



STATE OF TEXAS 0  
 COUNTY OF HAYS 0

ON THIS THE 9<sup>TH</sup> DAY OF OCTOBER 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>RUSS G. MOLENAAR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LINDA C. FRITSCH</b>	<b>DEPUTY COUNTY CLERK</b>

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PCT. 3 WILLIAM "BILL" BURNETT, AND 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.

**19808 APPROVE THE COMMISSIONERS' COURT MINUTES OF OCTOBER 2, 2001**

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the Commissioners' Court Minutes of October 2, 2001 as presented by the County Clerk. All present voting "Aye".

**19809 APPROVE PAYMENT OF COUNTY INVOICES**

County Auditor Bill Herzog asked the court to pull 2 payments on invoices from Sherwin Williams Inc. in the amounts of \$158.24 & \$296.80 – no purchase orders were obtained. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$479,561.84 [\$479,561.84 less \$455.04 adjustment] as presented by the County Auditor. All present voting "Aye".

Public Safety Svcs	\$ 75,030.47	Fines	\$ 5.00	Lease Pmt	\$ 2,665.76
Auditor's Office	\$ 523.37	Extension Office	\$ 697.28	Grants Admin Office	\$ 647.41
Juvenile Prob Office	\$ 6,549.18	Election Admin Ofc	\$ 149.35	Comm & Soc Svcs	\$ 19,405.38
Indigent Care	\$ 5,269.45	Transfer Station	\$ 264.05	Bldg Maint Dept.	\$ 4,497.69
Environmental Health	\$ 994.04	Civic Center	\$ 1,104.89	Countywide Oper	\$ 14,750.77
Tax Assess/Collector	\$ 322.40	District Clerk's Ofc	\$ 4,387.72	Sheriff's Office	\$ 24,693.13
Jail Operations	\$ 15,927.94	County Judge's Office	\$ 585.53	Human Res. Dept.	\$ 565.23
Co Court @ Law 1	\$ 158.24	District Attorneys Ofc	\$ 62.34	J.P. 1-1	\$ 27.63
J.P. 1-2	\$ 2,487.17	J.P. 2	\$ 198.66	J.P. 5	\$ 14.25
Dept of Public Safety	\$ 3,939.94	Constable 1	\$ 437.12	Constable 2	\$ 204.61
Constable 3	\$ 176.52	Constable 4	\$ 203.82	Constable 5	\$ 414.23
District Court Oper	\$ 2,407.66	Co & JP Court Oper	\$ 369.97	Veterans Admin	\$ 1,167.04
Computer Services	\$ 47,765.53	DPS/Lic & Wghts	\$ 550.15	Fire Marshal/EMC	\$ 123.92
TABC Office	\$ 376.82	TJPC CCAP Grant	\$ 9.00	Assoc Judge/Family Law	\$ 26.33
Animal Control	\$ 125.00	Spec Counsel Ofc	\$ 190.69	CJD/VOCA Grant	\$ 15.00
Auto Theft Task Force	\$ 108.38	Gen Fund Credit	<\$807.22>	Road & Bridge Oper	\$ 118,889.25
Precinct 1	\$ 101.11	Precinct 2	\$ 245.35	Precinct 3	\$ 531.35
Right of Way	\$ 675.00	R&B General Credit	<\$92.28>	Sheriff Abandoned Veh	\$ 131.56
Hays Co Parks Fund	\$ 3,096.06	Rec Mngmnt/Co Clerk	\$ 1,117.44	Health Svcs Grants	\$ 5,100.04
Courthouse Renov	\$ 10,013.80	Courthouse Security	\$ 56.78	Sheriff's Drug Forf Fund	\$ 46.00
Family Health Svcs	\$ 1,975.80	Tobacco Settlement	\$ 97,252.13		

**19810 APPROVE REFUND OF DOUBLE PAYMENTS AND OVERPAYMENT OF TAXES**

Tax Assessor-Collector Luanne Caraway submitted the following overpayment/double payments for refund of taxes: Willow Creek I Lot 33 = \$3,268.42 (double payment) and 95.0767 ac Henry Lollar Survey = \$ 1,114.50 (overpayment). A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve refund of double payments and overpayments on taxes as submitted by the County Tax Assessor-Collector. All present voting "Aye".



