



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 14th DAY OF AUGUST, A.D., 2001, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

CLEAN AIR FORCE COMMITTEE * PRESENTATION

Wade Thomason spoke of latest air quality developments in Central Texas. Phase I goal is to maintain the 1 hour standard and Phase 2 is to maintain the 8 hour standard. They now have the EPA standards to work with and the CAMPO model. Attainment year is 2007. He spoke of control strategies for Phase I and Phase 2. The Air Quality hotline number is 343-smog or toll free 866-916-4air and the Clean Air Force website is www.cleanairforce.org. Mr. Thomason spoke of window of opportunity to decide what is best for the region. EPA will make designation and TNRCC will be the enforcement authority. He spoke of various bills that will address retro-fitting and re-powering off road engines and providing financial incentives for buying cleaner cars, and those rules should be in place by September. Mr. Thomason stated that control strategies have not yet been determined – tough decisions will have to be made. He spoke of a Maintenance & Inspection Bill that has allowance for repairing vehicles to get them into compliance or there would be a salvage/scrapage program where the vehicle would be bought and taken off the road – we would be eligible for this if we adopt the program.

PUBLIC COMMENT

[T1-250] George Bastian gave public notice of intent to file suit against the county regarding actions of former Justice of the Peace John Polanco and other county officials.

19677 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 2, 3, 6 7 & 8, 2001

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of August 2, August 3, August 6, August 7, and August 8, 2001 as presented by the County Clerk. All voting "Aye".

19678 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve payment of county invoices in the amount of \$ 2,850,229.47 as presented by the County Auditor. All voting "Aye".

Public Safety Svcs	\$ 97,405.00	Fines	\$ 326.00	Lease Pmt.	\$ 2,257.40
Auditor's Office	\$ 347.88	Treasurers Ofc	\$ 307.06	Extension Ofc	\$ 2,010.52
Juvenile Probation Ofc	\$ 1,652.13	Election Admin Ofc	\$ 79.59	Indigent Care	\$ 4,582.43
Transfer Station	\$ 6,142.17	Bldg Mtc. Dept.	\$ 7,884.93	Environ Health	\$ 764.37
Civic Center	\$ 10.86	Countywide Oper	\$ 15,245.35	Tax A/C	\$ 883.11
District Clerk's Ofc	\$ 341.01	Sheriff's Office	\$ 14,384.17	Jail Operations	\$ 25,715.27
County Judge's Ofc	\$ 322.83	Co Court @ Law 1	\$ 149.48	Dist Attorney Ofc	\$ 4,229.25
J.P. 1-1	\$ 66.90	J.P. 1-2	\$ 483.51	J.P. 2	\$ 645.53
J.P. 3	\$ 20.87	J.P. 4	\$ 86.00	J.P. 5	\$ 97.72
DPS	\$ 904.74	Constable 1	\$ 292.19	Constable 2	\$ 113.00
Constable 3	\$ 171.75	Constable 4	\$ 233.96	Constable 5	\$ 220.33
District Court Oper	\$ 3,266.62	Co & JP Court Oper	\$ 1,231.10	Veterans Admin	\$ 886.76
Computer Services	\$ 3,979.47	Co Court at Law 2	\$ 265.00	DPS/L&W	\$ 75.10
Fire Marshal/EMC	\$ 825.02	TJPC CCAP Grant	\$ 49.28	Assoc. Judge/Fam	\$ 15.63
Animal Control	\$ 388.00	CJD/VOCA Grant	\$ 3,174.74	CJD/VAWA Grant	\$ 358.98
Auto Theft Task Force	\$ 108.27	Truancy Ofcr Grant	\$ 244.95	Waste Task Force	\$ 1,140.83
911 Addrs Mtc Grant	\$ 50.40	General Fund Credit	<\$56.76>	R&B Operations	\$ 108,357.68
Parks Administration	\$ 151,453.18	Rec Mng/Co Clerk	\$ 1,904.67	Health Svcs Grants	\$ 1,120.88
Law Library Fund	\$ 987.00	Hays Co I&S Fund	\$ 2,385,189.00	Sheriffs Drug Forf	\$ 322.18
Family Health Svcs	\$ 2,299.97	Cedar Oaks Mesa	\$ 3,468.00		



19679 APPROVE BUDGET AMENDMENT #01-34

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve Budget Amendment #01-34 as submitted by the County Auditor. All voting "Aye".

