



STATE OF TEXAS ?
 COUNTY OF HAYS ?

ON THIS THE 2nd DAY OF OCTOBER A.D., 2001, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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
LEE CARLISLE	COUNTY CLERK

WITH THE FOLLOWING MEMBER ABSENT: COUNTY JUDGE JAMES L. POWERS, AND WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Presiding member Commissioner Molenaar called the meeting to order and gave the invocation. Commissioner Ingalsbe led the Court in the Pledge of Allegiance to the Flags.

Tom Pope introduced Brent Raschke – new Sanitarian for Environmental Health Dept.

PRESENTATION OF EMPLOYEE SERVICE PINS

Road Dept. Supt/Engineer Jerry Borcharding presented a service pin to Wesley Medley (10 yrs) - Employees not present but earning their pins are Jesse Dyer (5 yrs) & Rudolph Nevarez (5 yrs). Gay Helmly (Personal Health Director) presented service pins to Jennifer Smith (10 yrs) & Nancy Shelton (10 yrs). Sheriff Don Montague presented service pins to Julie Villalpando (10 yrs), Sandra Key (10 yrs), Stephen Cost (15 yrs), Mark Cumberland (5 yrs) & Juan Saenz (5 yrs) - Marshall Riffe (5 yrs) was not present

19792 APPROVE THE COMMISSIONERS' COURT MINUTES OF SEPTEMBER 25, 2001

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve the Commissioners' Court Minutes of September 25, 2001 as presented by the County Clerk. All present voting "Aye".

19793 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog asked to add a \$50,134.15 check issued to the Central Appraisal District for their quarterly allocation. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve payment of county invoices in the amount of \$593,483.36 plus and additional \$50,134.15 as presented by the County Auditor. All present voting "Aye".

License & Permits	\$ 815.50	Public Safety Svcs	\$ 609.00	Fines	\$ 48.00
Auditor's Office	\$ 7,978.40	Treasurer's Office	\$ 3,230.36	Extension Office	\$ 3,079.00
Grants Admin Office	\$ 1,087.36	Juvenile Prob Ofc	\$ 3,213.08	Election Admin Ofc	\$ 3,894.48
Comm & Social Svcs	\$ 111,417.84	Indigent Care	\$ 951.69	Transfer Station	\$ 4,604.30
Building Maint. Dept.	\$ 18,204.41	Civic Center	\$ 4,699.32	Countywide Operating	\$ 40,982.66
Tax A/C Office	\$ 23,171.24	District Clerk's Office	\$ 3,675.76	County Clerk's Office	\$ 4,259.88
Sheriff's Office	\$ 40,075.54	Jail Operations	\$ 66,309.30	County Judge's Office	\$ 960.87
Human Resources Dept	\$ 1,293.25	County Crt @ Law 1	\$ 1,393.07	District Atty's Office	\$ 5,594.30
J.P.1-1	\$ 3,792.10	J.P. 1-2	\$ 1,937.25	J.P. 2	\$ 1,171.68
J.P. 3	\$ 778.13	J.P. 4	\$ 4,236.01	J.P. 5	\$ 4,410.47
Dept. of Public Safety	\$ 3,077.80	Constable 1	\$ 1,367.33	Constable 2	\$ 509.76
Constable 3	\$ 789.10	Constable 4	\$ 2,283.61	Constable 5	\$ 2,320.21
District Crt Operations	\$ 30,901.67	Co & JP Crt Oper	\$ 4,627.43	Veterans Admin Ofc	\$ 465.31
Computer Services	\$ 2,446.68	Co Crt @ Law 2	\$ 302.56	TJPC Salaries Grant	\$ 2,126.04
DPS/Lic & Wgts	\$ 302.56	Fire Marshal/EMC	\$ 150.82	District Crt Reporters	\$337.56
TJPC CCAP Grant	\$ 1,494.74	Historical Comm	\$ 250.00	Animal Control	\$ 674.50
Spec Counsel Office	\$ 1,344.43	Comm Court Exp	\$ 579.80	DOJ/SRO Grant	\$ 6,406.91
CJD/VOCA Grant	\$ 2,752.37	CJD/VAWA Grant	\$ 342.52	DOJ/Copshire 3 rd grant	\$ 4,403.64
DOJ/Copshire 2 nd Grant	\$ 2,943.97	Auto Theft Task Force	\$ 302.56	CJD/Truancy Ofcr	\$ 79.32
Waste Task Force Grant	\$ 302.56	911 Adrrs Mtc. Grant	\$ 936.29	Title IV*E Juv Prob	\$ 4,065.10
Juvenile Acctblty Grant	\$ 883.07	Juv Justice Alt Ed	\$ 324.56	Heritage Visitor Center	\$ 520.00
Gen Fund Credit	<\$45.44>	R&B Operations	\$ 97,441.28	Precinct 1	\$ 3,787.42
Precinct 2	\$ 799.13	Precinct 3	\$ 627.13	Precinct 4	\$ 3,766.99
Co Engineer Office	\$ 1,457.34	R&B Fund Credit	<\$6,104.59>	Parks Administration	\$ 636.67
Records Mng/Co Clerk	\$ 2,190.58	Health Svcs Grants	\$ 6,901.18	Courthouse Renov/Co	\$ 10,099.72
Family Health Svcs	\$ 11,290.34	Certif of Oblig '97	\$ 7,180.00	Payment to CAD	\$ 50,134.15