OCTOBER 9, 2001

\*\*\*\*\*

\*\*\*\*\*

VOL S PG 263

**19811 AWARD ANNUAL OFFICE SUPPLY CONTRACT TO CONVENIENCE OFFICE SUPPLY**

Bidders were: Boise Cascade Office Products, Office Depot, and Convenience Office Supply. Recommendation is to accept contract from Convenience Office Supply with a 49.5% discount straight across the board with no deviations. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to award annual Office Supply contract to Convenience Office Supply. All present voting "Aye".

**19812 APPROVE INTERLOCAL AGREEMENT WITH TARRANT COUNTY FOR JOINT VENTURE/COOPERATIVE PURCHASE OF POLICE PACKAGE VEHICLES**

Tarrant County maintains a listing of annual contracts which are available for local entities use and serves as the purchasing agent for selected items. Tarrant County bid police package vehicles and awarded contract to Philpott Motors – the base price for the Crown Victoria is \$18,907. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve interlocal agreement with Tarrant County for joint venture/cooperative purchase of police package vehicles. All present voting "Aye".

**Clerk's Note:** Agenda Items #5 RE: ADOPT UPDATED PREVAILING WAGE RATES TO BE USED IN CONTRACTS AWARDED BY THE COUNTY FOR PUBLIC WORKS was pulled from the agenda – to be considered next week.

**19813 RUBY RANCH SECTION 8 [Pct. 2\* 01-2-080] \* ACCEPT ROAD CONSTRUCTION AND RELEASE CONSTRUCTION SECURITY [T1-70]**

Environmental Health Director Allen Walther gave staff recommendation for acceptance of road construction and release of construction security. These are private roads and no maintenance bond is required. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to accept road construction and release construction security for Ruby Ranch Section 8. All present voting "Aye".

**19814 OUR PLACE [Pct. 2-01-2-074] \* APPROVE PRELIMINARY PLAT AND PHASED DEVELOPMENT AGREEMENT [T1-80]**

Environmental Health Director Allen Walther advised that this is a 32 lot subdivision that is to be developed in phases. The phased development agreement defines time period for development of each phase. Staff recommends that if the road is not built all the way through at once, that a temporary culdesac be constructed at the termination of each phase. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat and phase development agreement regarding "Our Place" subdivision with stipulation that if the road is not built all the way through at once, that a temporary culdesac be constructed at the termination of each phase. All present voting "Aye".

The 43.41 acre track owned by Aurelia Esparza, Our Place Subdivision, located on Mathias Road, Hays County will be developed in phases.

The first phase will get under way as soon as the proposed plans are approved. This phase will take approximately 6 to 12 months to complete.

Phase two will take approximately 12 to 16 months to complete.

Phase three will take approximately 12 to 16 months to complete.

Phase four will take approximately 12 to 16 months to complete.

Phase five will take approximately 12 to 18 months to complete.

All phases are planned to be completed within 4 ½ to 6 ½ years – each phase will start soon after the sale of the prior phase providing the Real Estate market and the economy is favorable to continue with the proposed phases.

**19815 RESUBDIVISION OF CROSSROAD SUBDIVISION LOT 13 BLOCK B [Pct. 401-4-065] \* PUBLIC HEARING AND APPROVE FINAL PLAT [T1-101]**

Judge Powers declared the public hearing open - no public input was received and the public hearing was closed. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve final plat of "Crossroad Resubdivision of Lot 13 Block B". All present voting "Aye".



**19816 SALT LICK SUBDIVISION NO 1** [Pct. 4-01-4-07] \* **APPROVE FINAL PLAT** [T1-118]

Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve final plat of "Salt Lick Subdivision No. 1". All present voting "Aye".

**19817 ACCEPT ROADS IN THE EAGLE POINT SUBDIVISION FOR COUNTY MAINTENANCE** [T1-127]

Environmental Health Director Allen Walther advised that these roads were constructed according to county standards and inspections were made. While there are some minor deficiencies, an oversight in tracking the expiration of the maintenance bond, precludes accessing any funds. Road Supt/Eng. Jerry Borcharding stated that the developer is refusing to make the minor changes needed - the road dept will take care of those deficiencies. Safeguards have been put in place so that maintenance security will not expire before deficiencies are corrected in the future. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to accept roads in the "Eagle Point Subdivision" for county maintenance. All present voting "Aye".