				AMENDMENT NO. <u>2001-34</u> FY 2001 BUDGET 8-14-01
FUND NO. <u>01</u>				
FUND TITLE <u>GENERAL FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>AMENDMENT</u>		<u>AMENDED</u>
	<u>BEFORE</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AS</u>
GRANTS ADMINISTRATION (404):				
01-404-5311 Travel	450	150		600
01-404-5448 Contract Services	8,677	100		8,777
01-404-5489 Telephone	1,300	332		1,632
01-404-5212 Postage	685		(150)	535
01-404-5213 Books	500		(87)	413
01-404-5331 Cont Ed	531		(200)	331
01-404-5461 Printing	100		(16)	84
01-404-5462 Public Notices	500		(129)	375
		<u>582</u>	<u>(582)</u>	
<i>Transfer for needed expense</i>				
JUVENILE PROBATION (405):				
01-405-5711 Office Equipment	-0-	366		366
01-405-5391 Other	9,356		(366)	8,990
<i>Authorize purchase of work station and transfer from other</i>				
DISTRICT CLERK (416):				
01-416-5711 Office Equipment	-0-	2,960		2,960
01-416-5211 Office Supply	4,000	1,660		5,660
01-416-5021 Staff	235,812		(2,000)	233,812
01-416-5101 FICA/RET	48,023		(400)	47,623
01-416-5160 Insurance	33,332		(750)	32,582
01-416-5215 Perm Record Supply	1,620		(1,470)	149
		<u>4,620</u>	<u>(4,620)</u>	
<i>Transfer for needed office furniture from personnel savings</i>				
EXTENSION OFFICE (403):				
01-403-5211 Office Supply	3,300	2,500		5,800
01-403-5711 Office Equipment	-0-	500		500
01-403-5331 Cont Ed	2,000	400		2,400
01-403-5021 Staff	63,084		(2,500)	60,584
01-403-5371 Oak Wilt Project	1,500		(500)	1,000
01-403-5413 Vehicle Maintenance	2,100		(400)	1,700
		<u>3,400</u>	<u>(3,400)</u>	
<i>Transfer for chairs from personnel savings; for slide scanner from Oak Wilt, and balance of seminar cost</i>				
JUSTICE OF THE PEACE 3 (427):				
01-427-5212 Postage	400	50		450
01-427-5331 Cont Ed	500	200		700
01-427-5489 Telephone	1,000	200		1,200
01-427-5211 Office Supply	650		(50)	600
01-427-5321 Dues & Bonds	250		(200)	50
01-427-5449 Temp Personnel	250		(200)	50
		<u>450</u>	<u>(450)</u>	
<i>Transfer for needed expense</i>				
CONSTABLE 2 (432):				
01-432-5101 FICA/RET	6,767	657		7,424
01-432-5211 Office Supply	300	200		500
01-432-5489 Telephone	750	597		1,347
01-432-5021 Staff	9,426		(1,000)	8,426
01-432-5160 Insurance	4,849		(454)	4,385
		<u>1,454</u>	<u>(1,454)</u>	
<i>Transfer to adjust personnel to actual; personnel savings to needed expense</i>				



FUND NO.03				
FUND TITLE ROAD & BRIDGE 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>
OPERATIONS (438):				
03-438-5351 Materials	2,395,118		100,000	2,495,118
03-438-5448 Contract Road Work	768,900		100,000	868,900
RIGHT-OF-WAY (460):				
03-460-5386 ROW	1,000,000		<u>(200,000)</u>	800,000
			<u>200,000</u> <u>(200,000)</u>	
<i>Transfer balance of ROW for needed expense</i>				
FUND NO.07				
FUND TITLE HAYS COUNTY PARKS 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>
PARKS ADMINISTRATION (487):				
07-487-5742 Parkland & Improvements	29,078		160,000	189,078
REVENUE				
07-367-4413 Contributions	-0-		<u>25,000</u>	25,000
07-386-2487 LCRA/Park Grant	-0-		<u>135,000</u>	135,000
			<u>160,000</u> <u>160,000</u>	
<i>Budget contributions received and grant award for parkland purchase and improvements</i>				

19680 APPROVE UTILITY PERMITS

The following Utility Permits were submitted for approval:

PERMIT #	COUNTY ROAD NAME/#	UTILITY COMPANY
01488	Sunset Canyon Dr. So.	Pedernales Elec Coop.
01489	Dakota Mountain Drive	Digger Dry Utiities
01492	CR220	Pedernales Elec Coop.

