



STATE OF TEXAS 0  
 COUNTY OF HAYS 0

ON THIS THE 18<sup>th</sup> DAY OF DECEMBER 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 Carter led the Court in the Pledge of Allegiance to the Flags.

**PRESENTATION BY PRIMA MOSHI, DIRECTOR OF PAWS ANIMAL SHELTER**

Prima Moshi, Director of P.A.W.S., appeared before the Court. She spoke of taking stray animals for Hays County – they are taking in more than they can handle – the have an open door shelter and accept animals that are difficult to adopt out. They are hoping to get more room and more money. Prima Moshi spoke of need for help from the community and county (financial support and volunteers) – she spoke of promoting spay and neutering program. Commissioner Carter presented P.A.W.S. with dog food, cat food, etc.

**19965 APPOINTMENT OF A NEW COUNTY EXTENSION AGENT FOR HAYS COUNTY**

[T1-142] County Extension Agent Susan Schram introduced Dist. Extension Director Darrell Dromgoole. He gave his appreciation to Hays County for their support of the Extension Office and he introduced the recommended County Extension Agent-Agriculture/Natural Resources for Hays County Rachel Bauer (Bastrop County Agent at this time) – he gave her qualifications (education & experience) as county extension agent and advised that she had received the "Outstanding Young Agricultural Extension Agent Award, presented by Professional Ag. Workers of Texas - 2001. A motion was made by Judge Powers, seconded by Commissioner Carter to approve appointment of Rachel Bauer as County Extension Agent – Agriculture/Natural Resources position in Hays County. All voting "Aye".

Judge Powers advised that a pre-clearance letter has been received from the U.S. Department of Justice regarding the county's redistricting plan. They do not interpose any objection to the specified change.

**19966 APPROVE THE COMMISSIONERS' COURT MINUTES OF DECEMBER 11, 2001**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of December 11, 2001 as presented by the County Clerk. All voting "Aye".

**19967 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$397,551.52 as presented by the County Auditor. All voting "Aye".

Vouchers Payable	\$ 2,722.86	Public Safety Svcs	\$ 95,756.45	Fines	\$ 987.77
Lease Pmt	\$ 2,257.40	Auditor's Office	\$ 1,364.00	Treasurer's Office	\$ 553.44
Extension Office	\$ 687.55	Grants Admin Ofc	\$ 228.74	Juvenile Prob Ofc	\$ 1,670.42
Election Admin	\$ 158.84	Transfer Station	\$ 81.46	Building Mtc. Dept.	\$ 5,272.17
Environmental Health	\$ 2,147.23	Civic Center	\$ 89.86	Countywide Oper	\$ 3,775.92
Tax A/C	\$ 1,004.99	District Clerk's Ofc	\$ 412.74	Sheriff's Office	\$ 19,259.03
Jail Operations	\$ 3,671.44	County Judge's Ofc	\$ 240.78	Human Resources	\$ 254.35
Co Court @ Law 1	\$ 244.97	District Atty's Office	\$ 1,110.98	J.P. 1-1	\$ 110.44
J.P. 1-2	\$ 198.78	J.P. 2	\$ 279.43	J.P. 3	\$ 118.85
J.P. 5	\$ 102.00	Dept Public Safety	\$ 231.99	Constable 1	\$ 347.28
Constable 2	\$ 625.96	Constable 3	\$ 250.66	Constable 4	\$ 402.99
Constable 5	\$ 306.22	District Court Oper	\$ 14,987.63	Co & JP Court Oper	\$ 2,665.57
Precinct 1	\$ 85.45	Precinct 2	\$ 302.65	Precinct 3	\$ 40.12
Veterans Admin	\$ 661.59	Computer Services	\$ 2,207.81	DPS/L&W	\$ 345.00
Fire Marshal/EMC	\$ 546.38	TABC Office	\$ 165.14	District Court Reprtrs	\$ 72.84
TJPC/CCAP Grant	\$ 11,572.50	Assc Judge/Fam Law	\$ 158.72	Special Counsel	\$ 163.07
Comm Court Expenses	\$ 15.08	CJD/VOCA Grant	\$ 579.51	Auto Theft Task Force	\$ 55.57
911 Adrrs Mtc Grant	\$ 117.45	Juv Justice Alt Ed	\$ 619.57	General Fund Credit	<\$30.90>
R & B Operations	\$ 39,534.36	Right of Way	\$ 697.00	R&B Gen Fund Credit	<\$93.13>
Sheriff Abandon Veh	\$ 66.25	Anticip Notes '95 Proj	\$ 35,620.62	Hays Co Parks Fund	\$ 79.89
Rec Mng/Co Clerk	\$ 1,252.78	Health Svcs Grants	\$ 3,907.36	Law Library Fund	\$ 2,019.31
Courthouse Security	\$ 85.16	Sheriff's Drug Forf	\$ 270.00	Family Helath Svcs	\$ 3,063.64
Tobacco Settlement	\$ 128,789.54				