**19818 APPROVE PAY GRADE CHANGES FOR COUNTY LAW ENFORCEMENT PERSONNEL** [T1-156]

Sheriff Don Montague clarified that this proposal was put together and presented during the budget process and he thought it was already approved - the money was set aside in the budget for this. Proposal was for a better entry level for Deputies from a Grade 28 to a Grade 29 after the City of San Marcos moved close to \$4,000 ahead of us in entry level pay for San Marcos Police Dept. - we were having promotions with 6% pay raise to take on a great deal more responsibilities - we have lost or are losing 7 Officers (15-20% of our street force) because of pay to SMPD, APD, and Texas Highway Patrol. He spoke of study done comparing Officers (Travis County SO, DPS, San Marcos PD, Austin PD) duties and pay. He is not looking at this as a pay raise - he thought he did it properly during initial meetings with the County Judge. He has agreed to a modification of the plan. Original proposal = \$164,735 (included increasing Deputy Constables, Fire Marshal & Waste Task Force Officer) Modified proposal = \$138,204 (\$126,740 of this going to Sheriff's Dept. personnel and \$11,464 to Deputy Constables, Fire Marshal & Waste Task Force Officer). Commissioner Carter spoke of people getting the biggest increases are often times those who have the highest grade anyway. She asked for credentials and requirements for each of these positions receiving these increases and justification - not enough information for her to make a decision. She asked what we do with the rest of the people in the county when we depart from the county's wage and grade scale. She spoke of highly qualified attorneys in the District Attorney's office that feel like they should be bumped up at least a grade or two. Sheriff Montague spoke of other departments that have received upgrades that have gone away from the original study - he stated that the money was set aside for this in the budget. Commissioner Carter stated that her concern is that the county is not noted as being the highest paid entity in any area - the county is a place you work if you don't want to drive to a big city and the benefits are not always in dollars. She stated that she appreciates the job you do but how can we afford to do this for everyone in the county - we lose people in other departments to school districts, etc. County Auditor Bill Herzog advised that there was \$272,000 set aside in the budget - \$50,000 was for merit this summer and \$222,000 that he thought was going towards updating the pay scale and try to decompress the salaries. Judge Powers stated that it was law enforcement that was talked about in the budget meetings with the Sheriff. Commissioner Molenaar spoke of there being \$80,000 for other upgrades - the fact is that the Sheriff was the only one with foresight at this time to bring this before us - it was done in order to keep qualified trained personnel making day to day life and death decisions. Commissioner Ingalsbe felt like the Sheriff had done it in the correct way - he brought it before the budget process, as we had asked other elected officials and department heads to do, and we didn't take action to do that. [T1-369] She stated that Britney (in the Treasurer's Office) reviewed these very quickly and she gave her recommendations and that is sort of the compromise we came up with - we are not giving the Sheriff everything he asked for but we are at a level she can support. She does want to finish the job we started and look at every department and make sure job descriptions are current and up to date. Commissioner Carter requested postponement until Commissioner Burnett is present for vote and correct figures are presented (compromise is not in the agenda packet). Judge Powers advised that we need to do what we can to support our law enforcement especially in the times we are in today. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe approve pay grade changes for county law enforcement personnel as proposed to be effective October 1, 2001. Commissioner Ingalsbe, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter abstained. Total cost = \$138,204

POSITION	CURRENT GRADE	NEW GRADE
JAIL - LIEUTENANT	32	33
JAIL - CAPTAIN	33	36
JAIL - CHIEF DEPUTY	36	41
PATROL DIVISION - DEPUTY	28	29
PATROL DIVISION - DETECTIVE	30	31
PATROL DIVISION - SERGEANT	32	34
PATROL DIVISION - LIEUTENANT	N/A	36
PATROL DIVISION - CAPTAIN	34	38
PATROL DIVISION - CHIEF DEPUTY	36	41
RESOURCE OFFICER	28	29
COPSHIRE OFFICER	28	29
AUTO THEFT TASK FORCE OFFICER	30	31
DEPUTY CONSTABLE	28	29
FIRE MARSHAL	28	29
WASTE TASK FORCE OFFICER	28	29