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve Utility Permits #01488, #01489, & #01492 as submitted by the County Road Department. All voting "Aye".

19681 AWARD AUDITING SERVICES RFP TO HOLTMAN, WAGNER & COMPANY, L.L.P.

Services to be provided are for Independent Auditing Services for the year ending September 30, 2001. A motion was made by Commissioner Carter, seconded by Commissioner Burnett to award auditing services RFP to Holtman, Wagner & Company, L.L.P. All voting "Aye".

19682 APPROVE RENEWAL OF MEMORANDUM OF UNDERSTANDING FOR JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM

This is the continuation/renewal of an agreement entered into by, between and among the County of Hays, the Juvenile Board of Hays County, the Hays CISD, the San Marcos CISD, and each of the non-participating independent school districts in the county' s Juvenile Justice Alternative Education Program, namely Dripping Springs ISD and Wimberley ISD. Hays CISD will provide the building and maintenance of the building which will be located on the Hays CISD Alternative Education Program campus during the 2001-2002 school year and shall provide administration of the education aspects of the campus and serve as the Fiscal Agent of the juvenile board and of each of the participating school districts. [See MOA in file]. A motion was made by Commissioner Carter, seconded by Commissioner Burnett to approve renewal of Memorandum of Understanding for Juvenile Justice Alternative Education Program. All voting "Aye".



19683 AMEND FY2002 BUDGET CALENDAR

A motion was made by Commissioner Carter, seconded by Commissioner Burnett to amend the FY2002 Budget Calendar. All voting "Aye".

FY2002 BUDGET CALENDAR 2nd AMENDED		
MARCH	30 th	BUDGET WORKSHEETS SENT TO ALL DEPARTMENTS
APRIL	27 th	BUDGET WORKSHEETS DUE BACK FROM DEPARTMENTS
MAY	31 st	BUDGET WORKSHEETS AND COPY OF REQUESTS TO COUNTY JUDGE
JUNE 1 - JULY	3 rd	COPIES OF BUDGET REQUESTS TO COUNTY COMMISSIONERS
		COUNTY JUDGE PREPARES BUDGET PROPOSAL AND MEETS WITH DEPARTMENT HEADS AS NEEDED
JULY	25 th	CHIEF APPRAISER CERTIFIES APPROVED APPRAISAL ROLL
JULY	31 st	COUNTY JUDGE PRESENTS HIS PROPOSED BUDGET TO COMMISSIONERS' COURT AND FILES A COPY WITH THE CLERK
AUG 1 st - 14 th		BUDGET WORKSHOPS AT 10:00 AM (AUG. 2 ND MEETING AT 6:30 PM)
AUGUST	14 TH	VOTE ON PROPOSED TAX RATE INCREASE AND SCHEDULE PUBLIC HEARINGS ON THE TAX RATE AND BUDGET
AUGUST	16 TH	PUBLISH NOTICE OF PUBLIC HEARING ON TAX RATE INCREASE
AUGUST	21 ST	BUDGET NOTICES MAILED TO ELECTED OFFICIALS; PUBLISH ELECTED OFFICIALS' SALARIES, SUMMARY OF BUDGET; PUBLISH NOTICE OF HEARINGS ON BUDGET
AUGUST	28 TH	PUBLIC HEARING ON TAX RATE NOTICE #1 PUBLISHED AT LEAST 7 DAYS BEFORE PUBLIC HEARING NOTICE #2 PUBLISHED AFTER HEARING BUT BEFORE MEETING TO VOTE ON TAX RATE - 10:00 A.M. PUBLIC HEARING ON THE BUDGET, ADOPT THE BUDGET, SET SALARIES OF ELECTED OFFICIALS at 1:30 PM *1
AUGUST	30 th	PUBLISH 2 ND NOTICE ON TAX RATE INCREASE
SEPTEMBER	11 TH	SET TAX RATE AND LEVY TAXES *2---10:00 AM
SEPTEMBER	24 TH	FILE FINAL APPROVED BUDGET WITH COUNTY CLERK

*1 - At least 11 days prior to this meeting, must publish Elected Officials' Salaries
At least 11 days prior to this meeting, but before 30 days, publish notice of Budget hearing and summary of budget. Must be after the 15th day of the month; next following month Budget prepared.

