



FEBRUARY 12, 2002

\*\*\*\*\*

VOL S PG 345

STATE OF TEXAS 0  
 COUNTY OF HAYS 0

ON THIS THE 12<sup>th</sup> DAY OF FEBRUARY A.D., 2002, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

**JAMES L. POWERS**  
**H. S. "SUSIE" CARTER**  
**WILLIAM "BILL" BURNETT**  
**RUSS G. MOLENAAR**  
**LEE CARLISLE**

**COUNTY JUDGE**  
**COMMISSIONER, PCT. 2**  
**COMMISSIONER, PCT. 3**  
**COMMISSIONER, PCT. 4**  
**COUNTY CLERK**

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PCT. 1 DEBBIE GONZALES INGALSBE, 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.

**20071 ADOPT PROCLAMATION BY HAYS COUNTY COMMISSIONERS' COURT SUPPORTING THE TEXAS FATHERHOOD INITIATIVE [T1-30]**

Sheriff Don Montague advised that this initiative was funded through the Governor's Office when President Bush was Governor - he was contacted 45 weeks ago about putting his initiative together - it promotes responsible fatherhood - the San Marcos Police Dept., the Kyle Police Dept. and other entities are taking part in this as well. County Clerk Lee Carlisle read the proclamation. A motion was made by Judge Powers, seconded by Commissioner Carter to adopt Proclamation supporting the Texas Fatherhood Initiative. All present voting "Aye".

**PROCLAMATION OF THE HAYS COUNTY COMMISSIONERS' COURT  
 JOINING THE TEXAS FATHERHOOD INITIATIVE (TFI)**

**WHEREAS**, the success of American society is dependent on the strength, nurturing and fulfillment found in the family; with parents providing the primary guidance and instruction in shaping the morals and values of our children; and,

**WHEREAS**, The Texas Fatherhood Initiative (TFI) was created in 1999 to counter the growing problem of fatherlessness by stimulating a broad-based social movement to restore responsible fatherhood as a state priority, and improve the well-being of children by increasing the number of children growing up with loving, committed and responsible fathers; and,

**WHEREAS**, the TFI has been very diligent and effective in its efforts, conducting public awareness campaigns promoting responsible fatherhood, organizing conferences and community fatherhood forums, providing resource material to organizations seeking to establish support programs for fathers, and disseminating informational material to men seeking to become more effective fathers; and,

**WHEREAS**, TFI and community leaders are celebrating fatherhood by holding a public meeting on February 21, 2002, to recognize the commitment of fathers and families across the Big Country.

**NOW, THEREFORE BY THE AUTHORITY VESTED IN ME** as Hays County Judge, I hereby join the Texas Fatherhood Initiative and community leaders in celebrating fatherhood and its positive impact on future generations; and I commend these organizations for their continued commitment to strengthen parent-child bonds, the bedrock of our society.

ISSUED this the 12<sup>th</sup> day of February, 2002

**PUBLIC COMMENT**

[T1-80] DeDe Stevenson (Chairperson for the Voice of Texas - a grassroots organization to give a voice to people who have concerns about things that are occurring in government) spoke of article in the Austin American Statesman regarding **dropping standards for police officers** - the Texas Commission on Law Enforcement Officers Standards and Education has temporarily suspended its rule that keeps people convicted of some misdemeanor crimes (Class A & Class B) from getting a badge - this action may become permanent. She advised that Class A crime includes "assaults, deadly conduct, violating a family protective order, and theft up to \$1500. Mrs. Stevenson asked that the court contact other entities to discuss this issue and do whatever possible to halt this action - we don't want people carrying guns/badges that have been convicted of crimes. Commissioner Molenaar spoke of need to provide a livable wage for law enforcement officers.