OCTOBER 9, 2001

\*\*\*\*\*

\*\*\*\*\*

VOL S PG 265

**19819 APPROVE APPOINTMENT OF STEVE WINDHAGER AND SCOTT WILSON TO THE HAYS COUNTY PARKS ADVISORY BOARD [T1-438]**

Pat Moore (Parks Board member) stated that she has no opposition to the people being named today – she does wants to make the court aware that on the Parks Board there are those people who are trying to establish a viable 501C that will take all responsibility away from the court and place it on an un-elected board. Judge Powers stated that the county provides the money and property so we still control the money side of what they do. Jacqueline Collum Murphy advised that anything the parks board does must come through the court – she will look into this matter. Jackie Craig (Parks Board member) stated that a lawyer on the board stated that it would take control of the board away from the court. Pat Moore suggested that all new appointments be interviewed. Commissioner Molenaar spoke of qualification/experience of his nominees. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve appointment of Steve Windhager and Scott Wilson to the Hays County Parks Advisory Board (Pct. 4 appointments). All present voting “Aye”.

**19820 RATIFY COMMISSIONER COURT ACTION OF JULY 24, 2001 ADOPTING REDISTRICTING PLAN FOR COMMISSIONER PRECINCTS WITH MINOR BOUNDARY ADJUSTMENTS [T1-521]**

Steve Floyd, Programs Manager/GIS/911 Addressing, went over changes in Commissioner Precincts - he spoke of adjustments made in order to follow City limits lines for Kyle and San Marcos. There were changes in San Marcos with precincts 1, 3, and 4 and changes in Kyle area with precincts 1 and 2.[see map in file] Commissioner Carter gave her appreciation to the work done by Steve Floyd, however, she stated that since she did not vote for the plan, she will be consistent and not ratify the action of July 24<sup>th</sup>. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to ratify Commissioner Court action of July 24, 2001 adopting redistricting plan for Commissioner Precincts with minor boundary adjustments. Commissioner Ingalsbe, Commissioner Molenaar, and Judge Powers voting “Aye”. Commissioner Carter voting “No”. [see map in file]

**19821 ADOPT COUNTY ELECTION PRECINCTS FOR SUBMISSION TO THE UNITED STATES DEPARTMENT OF JUSTICE FOR PRECLEARANCE [T1-619]**

Steve Floyd (Programs Manager/GIS/911 Addressing) spoke of election precinct changes in the various precincts: 440 has been combined with part of 441 - 443 takes part of 441 - 442 shape has changed somewhat - 448 remains almost the same. Pct 3 remains mostly the same in the Wimberley area. Pct. 222 has been combined with 230 - 229 has moved up - other precincts have slight changes. He spoke of changes in the San Marcos area - small change will be made in common boundary line of Pct. 111 & 116. Elections Administrator Joyce Cowan spoke of creation of Pct. 222 ten years ago was because of senatorial districts - they are submitting it along with 230 (222 & 230 are usually combined for voting purposes anyway) but it will be subject to change depending on new senatorial/congressional districts. A motion was made by Judge Powers, seconded by Commissioner Molenaar to adopt County Election Precincts for submission to the United States Department of Justice for pre-clearance. All present voting “Aye”. [see map in file]

**19822 ADOPT JUSTICE OF THE PEACE AND CONSTABLE PRECINCTS FOR SUBMISSION TO THE UNITED STATES DEPARTMENT OF JUSTICE FOR PRE-CLEARANCE [T1-755]**

Steve Floyd (Programs Manager/GIS/911 Addressing) gave an overview of Justice of the Peace/Constable Precincts. He advised that the only major change was to take Election Pct. 448 and turn it over to J.P. Pct. 3. A motion was made by Commissioner Molenaar, seconded by Judge Powers to adopt Justice of the Peace and Constable Precincts for submission to the United States Department of Justice for pre-clearance. All present voting “Aye”. [see map in file]

**Court was adjourned.**

**MINUTES APPROVED IN OPEN COURT ON THE 16<sup>TH</sup> DAY OF OCTOBER, 2001**

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

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