*2 - Must be at least 3 days, but not more than 14 days after Public Hearing on Tax Rate

19684 ACCEPT QUALIFICATIONS OF PERMANENT PEACE OFFICER LICENSE FROM CONSTABLE BILLY REEVES (PCT. 5), CONSTABLE RON MAGIL (PCT. 3) AND CONSTABLE LUPE CRUZ (PCT. 1) PURSUANT TO SECTION 86.0021 OF THE TEXAS LOCAL GOVERNMENT CODE

Section 86.0021(b) of the Texas Local Government Code requires that a Constable shall provide to the Commissioners' Court of the county in which the Constable serves, evidence that the Constable has been issued a permanent peace officer license. [See file for status report & license information] A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept qualifications of Permanent Peace Officer License from Constable Pct. 5 Billy Reeves, Constable Pct. 3 Ron Magill, and Constable Pct. 1 Lupe Cruz pursuant to Section 86.0021 of the Texas Local Government Code. All voting "Aye".

19685 APPROVE AN ORDER TO ESTABLISH THE JUSTICE COURT TECHNOLOGY FUND

A motion was made by Commissioner Carter, seconded by Judge Powers to approve an Order to establish the Justice Court Technology Fund

ORDER OF THE HAYS COUNTY COMMISSIONERS' COURT
Authorizing the Establishment of the Justice Court Technology Fund

WHEREAS, the Texas Legislature has authorized the establishment of a Justice Court Technology Fund ("Fund") by the commissioners court of a county for a period of four years beginning on September 1, 2001; and

WHEREAS, Article 102.0173, Texas Code of Criminal Procedure, allows a commissioners court to assess a \$4 fee to be paid by a defendant convicted of a misdemeanor offense in a justice court as a cost of court; and

WHEREAS, the funds shall be collected by the justice court clerk and paid to the county treasurer to be deposited into the Fund and expended for the purpose of financing the purchase of technological enhancements for a justice court; and

WHEREAS, the technological enhancements authorized to be purchased through the Fund include: 1) computer systems; 2) computer networks; 3) computer hardware; 4) computer software; 5) imaging systems ; 6) electronic kiosks; 7) electronic ticket writers; 8) docket management systems; and

WHEREAS, the Hays County Commissioners Court acknowledges that the establishment of the Fund will enhance and improve the efficiency of the justice courts in Hays County.

NOW, THEREFORE, BE IT RESOLVED, that the Hays County Commissioners' Court hereby orders the establishment of the Justice Center Technology Fund to be effective from September 1, 2001 until September 1, 2005.
Adopted this the 14th day of August, 2001



19686 APPROVE BY LAWS AND INTERLOCAL PARTICIPATION AGREEMENT WITH THE TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFITS RISK POOL

Commissioner Molenaar advised that this agreement deals with county retirees supplemental insurance to Medicare. A motion by Commissioner Carter, seconded by Commissioner Molenaar to approve the By-Laws and Interlocal Participation Agreement with the Texas Association of Counties Health and Employee Benefits Risk Pool. All voting "Aye".

Clerk's Note: Agenda Item #7 RE: AWARD MOWING OF RIGHT-OF-WAY CONTRACT TO BROWNSBORO ENTERPRISES was PULLED for action at a later date.

19687 VARIANCE TO LOT SIZE REQUIREMENTS GRANTED TO ROBERT RODRIGUEZ FOR 1.79 ACRES IN THE THOMAS MCGEHEE SURVEY [T1-353]

Environmental Health Director Allen Walther advised that Robert Rodriguez is the owner of 1.79 acres (lot 3 & 5) in the Thomas McGehee Survey. The 1.79 acres exists as 2 adjacent tracts of land consisting of a 0.899 and 0.891 acres respectively. Mr. Rodriguez wishes to build a second house on one tract; which is in conflict with the County Rules for On-Site Sewage Facilities requirements for the amount of acreage required for a dwelling. A motion was made by Judge Powers, seconded by Commissioner Burnett to grant a variance to lot size requirements for 1.79 acres in the Thomas McGehee Survey owned by Robert Rodriguez. Staff makes no recommendation for variances. Commissioner Burnett, Commissioner Molenaar and Judge Powers voting "Aye". Commissioner Carter voting "No". Commissioner Ingalsbe abstained. MOTION PASSED.