**19968 APPROVE BUDGET AMENDMENT 02-08**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Budget Amendment No. 02-08 as proposed by the County Auditor. All voting "Aye".

					AMENDMENT NO. <u>2002-</u> <u>08</u> FY 2002 BUDGET 12-18-01
FUND NO. <u>01</u>					
FUND TITLE <u>GENERAL FUND</u>					
	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS	
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>	
<b><u>DISTRICT CLERK (416):</u></b>					
01-416-5391 Other	150	100		250	
01-416-5211 Office Supply <i>Transfer for special pictures</i>	4,500		(100)	4,400	
<b><u>COUNTYWIDE OPERATIONS (414):</u></b>					
01-414-5742 Park Improvements	-0-	20,000		20,000	
01-414-5399 Contingencies	68,266		(10,000)	58,266	
01-414-5743 Infrastructure	200,000		(10,000)	190,000	
<b>FUND NO. <u>35</u></b>					
<b>FUND TITLE <u>FAMILY HEALTH SERVICES FUND</u></b>					
<b><u>PERSONAL HEALTH (412):</u></b>					
35-412-5413 Vehicle Maintenance	-0-	100		100	
35-412-5311 Travel	1,000		(100)	900	
35-412-5461 Printing	400	300		700	
35-412-5211 Office Supply <i>Transfer for needed expense</i>	6,000	<u>400</u>	<u>(400)</u>	5,700	

**19969 APPROVE REFUND OF DOUBLE PAYMENTS ON TAXES**

The following applications for tax refund were submitted by the County Tax Assessor-Collector: Lot 7 Blk 5 Hills of Hays Phase 2 = \$ 2,319.96 \* Lot 47 Copper Hills = \$4,398.83. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve refund of double payments on taxes as presented by the County Tax Assessor-Collector. All voting "Aye".

**19970 APPROVE THE PURCHASE OF A HOT WATER HEATER FOR THE RECORDS BUILDING OUT OF COUNTY CLERK FUNDS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the purchase of a hot water heater for the records building out of County Clerk Records Management funds. All voting "Aye".

**19971 [PCT. 2 #01-2-093] PRESIDIO ALMA RESUBDIVISION OF LOT 4 \* PUBLIC HEARING AND FINAL PLAT APPROVAL [T1-250]**

Judge Powers declared the public hearing open - no public input was received and the public hearing was closed. Environmental Health Director Allen Walther advised that notification was made by direct contact (neighbors signed a paper stating they had been notified and have no objections to the Resubdivision). Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Presidio Alma Resubdivision of Lot 4". All voting "Aye".

**19972 APPROVE REPLACEMENT OF DALE ROBERSON ON THE WIMBERLEY EMERGENCY SERVICES DISTRICT #3 WITH BARBARA GRANT [T1-268]**

Dale Roberson submitted a letter of resignation from the WESD#3 effective December 31, 2001. Commissioner Burnett thanked him for his three years of service on the Board. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve appointment of Barbara Grant to replace Dale Roberson on the Wimberley Emergency Services District #3. All voting "Aye".



**Clerk's Note:** Agenda Item #9 RE: Appointment of Martha Knies to the Parks & Open Space Advisory Board was PULLED – No action taken.

**19973 REAPPOINTMENT OF BOARD MEMBER MIKE SCHWARTZ TO THE NORTHWEST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT [T1-308]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to reappoint Mike Schwartz to the Northwest Hays County Rural Fire Prevention District Board of Directors. All voting "Aye".