19794 APPROVE UTILITY PERMITS #01510, 01511, & 01512

UTILITY PERMIT #	COUNTY ROAD#/NAME	UTILITY COMPANY
01510	CR123/Mathias Road	Goforth Water Supply Corp.
01511	CR163/Nutty Brown Road	Hill Country Water Supply
01512	Clovis Barker Road	Blue Bonnet Electric

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Utility Permits #01510, #01511, & #01512 as submitted by the Road Department. All present voting "Aye".

19795 AWARD BID FOR 3RD PHASE OF CEDAR OAKS MESA WATER SUPPLY/SITE IMPROVEMENTS TO CENTRAL TEXAS WATER MAINTENANCE, INC.

Bids were submitted by Central Texas Water Maintenance, Inc. (\$ 91,735) & Hoover Construction Company, Inc. (\$121,786). References have been checked and it is the recommendation of Hejh, Lee & Associates; Grants Administrator Richard Salmon, and Purchasing Agent Cindy Maiorka to award the bid to Central Texas Water Maintenance Inc. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to award bid for 3^d Phase of the Cedar Oaks Mesa Water Supply/Site Improvements to Central Texas Water Maintenance Inc. All present voting "Aye".

19796 APPROVE LEASE AGREEMENT WITH XEROX FOR A COPIER IN THE PERSONNEL OFFICE

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Lease Agreement with Xerox for a copier in the Personnel Office. All present voting "Aye".

19797 APPROVE THE MAY-JULY 2001 TREASURER'S REPORTS

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve the May-July 2001 Treasurer's Reports. All present voting "Aye". [see reports on file in the Clerk's office]

19798 APPROVE POSTAGE METER CONTRACT

This contract will take the place of our current rental contract for the manually reset electronic postage meter. The postage meter we currently rent must be taken to the U.S. Post Office to manually have postage added to our system. The postal service is phasing out all manually set meters. This new contract will allow postage to be added through the internet via NEOPOST. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve Postage Meter Contract with Neopost Leasing. All present voting "Aye".

19799 APPOINTMENT OF LINDELL BOLLINGER TO HAYS COUNTY PARKS AND OPEN SPACE ADVISORY BOARD FOR A NEW TERM * MOTION FAILED *

Commissioner Carter recommended the appointment of Lindell Bollinger to the Hays County Parks & Open Space Advisory Board to represent the east side of I-35 in her Precinct. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve appointment of Lindell Bollinger to the Hays County Parks & Open Space Advisory Board for a new term. Commissioner Molenaar and Commissioner Burnett voting "No". Commissioner Carter and Commissioner Ingalsbe voting "Aye". MOTION FAILED.

19800 CORNERSTONE WEST PHASE 2 SECTION 1 [PCT. 2 01-2-075] * APPROVE FINAL PLAT [T1-181]

Environmental Health Director Allen Walther advised that this is a commercial subdivision and he gave staff recommendation for approval of final plat. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Cornerstone West Phase 2 Section 1". All present voting "Aye".

Clerk's Note: OUR PLACE SUBDIVISION was pulled from the agenda. No discussion and No Action taken.

19801 DAKOTA MOUNTAIN ESTATES [PCT. 4-01-4-017] * APPROVE FINAL PLAT [T1-201]

Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Dakota Mountain Estates". All present voting "Aye".



19802 THE HIGHLANDS SECTION C RESUBDIVISION OF LOT 95-A [PCT. 4 01-4-066] * PUBLIC HEARING AND APPROVE FINAL PLAT [T1-210]

Commissioner Molenaar declared the public hearing open – no public input was received and the public hearing was closed. Environmental Health Director Allen Walther advised that this is a 5 lot subdivision with SAD (shared access driveway). He gave staff recommendation for final plat approval. Commissioner Molenaar advised that this is a clean-up of unplatted lots. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "The Highlands Section C Resubdivision of Lot 95-A". All present voting "Aye".

19803 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS AND PLACE STOP SIGN AT HARMON HILLS DRIVE AND CARROL LANE [T1-228]

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to call for a public hearing to be held on October 16, 2001 to consider establishing traffic regulations and placing a STOP sign at Harmon Hills Drive and Carrol Lane. All present voting "Aye".

19804 CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS AND SET SPEED LIMIT ON PEABODY LANE [T1-241]

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to call for a public hearing to be held on October 16, 2001 to consider establishing traffic regulations and set a Speed Limit on Peabody Lane. All present voting "Aye".

19805 APPROVE SPECIFICATIONS FOR REQUEST FOR PROPOSAL FOR ARCHITECT FOR NEW HAYS COUNTY ROADS DEPT. OFFICE BUILDING/MAINTENANCE FACILITY AND JUSTICE OF THE PEACE PCT. 5 OFFICE BLDG [T1-270]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve specifications for request for proposals for Architect for new Hays County Road Department Office building/Maintenance facility and Justice of the Peace Pct. 5 Office building. All present voting "Aye".