19688 HOGG CREEK BUSINESS PARK - PRELIMINARY PLAT APPROVAL [T1-376]

This is a 3 lot subdivision on Ranch Road 12 with a Shared Access Driveway. Environmental Health Director Allen Walther spoke of TxDot limiting access to one point for these 3 lots. He gave staff recommendation for preliminary approval. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve preliminary plat of "Hogg Creek Business Park". All voting "Aye".

19689 GOLDEN VUE ESTATES - PRELIMINARY PLAT APPROVAL [T1-395]

Environmental Health Director Allen Walther spoke of this being a 12 lot subdivision located on Crystal Hills Drive. This subdivision has had a water availability report performed and submitted – it has met all county criteria for water availability rules and he gave staff recommendation for preliminary approval. Engineer Dale Pound advised that the developer is a builder and may put spec houses on the lots. Allen Walther spoke of extreme changes in topography and he suggested a plat note for erosion control. Commissioner Molenaar spoke of water abatement plan not required for lots this size, however, there are concerns by neighbors. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Golden Vue Estates". All voting "Aye".

19690 APPROVE PROPOSED PROPERTY TAX RATE FOR THE FY2002 BUDGET, PUBLISH NOTICE OF A PUBLIC HEARING ON THE TAX INCREASE, AND SET DATE TO ADOPT THE TAX RATE [T1-485]

A motion was made by Commissioner Molenaar to approve a proposed property tax rate of 45.39 cents for the FY2002 Budget. DIED FOR LACK OF A SECOND. Commissioner Burnett spoke of 20% increase in insurance premiums. Tax Assessor-Collector Luanne Caraway spoke of different ways to figure tax values (county values and school values). A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve a proposed property tax rate of 44.86 cents for the FY2002 Budget, publish notice of a public hearing on the tax increase to be held on August 28, 2001 at 10:00 o'clock A.M. in the Commissioners' Courtroom of the Hays County Courthouse and also set the date to adopt the tax rate for September 11, 2001 at 10:00 o'clock A.M. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

19691 SET THE PUBLIC HEARING ON THE FY2002 HAYS COUNTY BUDGET [T1-595]

A motion was made by Commissioner Molenaar, seconded by Judge Powers to set the public hearing on the FY2002 Hays County Budget for August 28, 2001 at 1:30 o'clock P.M. All voting "Aye".

**19692 ACCEPT BID FOR PROPERTY HELD IN TRUST [DELINQUENT TAX PROPERTY] [T1-606]**

Tax Assessor-Collector Luanne Caraway advised that this is the property that was rejected last week due to the 9% judgment recovery rate. The bid of \$306 actually exceeds the value of the property (value dropped in 1998 to \$300) – this lot is located in the middle of the creek (in the floodplain). A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept bid of \$306 for Lot 246 Woodcreek Section 9A – property held in Trust. All voting “Aye”.

19693 APPROVE PURCHASE OF SURVEILLANCE CAMERAS FOR TAX OFFICE [T1-624]

Luanne Caraway spoke of security in the tax office – she would like to purchase 7 cameras at a cost of \$7,304 from Ken Rector (Diebold Incorporated). There will be additional cost for cable pulling and she has been working with Computer Services Director Jeff McGill regarding cabling for computers at the same time. This company does the installation, service, and training on this system – she has tried to get prices from two other companies. A motion was made by Commissioner Ingalsbe, seconded by Judge Powers to approve purchase of surveillance cameras for the Tax Office out of contingencies not to exceed \$10,000. All voting “Aye”.

19694 ADOPT A RESOLUTION SUPPORTING COMAL COUNTY'S CONCERNS OF WATER USES FROM CANYON LAKE [T1-780]

Environmental Health Director Allen Walther spoke of request from the Comal County Commissioners' Court – they are concerned that water uses out of Canyon Lake for human consumption may be subordinated to those of non-native species (introduced trout). Trout Unlimited has requested discharge out of the lake to assist them. We are simply agreeing with the position that we need to look out for the people's needs first and consider non-native wildlife species later. A motion was made by Commissioner Molenaar, seconded by Judge Powers to adopt a Resolution supporting Comal County's concerns of water uses from Canyon Lake. Sam Davis reminded the court that Comal County has not been supportive of us at times. Judge Powers spoke of his conversation with the Comal County Judge and he supports this resolution. All voting “Aye”.