**19974 REAPPOINTMENT OF BOARD MEMBERS OF THE NORTH HAYS COUNTY EMERGENCY SERVICE DISTRICT #1 [T1-314]**

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to reappoint James Spencer and Randall Robinson to the North Hays County Emergency Service District #1 Board. All voting "Aye".

**19975 REPLACE BOARD MEMBER REED SMITH WITH APPLICANT GLEN SHELTON TO THE NORTHWEST HAYS COUNTY RURAL FIRE PREVENTION DISTRICT [T1-324]**

Commissioner Molenaar advised that Reed Smith has resigned and Glen Shelton wishes to serve on the Board (2 year term). A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to appoint Glen Shelton to the Northwest Hays County Rural Fire Prevention District. All voting "Aye".

**19976 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF WIMBERLEY AND HAYS COUNTY REGARDING THE VILLAGE OF WIMBERLEY'S CYPRESS CREEK NATURE TRAIL AND PRESERVE AND AMEND THE BUDGET ACCORDINGLY [T1-336]**

Commissioner Burnett advised that this is a project that has been in the works for some time – he asked city representatives to discuss this project. He spoke of donations and contributions that have been made. Wimberley Mayor Hewlett spoke of natural beauty and rustic charm of the area – the Blanco River and Cypress Creek are the primary features – they have been given the opportunity to purchase 7+ acres of pristine land right off the village square. She spoke of improvements that will be made to the property and she spoke of natural vegetation and trees on the property – they have been working on this for about nine months and they are at the point to purchase the property – they are asking for a county partnership. Commissioner Burnett spoke of previous actions of the court regarding parks in other areas of the county. Commissioner Carter feels like it is the county's role to assist smaller cities like this. Commissioner Ingalsbe asked how long it will take before the improvements are made. Mayor Hewlett advised that volunteers will begin work as soon as property is purchased – they will be seeking additional funds for the future. She invited all the Commissioners to come see the property. Commissioner Burnett commended those responsible for making this happen – asked for a budget amendment. [T1-478] A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the County Judge to enter into an interlocal agreement between the Village of Wimberley and Hays County regarding the Village of Wimberley's Cypress Creek Nature Trail and Preserve and to contribute \$20,000 as county match – \$10,000 will be taken from contingencies and \$10,000 from the infrastructure line item – and authorize an amount not to exceed \$6,000 to be issued at the first available check issuance cycle by the Auditor's Office. All voting "Aye".

**INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE VILLAGE OF WIMBERLEY**

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

*This Interlocal Cooperation Agreement (the "Agreement") is executed by and between the COUNTY OF HAYS, State of Texas (the "County"), acting by and through its County Judge, and the VILLAGE OF WIMBERLEY (the "City"), a general law municipal corporation organized under the laws of the State of Texas, acting by and through its Mayor, to become effective upon approval of both governmental bodies in a public meeting posted pursuant to the Texas Open Meetings Act.*

**WHEREAS**, the Hays County Commissioners' Court commissioned a citizen survey ("survey") released in July 2000 wherein the citizens of Hays County ranked river/creek access as the number one public recreational facility need in Hays County; and,

**WHEREAS**, the survey further established that the majority of Hays County residents support the county acquiring, managing and funding parks; and,

**WHEREAS**, the Interlocal Cooperation Act, Chapter 791, Texas Government Code, authorizes the County to enter into agreements with local governments for the furtherance of public purposes such as the establishment of parks for use by the public; and,

**WHEREAS**, the City has spent much time and effort in planning the Proposed Cypress Creek Nature Trail and Preserve which shall include 7.24 acres of pristine acreage along Cypress Creek within walking distance of the square in the Village of Wimberley; and,



**NOW, THEREFORE**, for and in consideration of the mutual covenants conditions and undertakings hereinafter described, the benefits to accrue to the citizens of the County and the City, the County and the City hereby contract, covenant and agree to provide certain governmental services and functions as follow:

**SECTION 1. NATURE TRAIL AND PRESERVE.** The City, with financial assistance to be provided by the County and others, shall construct, administer and maintain a nature trail and preserve on property acquired by the City for use by citizens of the City and County.

**SECTION 2. COUNTY PARTICIPATION.** The County will contribute the amount of \$20,000.00 for the current revenues available to the County toward the **acquisition and/or** construction of the nature trail and preserve upon execution of this Agreement. The City shall return the funds to the County if the proposed nature trail and preserve is not constructed.