[T1-121] Bruce Turbow (Dripping Springs resident) spoke of **water emergency** that was declared in May 2000 that led to approval of the LCRA emergency pipeline bringing water to northern Hays County. He spoke of "Memorandum of Understanding" with the Fish & Wildlife Dept. which led to development of standards and guidelines - he asked the court to direct Attorney Rex Baker to make this draft plan public (the people in Dripping Springs want to see this **regional plan**). Commissioner Molenaar advised that this is not a Commissioners' Court deal. Judge Powers asked Mr. Turbow to contact him after the meeting to discuss this.



[T1-165] Sam Davis advised that he agrees with DeDe Stevenson regarding **lowering law enforcement officers standards**, however, he feels like a livable wage for police officers will not solve the problems, there are a lot of problems that have to be dealt with administratively. Later in the meeting Sheriff Don Montague advised that he will not be lowering the standards for hiring officers in Hays County.

**20072 APPROVE THE COMMISSIONERS' COURT MINUTES OF FEBRUARY 5, 2002**

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the Commissioners' Court Minutes of February 5, 2002 as presented by the County Clerk. All present voting "Aye".

**20073 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$1,896,525.58 as presented by the County Auditor. All present voting "Aye".

Licenses & Permits	\$ 717.50	Public Safety Svcs	\$ 89,950.92	Sales & Auctions	\$ 200.00
Lease Pmt	\$ 2,257.40	Auditors Office	\$ 611.14	Treasurers Office	\$ 268.08
Extension Office	\$ 668.69	Grants Admin Ofc	\$ 317.78	Juvenile Probation	\$ 20,578.25
Election Admin Ofc	\$ 210.09	Indigent Care	\$ 13,807.82	Transfer Station	\$ 1,742.07
Bldg Mtc Dept	\$ 2,965.51	Environ Health	\$ 3,235.77	Civic Center	\$ 625.24
Countywide Oper	\$ 69,792.82	Tax A/C Office	\$ 1,115.72	District Clerk's Office	\$ 1,192.40
Sheriff's Office	\$ 67,138.23	Jail Operations	\$ 10,364.74	County Judge's Office	\$ 4.02
Human Resources	\$ 1,006.55	Co Court at Law 1	\$ 254.67	District Attorney's Ofc	\$ 1,045.04
Justice of Peace 1-1	\$ 115.31	Justice of Peace 1-2	\$ 223.84	Justice of Peace 2	\$ 267.97
Justice of Peace 3	\$ 226.35	Justice of Peace 5	\$ 45.98	Dept of Public Safety	\$ 631.20
Constable 1	\$ 323.39	Constable 2	\$ 499.15	Constable 3	\$ 121.44
Constable 4	\$ 68.26	Constable 5	\$ 526.64	District Court Oper	\$ 29,934.61
Co & JP Court Oper	\$ 888.70	Comm Precinct 1	\$ 105.89	Comm Precinct 2	\$ 283.39
Comm Precinct 3	\$ 58.48	Veterans Adm Ofc	\$ 603.82	Computer Services	\$ 23,404.64
DPS/License & Wgts	\$ 167.25	Fire Marshal/EMC	\$ 195.55	Dist Court Reporters	\$ 99.91
Assoc Judge/Family	\$ 25.49	Animal Control	\$ 58.50	Special Counsel	\$ 168.29
DJP/Bulletproof Vests	\$ 2,835.00	CJD/VOCA Grant	\$ 263.58	CJD/VAWA Grant	\$ 53.56
Waste Task Force	\$ 36.90	911 Addrs Mtc Grant	\$ 179.68	Heritage Visitors Ctr	\$ 400.00
Gen Fund Credit	<\$0.74>	Road & Bridge Oper	\$ 30,190.06	Hays Co Parks Fund	\$ 102.79
Rec Mng/Co Clerk	\$ 1,960.54	Health Svcs Grants	\$ 6,423.13	Law Library Fund	\$ 10,103.73
Hays Co I&S fund	\$ 1,292,427.88	Sheriff Spec Projs	\$ 110.00	Courthouse Security	\$ 74.08
Sheriffs Drug Forf	\$ 634.50	Family Health Svcs	\$ 4,669.29	Cedar Oaks Mesa Wtr	\$ 21,088.53
Tobacco Settlement	\$ 175,858.57				

**20074 APPROVE UTILITY PERMIT #01540**

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Utility Permit #01540 issued by the Hays County Road Department to Hill Country Water Supply for a waterline on Coach House Road in the Heritage Oaks Subdivision. All present voting "Aye".

