> <li>∪ Purchase of 31 vehicles</li> <li>∪ Purchase of road equipment of \$738,500</li> <li>∪ 20 new positions, as well as various recommended upgrades</li> <li>∪ Funds necessary to maintain the 911 Addressing budget after major reduction in CAPCO funding</li> <li>∪ Increase of \$150,000 for Insurance increases (mainly Worker's Comp rate increases of 40%)</li> <li>∪ Provide \$3,000 per year Magistration allowances of Justices of the Peace</li> <li>∪ Requires a use of General Fund Reserves of \$1,692,624</li> </ul>		



Commissioner Burnett asked about cost for insurance. County Auditor Bill Herzog advised that he added 20% increase for insurance. Judge Powers cautioned members to tell him how to make changes without affecting the proposed tax rate. Personnel Director Stephanie Trahan spoke of having 5 or 6 insurance carriers that bid on the medical/dental insurance and the county's consultant is in the process of evaluating those bids - a tentative committee meeting should be later this week. Commissioner Molenaar requested postponement of Wednesday's workshop. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to cancel the budget workshop schedule for Wednesday, August 2, 2001 at 10:00 a.m. All voting "Aye".

**EXECUTIVE SESSION PURSUANT TO SECTION 551.072 TO DELIBERATE THE VALUE OR TRANSFER OF REAL PROPERTIES IN HILLSIDE TERRACE AND ALONG CR 157** [T1-1102]

Judge Powers spoke of notice from District Attorney Mike Wenk explaining that there is no need for the court to go into executive session for this item. Commissioner Carter spoke of a property on Hillside Terrace where a realtor wanted to give the court values on some property the county owns because someone wants to buy it. She felt like we need to clean up the deeds (go to a title expert) for the remaining portions of the property that the school has purchased. Special Counsel Jacqueline Cullom Murphy spoke of this item not being justified for an executive session and she recommended that Commissioner Carter place an agenda item for open discussion next week. Commissioner Carter spoke of an offer made to Joel Barnard (County's Realtor). Judge Powers suggested that Commissioner Carter get with Jacqueline Cullom Murphy to place this on the agenda properly. Jacqueline Cullom Murphy advised that she needs adequate background in order to analyze if an item is appropriate for executive session and she can create a certified agenda. Commissioner Molenaar spoke of need for an appraisal to get this process started - he suggested going through the same process as Dan Davidson did (previous item this date). No closed session was held and no action was taken.

**Court was adjourned. Next Budget Workshop is scheduled for Thursday - August 2, 2001 at 6:30 p.m.**

**MINUTES APPROVED IN OPEN COURT ON THE 7<sup>th</sup> DAY OF AUGUST, 2001.**

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

\_\_\_\_\_  
**LEE CARLISLE, COUNTY CLERK**  
**H A Y S COUNTY, TEXAS**