**SECTION 3. CLAIMS AND DAMAGES.** The County shall be in no way legally responsible for the construction and maintenance of the nature trail and preserve and nothing in this Agreement shall be interpreted as imposing any liability on the part of the County.

**SECTION 4. GOVERNMENTAL IMMUNITY.** Nothing in the Agreement shall be deemed to waive, modify or amend any legal defense available at law or in equity to either the City or the County, or to create any legal rights or claims on behalf of any third party. Neither the County nor the City waives, modifies or alters, to any extent whatsoever, the availability of the defense of governmental immunity under the laws of the State of Texas or as to the laws of the county and the City.

**SECTION 5. AMENDMENTS AND MODIFICATIONS.** The Agreement shall not be amended or modified except in writing executed and authorized by both the County and the City.

**SECTION 6. SEVERABILITY.** If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate nor render unenforceable any other provision hereof, but rather this entire Agreement will be construed as if not containing that particular invalid or unenforceable provision or provisions, and the rights and obligations of the County and City shall be construed and enforced in accordance therewith. The County and the City hereby acknowledge that if any provision of the Agreement is determined to be invalid or unenforceable, it is their mutual desire and intention that such provision be reformed and construed in such a manner that it will, to the maximum extent practical, be deemed to be valid and enforceable.

**IN WITNESS WHEREOF**, the County and City have executed and attested this Agreement in duplicate form by their respective officers' signature hereto and such signatures are duly authorized and effective as of the date last indicated below.

**19977 APPROVE CHANGES TO THE HAYS COUNTY PERSONNEL POLICY MANUAL, MAY 2000 [T1-498]**

Human Resources Director Luis Gonzales spoke of 3 changes to the policy manual: ≥ establishes general evacuation guidelines for county buildings, which includes disabled employee/visitors as required by federal regulations, < establishes use and management guidelines for equipment purchased with grant monies, < removes and redefines requisites for Military Leave. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve changes to the Hays County Personnel Policy Manual. All voting "Aye".

**Change 1: Add to the end of Paragraph 3.03 - SAFETY:**

Department Heads and Elected Officials are encouraged to formulate an evacuation plan for their respective building(s). Below are some guidelines that will assist to ensure the continued safety of our employees and visitors when evacuating county buildings. The guidelines should not be considered all encompassing. A practical approach should be utilized when institution evacuation procedures.

General Information:

- Elevators should not be used during evacuation procedures.
- Upon activation of fire alarm(s), evacuation procedures should commence in an orderly manner.
- DO NOT LOCK ANY DOORS, as this will hamper fire fighting and/or rescue efforts.

Supervisory Personnel:

- Emergencies encountered during evacuation should be handled on the spot, i.e., injuries, location of fire, personnel in elevator etc.
- Establish a rendezvous point away from the evacuated building to affirm the accountability of all employees and visitors.
- ALLOW NO ONE TO RETURN TO THE EVACUATED FACILITY UNTIL PROPER AUTHORITY HAS GIVEN THE ALL-CLEAR.



- Designate an employee to:
  - Assist in evacuating disabled personnel and/or visitors. If evacuation via the stairway is necessary, but not feasible, handicapped individuals should be routed to the nearest Area of Rescue Assistance.
  - Turn off the power source to the building.
  - Ensure all personnel and visitors have evacuated.
  - Ensure all equipment has been turned off.
  - Close all doors once offices have been evacuated.
  - Provide a situation report to fire and rescue personnel upon their arrival

**Change 2: Add to the end of Paragraph 3.10 - USE OF COUNTY EQUIPMENT AND VEHICLES:**

Equipment and property purchases with monies received through grants shall be used and managed in accordance with established procedures as long as the equipment is used for the purpose intended.

**Change 3: Modify Paragraph 6.17 - MILITARY LEAVE to read:**

Employees with Hays County will continue to receive full pay while on military leave for up to 15 days per fiscal year.

- Instead of -

Employees with one year of service or more with Hays County will continue to receive full pay while on military leave for up to two weeks per calendar year.