**20075 APPROVE REFUND OF DOUBLE PAYMENTS AND/OR OVERPAYMENTS ON TAXES**

The following applications for refund on taxes was submitted by the Hays County Tax Office:

Chaparral park Section 4 Lot 3 Blk B	\$ 2,703.80	(double payment)
Mountain City Oaks Sec 6 Lot 7 Blk 14	\$ 3,482.50	(double payment)
Village at Meadow Woods Lot 10 Blk L	\$ 2,602.86	(double payment)
Poundhouse Hills Sec 1 Lot 6 Blk B	\$ 4,317.32	(double payment)
Poundhouse Hills Sec 1 Lot 7 Blk B	\$ 4,325.10	(double payment)
Poundhouse Hills Sec 1 Lot 14 Blk B	\$ 4,517.13	(double payment)
Hillside Villas Lot 2	\$44,723.65	(double payment)
Hopson Ranch Estates Lot 20	\$ 1,885.93	(double payment)
Kirby Springs Ranch Ph II Lot 27B	\$ 560.69	(overpayment)
Plum Creek Ph I Sec 2A Lot 9 Blk A	\$ 3,175.31	(double payment)
Morningwood Sec 2 Lot 24	\$ 664.55	(double payment)
Bear Creek Oaks Sec 2 Lot 5A	\$ 2,944.96	(double payment)
Posey Road Ranch Estates Ph II Lot 17	\$ 1,587.55	(double payment)
Steeplechase Ph III Sec 4 Blk C Lot 60	\$ 1,902.98	(overpayment)
Rocky Ranch Acres Sec 3 Lot 76C	\$ 661.64	(double payment)
Woodcreek Section 9-B Lot 49	\$ 2,976.72	(double payment)
Thousand Oaks Lot 21	\$ 5,553.63	(double payment)
Posey Road Ranch Estates Ph II Lot 30	\$ 2,016.83	(double payment)

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve refund of overpayment and double payments on taxes as submitted by the County Tax Assessor-Collector. All present voting "Aye".



**20076 APPROVE BUDGET AMENDMENT 02-13**

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Budget Amendment No. 02-13 as proposed by the County Auditor. All present voting "Aye".

				AMENDMENT NO. 02-13 FY 2000 BUDGET 02/12/02
FUND NO. 01 FUND TITLE <u>GENERAL FUND</u>				
	APPROPRIATION BEFORE AMENDMENT	AMENDMENT		APPROPRIATION AS AMENDED
		INCREASES	DECREASES	
<b><u>CJD/JUVENILE ACCOUNTABILITY GRANT (742):</u></b>				
01-742-5399 Project Admin	3,078.00		(2,462.00)	616.00
01-742-5219 Misc Supplies	3,730.00	562.00		4,292.00
01-742-5719 Equipment	-0-	<u>1,900.00</u>		1,900.00
		<u>2,462.00</u>	<u>2,462.00</u>	
<i>To purchase computer and youth uniforms</i>				
<b><u>JOHNSON/HERITAGE VISITOR CENTER (745):</u></b>				
01-745-5448 Contract Services	-0-	8,952.00		8,952.00
01-745-5429 County Match	-0-	2,048.00		2,048.00
01-745-5219 Misc Supplies	7,000.00	2,000.00		9,000.00
01-745-5391 Other	-0-	2,000.00		2,000.00
		<b><u>DECREASE</u></b>	<b><u>INCREASE</u></b>	
01-386-7745 Johnson/Heritage Vis Ctr	-0-	<u>15,000.00</u>	15,000.00	
		<u>15,000.00</u>	<u>15,000.00</u>	
<i>To record contribution from the Trustees of The Burdine Johnson Foundation</i>				

**20077 ACCEPT AUDIT OF CONSTABLE, PCT. 1**

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept Audit of Constable Pct. 1 as presented by the County Auditor. All present voting "Aye".