**A RESOLUTION OF HAYS COUNTY COMMISSIONERS' COURT
SUPPORTING COMAL COUNTY'S CONCERN THAT WATER USE NEEDS OF HUMANS
NOT BE SUBORDINATE TO THOSE OF NON-NATIVE WILDLIFE SPECIES**

Whereas, the Guadalupe-Blanco River Authority (GBRA) has requested an increase in their diversions at Canyon Lake from 50,000 Acre Feet per Year (AF/Y) to 90,000 Acre Feet; and

Whereas, GBRA has proposed a potential release of up to 900 AF/Y at no cost to benefit introduced trout; and

Whereas, the available water resources for this high growth corridor are in extreme jeopardy due to fragile and limited groundwater supplies.

NOW, THEREFORE, BE IT RESOLVED, that the Hays County Commissioners' Court fully supports Comal County in their concerns and requests that all state agencies withhold approval for any permit or revision which in any way subordinates human needs to those of introduced species, and further encourages all citizens to join in support of this Resolution.

ADOPTED this the 14th day of August, 2001.

19695 APPROVE PURCHASE OF MODULAR FURNITURE AND FURNISHINGS FOR THE DISTRICT CLERK'S OFFICE AND AMEND BUDGET ACCORDINGLY [T1-881]

District Clerk Cecelia Adair requested approval to purchase modular furniture and furnishings for her office at the Justice Center – Total cost = \$2,958.00. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve purchase of modular furniture and furnishings for the District Clerk's office and amend the budget accordingly. All voting “Aye”.

19696 AUTHORIZE REPLACEMENT OF PRECINCT 5 OFFICE AIR CONDITIONER NOT TO EXCEED \$3,500 [T1-908]

Maintenance Supervisor Ron Knott spoke of this being a 15 year old unit that needs to be replaced. A motion was made by Commissioner Carter, seconded by Commissioner Molenaar to authorize replacement of Precinct 5 office air conditioner not to exceed \$3,500.00 out of contingencies. All voting “Aye”.



AUGUST 14, 2001

VOL S PG 213

19697 APPROVE A 3% COST-OF-LIVING INCREASE FOR COUNTY RETIREES, EFFECTIVE JANUARY 1, 2002 [T1-948]

Commissioner Molenaar stated that this action will allow a cost of living increase for retirees - this must be done each year as it is budgeted. A brief discussion was had regarding conflict of interest (3 court members have relatives receiving county retirement funds). A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve a 3% Cost-of-Living increase for County Retirees effective January 1, 2002. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter abstained.

19698 APPROVE THE FUNDING GUIDE FOR FIRE DEPARTMENTS AND TO SET A FEE FOR SALES [T1-1015]

Commissioner Molenaar spoke of fire departments trying to find funding sources - a guide has been created and ready to distribute. Grants Administrator Richard Salmon spoke of helping volunteer groups to help themselves. He spoke of funding sources now having websites that are updated - some of these funding sources are federal and state grants, private foundations, corporate grant sources, surplus properties, low interest loans, individual assistance funds, and new sources of grant writing and training. Richard advised that he and Denae Park from PEC will be taking it to the different volunteer fire departments and assisting them learning how to do the grants themselves. They will be giving these guides free to the volunteer fire departments in Hays County and are asking for approval to charge a fee of \$65 for copies for those outside Hays County - he has had numerous requests for this guide. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the funding guide for fire departments and to set a fee of \$65 for agencies outside of Hays County. All voting "Aye".

PRESENTATION BY THE CAPITAL AREA PLANNING COUNCIL ON CLOSED OR ABANDONED LANDFILLS IN HAYS COUNTY [T1-1098]

Betty Voights, CAPCO Executive Director, spoke of going to each county for presentation on this project. They are trying to finalize where the landfills are - the state requires identification of all closed or abandoned landfills in the area. They must go through a public notice process and must notify landowners of any landfills on their property and those locations must be recorded with the county clerk. Maps (from TNRCC) have been sent out and they are asking that court members look at the maps and help them verify boundaries of the landfills. A landfill can be as simple as an old well or ditch with substantial amount of debris that has been covered up. They do not have funds for field surveys, core samples, etc. Environmental Health Director Allen Walther spoke of his office looking at these sites and they can assist if Commissioners are aware of additional sites. All information will be provided to appropriate person in the county for development purposes.