*Explanation of change: The Hays County Pay System operates on a fiscal year basis, not on a calendar year. Additionally, the prerequisite of one-year service is not in accordance with Government Code. The Government Code states that Leaves of Absence...may not exceed 15 days in a federal fiscal year... The two-week limit authorized by Hays County does not allow the Government Code to function to its full extent.*

**19978 APPROVE THE 2001 EQUAL EMPLOYMENT OPPORTUNITY PLAN [T1-538]**

Luis Gonzales advised that this plan should be published each year – it doesn't drive quotas – it lets us know where we are at. He used 1990 census figures because that was all that was available and he spoke of issues that are addressed through this plan. There are no substantial changes. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the 2001 Equal Employment Opportunity Plan. All voting "Aye".

**EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

Hays County is an equal opportunity employer. The continued objective of our policy is to recruit, hire, train and promote persons in all job classifications without regard to race, color, religion, sex, national origin, age, disability, or veteran status. Such decisions are based on the individual's qualifications as they relate to the particular job vacancy and to the enhancement of equal employment opportunity. Personnel decisions such as compensation, benefits, transfers, training, or education will be administered without regard to race, religion, color, sex, national origin, age, disability, or military veteran status. The Human Resources Department has been designated as the Equal Employment Opportunity (EEO) focal point. The Director, Human Resources is responsible for the implementation and monitoring of the Equal Employment Opportunity Policy. The Director has the full support of Commissioners Court in this endeavor.

**EEO IMPLEMENTATION POLICY**

1. Commissioners Court have the overall responsibility for implementing the EEO Policy. The day-to-day responsibilities for the implementation of the policy are delegated to the Director, Human Resources, who, as the EEO Officer has the full support of the Court. Elected Officials and Department Heads are responsible for initiating, administering, and controlling activities within their area of responsibility in order to ensure full implementation of the policy.
2. Duties and responsibilities of the EEO Officer include, but are not limited to the following:
  - a. Develop policy statements, alternative action programs, internal and external communication techniques.
  - b. Assist in the identification of problem areas.
  - c. Assist in arriving at solutions to problems
  - d. Measure the effectiveness of EEO Programs.
  - e. Determine the degree to which the County goals and objectives have been attained.
  - f. Serve as the liaison between employees and management.
  - g. Serve as the liaison between Hays County, external organizations, or community action groups concerned with employment opportunities.
  - h. Ensure Department Heads and Elected Officials are kept informed of the latest developments in the equal opportunity arena.
3. Reporting and Internal Auditing Programs. The EEO Officer is responsible for ensuring that the EEO Program remains viable. Hays County reviews the program on a regular basis - at least annually. The EEO Program must:
  - a. Maintain accurate and up-to-date records on all applicants, hires, promotions, transfer, and terminations by race and sex.
  - b. Review promotions, transfers, and terminations to ensure all employees are treated on a fairly and on an equitable basis.
  - c. Review selection and promotional procedures to ensure that the processes are nondiscriminatory.
  - d. Inform Commissioners Court on a regular basis as to the effectiveness of the EEO Policy, and if necessary, submit recommendations for corrective action.



#### RESPONSIBILITIES OF ELECTED OFFICIALS AND DEPARTMENT HEADS

1. Elected Officials and Department Heads will share responsibilities under the EEO Policy. Their duties will include, but not limited to include the following:
  - a. Assist in the identification of problem areas.
  - b. Meet with supervisors and employees to ensure policies are enforced.
  - c. Review the qualifications of employees to ensure that minorities and women are provided opportunities for transfer and promotions.
  - d. Provide career counseling for employees.
  - e. Ensure that posters are properly displayed.
  - f. Ensure that minority and female employees are afforded an opportunity and encouraged to participate in all education, training, recreation, and social activities.
  - g. Prevent the harassment of employees who participate in affirmative action efforts.

#### DISSEMINATION POLICY

1. The internal dissemination of the Hays County's EEO Policy will continue to be accomplished as follows:
  - a. Publish the EEO Policy in the Hays County Employee Personnel Policy.
  - b. Post the EEO Policy on all county bulletin boards.
  - c. Discuss the policy at both employee orientations and management training programs.
2. The external dissemination will continue to be accomplished through the following methods:
  - a. Inform recruiting sources of the Hays County EEO Policy to encourage the referral of minorities and women for position vacancies.
  - b. Incorporate the EEO Policy in all purchase orders, leases, contracts, etc., covered by Executive Order 11246, and its implementing regulations.
  - c. Written notification of the County's EEO Policy will be distributed to subcontractors, vendors, and suppliers. Appropriate action on their part will be requested.