19806 AMEND THE COUNTY PERSONNEL POLICY TO INCLUDE A PUBLIC SAFETY OFFICERS HEALTH BENEFITS (PSOHB) SECTION TO CONFORM WITH REQUIREMENTS OF DOJ – BUREAU OF JUSTICE ASSISTANCE GRANTS [T1-283]

Grants Administrator Richard Salmon advised that each of the last four years, Hays County has received a grant from the U.S. Dept. of Justice (DOJ) Bureau of Justice Assistance. We commonly refer to the grant as the "technology grant". The Sheriff's Office usually purchases technology-based equipment with the grant. The money is never used for officer salary or benefits. The grants range from \$22,000 to a little more than \$24,000. The correct name for the grant is the Local Law Enforcement Block Grant (LLEBG). The amount we are eligible for is based on the Uniform Crime Reports (UCR) submitted by the county to the federal government, for a certain time period. The current grant was approved for \$24,028, plus a 10% match for a total of \$26,698. The amount seems to be creeping up due primarily to the increase in population as it relates to total crime. The grant program rules require the grant recipients to have a "public safety officers health benefits (PSOHB) provision of officers injured on the job due to an emergency situation or in hot pursuit. In the course of filling out the application online you are asked if the county has a PSOHB? Our check with Human Resources at the time of the application indicated we did have disability insurance for our law enforcement officers, therefore, we checked "yes". The Hays County PSOHB requires the disabled officer, who is forced to retire and unable to handle any other position in the county, to pay their health insurance premiums. A section in the BJA fact sheet on the grant states "the jurisdiction would need to continue to cover 100% of the health insurance benefits for Officer X". Basically, our provision does not comply because the County requires the disabled officer to pay their health insurance premiums after they are disabled and unable to work anywhere else in the county. Failure to comply with the provision means the county could be forced to give back 10% of previously awarded LLEBG grant which amounts to \$9,847. They are requesting the Commissioners' court amend the county's disability provision to state the following: 5.10 DISABILITY RETIREMENT. When a Hays County employee becomes disabled, they may be able to apply for disability retirement with the Texas County and District Retirement Systems (TCDRS). The employee must submit the proper medical information to TCDRS to be considered. Eligibility and benefits are approved by TCDRS. If a county employee is disabled while on the job, the employee may also be entitled to workers compensation benefits. When TCDRS approves disability retirement, for a public safety officer disabled on the job, the officer may be eligible for full coverage insurance at no cost to the retiree. Hays County will pay 100% of the disabled retiree's health insurance premiums if the officer was disabled while on duty for Hays County in a "hot pursuit" or in an "emergency situation" as defined by law. The officer must be unable to work in any other county office. The disability retirement must be through TCDRS for years of service with Hays County. The health coverage is for the disabled retired employee only and will be equivalent to what is offered to current county employees." A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to amend the County Personnel Policy to include a Public Safety Officers Health Benefits (PSOHB) section to conform with requirements of DOJ – Bureau of Justice Assistance Grants. All present voting "Aye".



**AMENDMENT
To the
Hays County Employee Personnel Policy**

5.10 DISABILITY RETIREMENT. When a Hays County employee becomes disabled, they may be able to apply for disability retirement with the Texas County and District Retirement Systems (TCDRS). The employee must submit the proper medical information to TCDRS to be considered. Eligibility and benefits are approved by TCDRS. If a county employee is disabled while on the job, the employee may also be entitled to workers compensation benefits. When TCDRS approves disability retirement, for a public safety officer disabled on the job, the officer may be eligible for full coverage insurance at no cost to the retiree. Hays County will pay 100% of the disabled retiree's health insurance premiums if the officer was disabled while on duty for Hays County in a "hot pursuit" or in an "emergency situation" as defined by law. The officer must be unable to work in any other county office. The disability retirement must be through TCDRS for years of service with Hays County. The health coverage is for the disabled retired employee only and will be equivalent to what is offered to current county employees."

19807 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE, U. S. DEPARTMENT OF JUSTICE FOR UP TO \$25,401 AND TO EXECUTE A CONTRACT [T1-317]

Grants Administrator Richard Salmon advised that this grant will be used to purchase technology related equipment for the Sheriff's Office. Under the guidelines of the grant, a public hearing is held to obtain public comment and an advisory board reviews the use of funds and compliance with grant requirements. Matching funds of \$2,822 are in the Sheriff's FY2002 budget. Deputy Sheriff Sam Williams spoke of list that was presented for approval to the board (crisis command software, hand-held radar units, hand-held computer for bar code inventory, in-car video systems, hand-held alcohol detector, and hand-held wireless computer to run DL checks, etc.). Public notice is published in the paper. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize the County Judge to submit a grant application to the Bureau of Justice Assistance, U.S. Department of Justice for up to \$25,401 and to execute a contract. All voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 9TH DAY OF OCTOBER, 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