19699 ACTION REGARDING MEDICAL AND DENTAL INSURANCE FOR COUNTY EMPLOYEES [T1-1296]

Insurance Consultant Burke Sunday appeared before the court regarding proposals for medical and dental insurance. Ten companies received the RFP and six submitted proposals. The County Insurance Committee met two times during the process and have made a recommendation for approval of proposal from CIGNA Healthplans, continue to self fund the county's liability (buy specific stop loss and aggregate loss insurance to define county's financial liability), retain the current benefit plan (there is a change in the 3 tier prescription drug plan: generic drugs would be lowered from \$10 co-pay to \$5, \$15 for brand name remains the same, increase from \$30 to \$35 for non-formulary drugs - retain mail order @ 1 co-pay for 90 day supply). Mr. Sunday spoke of all plans coming more together and some of the contained costs are not there anymore - the gaps are almost non-existence between HMO's and PPO's. He recommends going with CIGNA dental plan - there have been savings in this plan and recommends continuing with Aetna DMO as an option. Mr. Sunday spoke of aggregate stop loss figures last year of 125% - CIGNA reduced that 125% figure to 120% - if you have a bad year, you will get to the attachment point quicker. The financial recommendations were Increase County contribution for medical plan from the 2001-2002 plan year by 20% from current level [\$308.93 vs. \$257.44] Increase cost for employee to carry dependent(s) for medical plan for the 2001-2002 plan year by 15% from current level(s). County maintain \$300,000 "rainy day" fund Leave DPPO funding/premium levels for dental plan at current plan year levels for the 2001-2002 plan year Adjust the current Aetna DMO rates to the CIGNA CDC rates [+\$.95 Employee; <\$7.99> Employee + Children; +\$.25 Employee + Spouse; and<\$6.37> Employee + Family] Retain current medical plan funding surplus (approximately \$246,701.00) and current dental plan funding surplus (approximately \$57,965.00) [\$304,666 total]. Mr. Sunday spoke of projected runoff and total cash needed [\$3,584,871.50]. The current plan is running at 106% of what we expected. The majority of Doctors in San Marcos are in the CIGNA's network and have already been signed up as of June 1st. Personal Health Director Gay Helmly spoke of wanting to see a wellness program that can be incorporated for county employees at the Hays County Clinic - this may curb abuses and benefit the county at large. Commissioner Ingalsbe spoke of adjustments that have been made in the past. Mr. Sunday spoke of increasing co-pay and/or deductible. Commissioner Molenaar spoke of work by committee and Mr. Sunday and he spoke of increase by Aetna (50%+). Mr. Sunday stated that he is committed to keep the court abreast and apprised of what is going on financially and what can be done internally and externally to make adjustments and to address concerns.



[T1-2165] County Auditor Bill Herzog asked about the \$5,000 Life insurance. Mr. Sunday advised that the life insurance is separate and was left as is with GLH. Commissioner Molenaar spoke of increasing cost for dependent coverage. Mr. Sunday advised that the increase is approximately \$20 for children, \$27 for spouse, and \$48 for a family. He spoke of dental plan = \$14.62 (DMO plan) - \$11.25 w/CIGNA – he suggested that the court budget \$14.62 per employee which would lower dependent cost to encourage use of this plan. Bill Herzog spoke of rewarding the employee for using the cheaper plan and saves our plan money. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to accept CIGNA Health Plan for medical and dental insurance and budget \$14.62 per employee for dental coverage. All voting "Aye".

**DISCUSSION REGARDING HIRING OF A TITLE COMPANY OR REAL ESTATE
SPECIALIST TO EXAMINE THE CONVEYANCE OF COUNTY OWNED PROPERTY
ALONG CR157 [T1-2364]**

Commissioner Carter spoke of county owning several parcels in which we have not had clear information on. She suggested hiring Attorney Gene Majors to clear up titles on these properties (frontage on county roads for a number of parcels). She spoke of money that can be made from sale of these properties. Judge Powers suggested that the attorney appear before the court regarding the plan before action is taken. The Court needs more specifics about the property in question and fees to be charged. Commissioner Molenaar also spoke of need to obtain more information. Commissioner Carter spoke of taxes that have been paid on the properties. No action taken this date.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 21ST 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