#### AVAILABILITY DETERMINATION

1. Job groups within Hays County are examined to determine whether minorities and women are underutilized in comparison to their availability.
2. To discern whether there is underutilization, eight factors are considered. In addition, when any one-minority group constitutes more than 3% or more of the labor area population, a separate weight factor analysis has been conducted for that minority group. The factors considered in determining minority availability are:
  - a. The minority population of the labor area surrounding Hays County.
  - b. The size of the minority unemployment force in the labor area surrounding the facility.
  - c. The percentage of the minority work force as compared with the civilian labor force in the immediate labor area.
  - d. The general availability of minorities having requisite skills in the immediate labor area.
  - e. The availability of promotable and transferable minorities within Hays County organizations.

#### IDENTIFYING AREAS OF CONCERN

1. Hays County has made an in-depth analysis in an effort to identify areas of concern and their extent in hindering our affirmative action obligations. The analysis encompassed several factors:
  - a. Composition of the work force by minority group status and sex.
  - b. Composition of applicant flow by minority group status and sex.
  - c. The total selection process including position descriptions, position titles, worker specifications, application forms, interview procedures, referral procedures, and final selection process.
  - d. Transfer and promotion practices.
  - e. Training programs.
  - f. Workforce attitudes.
  - g. Technical phases of compliance, such as posters, retention of applications, and notification to subcontractors.

#### ESTABLISHMENT OF GOALS, TIMETABLES, AND CORRECTIVE ACTION

1. Goals are not created as rigid, inflexible quotas that must be met, but as targets deemed reasonably attainable by applying good faith, and a sincere effort to make all aspects of the affirmative action arena a reality. In establishing timetables, Hays County considers the anticipated expansion, contraction, and turnover of the work force.
2. Goals, timetables, and affirmative action commitments have been designed to correct underutilization as quickly as reasonably possible.
3. To achieve greater resemblance of the civilian work force and Hays County's work force a copy of the chart for Distribution of EEO Groups and Comparison to Community Labor Statistics will be distributed to all Department Heads in order to enhance awareness of the underutilization areas.
4. Hays County has and will continue to closely monitor the underutilization of women and other specific job categories.
5. The vertical movement of minority and female employees is being addressed to the extent appropriate under the terms of this Affirmative Action Program and consistent with Hays County's policy to promote from within whenever feasible.
6. Emphasis in the selection and promotion process of underutilized categories will continue.
7. Applications and related pre-employment forms are reviewed for currency, and to ensure compliance with federal regulations.
8. Position descriptions are reviewed to determine whether they accurately reflect actual functions and duties.



#### COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

1. Commissioners Court shall continue to require the following recruitment and advertisement practices:
  - a. Hays County actively recruits both men and women for all jobs. Referral sources are informed that Hays County has no specific sex preference and seeks only qualified applicants without regard to race, sex, color, religion, or national origin.
  - b. Advertisements are placed with no sex preference indicated. All advertisements close with the following: "Hays County is an Equal Opportunity Employer."
2. The Hays County Personnel Manual stipulates that all employment policies and practices apply to every employee on an equal basis regardless of sex.
3. All employees have an equal opportunity to any job for which they are qualified.
4. No distinction is made between the sexes in regard to equal opportunity, wages hours, or other conditions of employment.
5. There is no distinction between the employment and treatment of a woman, or a man on the basis of marital status.
6. Hays County provides physical facilities to both female and male employees.
7. Females are not penalized in their employment because of time spent away on account of childbearing.
8. No distinction is made between men and women as to retirement age for any particular job.

#### SEXUAL HARASSMENT POLICY

Hays County will not tolerate sexual harassment. The sexual harassment policy adopted is one that prohibits unwelcome sexual advances in any form, or any other verbal or physical conduct of a sexual nature that is deemed inappropriate by the receiver. Sexual harassment is against federal regulations and interferes with employee performance, creates an intimidating, hostile and/or offensive work environment, and affects conditions of employment or employment decisions. This policy is posted on all employee bulletin boards.