**20078 ACCEPT ANNUAL ACTIVITY AND FINANCIAL REPORT FOR WIMBERLEY RURAL FIRE PREVENTION DISTRICT #1**

Summary of Annual Report for calendar year 2001: They have responded to 351 emergency calls – wrecks have increased to 129 (an increase of 36 over year 2000) – grass fires have decreased from 57 to 19 with house fires also dropping from 14 to 11 with property loss only \$29,000 (an outstanding low). Of the 129 calls on wrecks, only 8 incidents required extrication of one or more victims from the vehicles involved – in several of these there were fatalities. The other 121 wrecks required safety measures to clear the roads and direct traffic – there are generally 3 to 5 fire personnel involved in each incident with five to ten vehicles (EMS, deputies, & wreckers). The fire fighters spend many hours in training for water rescue, repelling from bluffs and buildings to gain access to high and dangerous places. Two of the Wimberley firefighters went to New York to aid in rescue for one week. The Wimberley Fire District was able to acquire the new fire-rescue truck #47 in July 2001 through lease purchase. The old Ford command vehicle #4 was replaced with a new Chevy suburban 2002 model fully equipped with communications and emergency equipment. Since September, the WVFD has acquired eight new volunteers into their organization – this will require additional bunker and uniform equipment, which will require additional funds not budgeted as yet. This is the beginning of the 19<sup>th</sup> year for the Wimberley Rural Fire Prevention District #1. [See copy of Activity Report and Annual Financial Report for year ending Sept. 30, 2001] A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept the annual activity and financial report for the Wimberley Rural Fire Prevention District #1. All present voting "Aye".

**20079 APPROVE CONTRACT FOR CELLULAR PHONE SERVICE FOR NEW POSITION IN COMPUTER SERVICES DEPARTMENT**

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve contract for cellular phone service for new position in Computer Services Department. All present voting "Aye".



**20080 APPROVE PURCHASE OF FILING SYSTEMS FOR NEW HEALTH DEPARTMENT BUILDING AND AMEND BUDGET ACCORDINGLY**

Summary: ACRATOD OF AUSTIN, INC. is a state contract vendor and currently has the bid for the filing systems. The County has used ACRATOD for filing systems set up in other departments and is satisfied with their product. The budget will need to be amended in the net amount of \$1,935.00 plus conversion cost of \$2,493.00 Funds are available in Line Item #47-607-5711. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve purchase of filing systems for new Health Department Building and amend the budget accordingly. All present voting "Aye".

**20081 APPROVE RENEWAL OF CEMETERY MAINTENANCE CONTRACT WITH MAINTANANCE MANAGEMENT FOR ONE (1) ADDITIONAL YEAR AS PROVIDED IN ORIGINAL CONTRACT**

Gene Bagwell dba Maintenance Management has agreed to renew his contract for cemetery maintenance for one additional year as no additional increase in price. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve renewal of cemetery maintenance contract with Maintenance Management for one (1) additional year as provided in the original contract. All present voting "Aye".

**20082 APPROVE BUDGET AMENDMENT 02-12 [T1-186]**

County Auditor Bill Herzog advised that he is trying to budget the road bond projects for in-house accounting. He stated that the funding amounts will change as the projects progress. The following roads need to be set up at this time because the Road Department is incurring cost for this project: Satterwhite Rd (Pct. 2), Fischer Store Rd & Mt Gainor (Pct. 3), and Sawyer Ranch Road (Pct 4). Commissioner Carter asked that this item be postponed. Road Engineer/Supt. Jerry Borchering advised that they are currently doing brush cutting, traffic studies, etc.and they need to charge their expenses to these projects. A lengthy workshop is needed to determine what roads in each precinct need to be addressed. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Budget Amendment #02-12 creating line items for the following four road bond projects: Satterwhite Road, Fischer Store Road, Mt. Gainor, and Sawyer Ranch Road. All present voting "Aye".