#### COMPLIANCE OF REGULATIONS AGAINST DISCRIMINATION BASED ON RELIGION OR NATIONAL ORIGIN

1. Hays County's Equal Employment Opportunity Policy ensures that applicants and employees are not discriminated against on the basis of religion, or national origin. Hays County reviews its employment practices annually in order to ensure that members of the various religions and ethnic groups receive fair consideration for job opportunities.
2. Hays County is involved in the following recruitment activities to guarantee nondiscrimination based on religion or national origin:
  - a. Hays County informs all management, supervisors, and employees of its commitment to provide equal employment opportunity without regard to religion or national origin.
  - b. Hays County has developed internal procedures to ensure implementation of its EEO Policy without regard to religion or national origin.
  - c. Various recruitment sources are used to provide equal employment opportunity to potential employees without regard to religion or national origin. Hays County has established contacts with religious and ethnic organizations.
3. Hays County accommodates an assortment of religious observances and practices of its employees or applicants up to the point that such accommodation would create undue hardship on the County. Business necessity, financial costs and expenses, and resulting personnel problems determine the extent of the County's obligation.
4. Hays County does not discriminate against qualified employees or applicants based on race, color, religion, sex, or national origin in implementing its EEO Policy regarding non-discrimination on the basis of national origin or religion.

#### AGE DISCRIMINATION GUIDELINES

Hays County adheres to age discrimination guidelines, as a result, will not discharge or refuse to hire individuals, or otherwise discriminate against anyone over the age of 40 with respect to compensation, terms, conditions or privileges of employment because of an individual's age. Hays County will not limit or classify employees over 40 years of age in any way, which would deprive them of employment opportunities, or otherwise adversely affect their employment status.

#### SUPPORT OF COMMUNITY ACTION PROGRAMS

1. Hays County continues its active involvement in support of action-oriented programs involving community relations and programs. Involvement includes, but is not limited to the following:
  - a. Commissioners Court continues to be comprised of members from various Community and Civic Boards.
  - b. Commissioners Court/Elected Officials work with local high school students and administrators to aid, expose, and provide for a more equitable basis for jobs vacancies. Commissioners Court is a yearly participant in the "Student Government Day Program."
  - c. The County of Hays continues its partnership in the "Job Shadowing Program" sponsored by Southwest Texas State University. Undergraduate students participate in the program to gain insight, assess their skills and interest, develop a network, and establish mentor relationships.
  - d. The County of Hays partners with Southwest Texas State University by participating in the college's Internship Program. The program affords an undergraduate student the opportunity to experience real-world employment scenarios while simultaneously earning college credit hours.

#### AFFIRMATIVE ACTION POLICY IN SUPPORT OF HANDICAPPED WORKERS

1. The Hays County Affirmative Action Policy enthusiastically supports qualified handicapped workers without regard to their disability in the following areas: employment, promotion, demotion, transfer, termination, compensation, and selection to training programs.
2. Definitions:
  - a. A "handicapped individual" is an employee who has a physical or mental impairment, which substantially limits one or more of life's major activities. The employee may have a record of such impairment, or may be regarded as having impairment.
  - b. A handicapped individual is "substantially limited" if he or she is likely to experience difficulty in securing, retaining, or advancing in employment because of a handicap.
  - c. A "qualified handicapped individual" is an employee who is capable of performing a particular job with reasonable accommodation to the handicap.



3. Hays County actively invites all applicants and employees who consider themselves handicapped to participate in Affirmative Action Programs. The following actions may be considered to assist in promoting participation:
  - a. If an employee is handicapped and would like to be considered under the Affirmative Action Program he/she should simply inform management. The information is considered voluntary, thus desires not to participate will not subject employees to discharge or disciplinary action. Information concerning handicapped individuals shall be kept confidential, except in the following circumstances:
  - b. Supervisors and managers may be informed of duty restrictions and necessary accommodations thereof, and
    - i. First aid personnel may be informed, when and to the extent appropriate, if conditions require emergency treatment, and
    - ii. Officials investigating compliance with the Affirmative Action Program may require disclosure.
  - c. Hays County's ultimate goal is to include all handicap employees under the Affirmative Action Program. Hays County seeks to remain active in its attempt to encourage employees to participate in the program. As such, encouragement to participate is continually demonstrated as indicated below:
    - i. Support special methods, skills, or procedures, which might qualify employees for positions that one might not otherwise be able to perform because of a handicap, and
    - ii. Support and consider accommodations that would enable employees to safely perform job positions, including special equipment, changes in the physical layout of the job, elimination of certain duties relating to the job, or other accommodations as requested and/or required.

#### PROPER CONSIDERATION OF PHYSICAL AND MENTAL QUALIFICATIONS

1. The employment practices and procedures of Hays County do not contain any inhibitors to the recruitment, hire, or advancement of known handicapped persons.
2. Hays County will review physical or mental job qualifications to ensure that they are job related and consistent with the business necessity and job safety. The review should exam the extent which qualifications tend to screen out otherwise qualified handicapped potential employees.
3. Whenever Hays County applies specific physical or mental qualifications to the employment selection process to the extent they tend to screen out qualified handicapped individuals, the requirements should be related to the specific job for which the individual is being considered, and consistent with business necessity and related to job safety. Qualifications may apply to the selection of employees or potential employees for employment, or change in employment status such as promotion, demotion, or training.
4. Hays County will make reasonable accommodations to the physical and mental limitations of an employee or applicant, unless such accommodations impose an undue hardship on the conduct of Hays County business. In determining the factors and extent of such a hardship, business necessity, financial costs, and expenses among others may be considered among others.
5. Whenever Hays County conducts a comprehensive medical examination prior to employment, the results of such an examination shall be used only for purposes of complying with the statute. All inquires or medical examinations are kept confidential except:
  - a. Supervisors and managers may be informed regarding work/duty restrictions of handicapped individuals and regarding accommodations thereof; and
  - b. First aid and safety personnel may be informed when, and to the extent appropriate, if the condition might require emergency treatment; and
  - c. Officials investigating the Affirmative Action Program may require disclosure.

#### OUTREACH, POSITIVE RECRUITMENT, AND EXTERNAL DISSEMINATION OF POLICY

1. Hays County will develop efforts to employ qualified handicapped individuals in such a manner as to foster understanding, acceptance, and support among Hays County's executive management, supervisory, and all other employees. Hays County employees are highly encouraged to take the necessary action to assist in meeting this obligation.
2. Hays County will establish meaningful contacts with appropriate social service agencies, organizations, vocational rehabilitation agencies, or facilities affiliated with handicapped individuals for the purpose of advice, technical assistance and/or referral of potential employees.

#### UNDERUTILIZATION OF 3% OR MORE

White and Hispanic females are underutilized in the Official/Administration category by 15% and 4%, respectively. It is the County's objective to increase the representation in this category by placing emphasis on recruitment and promotion of White and Hispanic females in Official/Administrative positions.

White females are underutilized in the Professionals category by 7%. It will continue to Hays County's objective to increase the representation in this category by placing emphasis on recruitment and promotion of White females in Professional positions.

White females are underutilized in the Technician category by 10%. It will continue to be Hays County's objective to increase the representation in this category by placing more of emphasis on the recruitment and promotion of White females in Technician positions.

White females and males are both underutilized in the Protective Services category by 6% and 8%, respectively. It will continue to be Hays County's objective to increase the representation in this category by placing more emphasis on recruitment and promotion in Protective Services positions.

White males, Black and White females are underutilized in the Paraprofessional category by 14%, 16%, and 4% respectively. It will continue to be Hays County's objective to increase the representation in this category by placing more emphasis on recruitment and promotion of White males, Black and White females in Para-Professional positions.

White males and females, and Hispanic males are underutilized in the Administration/Clerical category by 16%, 6%, and 3%, respectively. It will continue to be the objective to increase the representation in this category by placing more emphasis on recruitment and promotion of White males and females, and Hispanic males in Administrative Support positions.





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White males and females are underutilized in the Skilled Craft category by 26%, 6%, respectively. It will continue to be the objective of Hays County to place emphasis on recruitment and promotion of White males and females in Skilled Craft positions.

White males and females are underutilized in the Service and Maintenance category by 16% and 6%, respectively. It will continue to be the objective of Hays County to place an emphasis on recruitment and promotion of White males and females in Service and Maintenance positions.

Overall, White females are underutilized in Hays County by 8% .

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**COURT WAS ADJOURNED.**

**MINUTES APPROVED IN OPEN COURT ON THE 8<sup>th</sup> DAY OF JANUARY, 2002.**

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

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