FUND NO. <u>49</u>				AMENDMENT NO. <u>2002-12</u> FY 2002 BUDGET 02-12-02
FUND TITLE <u>ROAD BOND S. 2001 CONSTRUCTION</u>				
<u>LINE ITEM - EXPENDITURES</u>	<u>APPROPRIATION BEFORE</u>	<u>AMENDMENT</u>		<u>APPROPRIATION AS</u>
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<b><u>SATTERWHITE ROAD #107 – 3.71 MI. (673):</u></b>				
49-673-5399 Admin	-0-	19,130		19,130
49-673-5611 Construction	-0-	382,587		382,587
<b><u>PRECINCT 3 – PHASE 1</u></b>				
<b><u>FISCHER STORE ROAD #181 – 1.64 MI. (681):</u></b>				
49-681-5399 Admin	-0-	9,287		9,287
49-681-5611 Construction	-0-	185,739		185,739
<b><u>MT. GAINOR (PCT 3) #220 – 1.5 MI. (682):</u></b>				
49-682-5399 Admin	-0-	8,495		8,495
49-682-5611 Construction	-0-	169,884		169,884
<b><u>PRECINCT 4 – PHASE 1</u></b>				
<b><u>SAWYER RANCH ROAD #164 – 3.18 MI. (691):</u></b>				
49-691-5399 Admin	-0-	18,008		18,008
49-691-5611 Construction	-0-	360,154		360,154
<i>Budget Bond Roads to begin Phase 1</i>				

**20083 APPROVE A MONTHLY CELLULAR PHONE ALLOWANCE FOR THE DIRECTOR OF ENVIRONMENTAL HEALTH AS PROVIDED IN THE COUNTY CELLULAR PHONE POLICY**

The Road Engineer/Supt. has withdrawn his request for a monthly cellular phone allowance. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve a monthly cellular phone allowance of \$35 per month for the Director of Environmental Health as provided in the County Cellular Phone Policy. All present voting "Aye".



**20084** [PCT. 2 #01-2-099] **GREAT HILLS SECTION 3B \* APPROVE FINAL PLAT** [T1-294]

Environmental Health Director Allen Walther advised that this plat meets all county requirements and he gave staff recommendation for final plat approval. A motion was made by Commissioner Carter, seconded by Judge Powers to approve final plat of "Great Hills Section 3B". All present voting "Aye".

**20085** [PCT. 4 #00-4-097] **ACORN ACRES (RESUBDIVISION OF LOT 43 ROCKY RANCH ACRES II) \* APPROVE FINAL PLAT** [T1-306]

Environmental Health Director Allen Walther advised that this is a resubdivision of Lot 43 Rocky Ranch Acres II (an unrecorded subdivision) – public notification is not required and he gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "Acorn Acres" (a resubdivision of Lot 43 Rocky Ranch Acres II). All present voting "Aye".

**20086** **CALL FOR A PUBLIC HEARING ON FEBRUARY 26, 2002 TO ESTABLISH TRAFFIC REGULATIONS ON WILDWOOD HILLS. STOP SIGN @ ROBINS RUN AND WILDWOOD LANE** [T1-320]

A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to call for a public hearing on February 26, 2002 to establish traffic regulations on Wildwood Hills (STOP sign @ Robins Run and Wildwood Lane). All present voting "Aye".

**20087** **CALL FOR A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON COTTONWOOD ROAD** [T1-327]

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to call for a public hearing on February 26, 2002 to establish traffic regulations on Cottonwood Road. All present voting "Aye".

**20088** **APPROVE APPOINTMENT OF RENE GONZALES TO THE SOUTH HAYS COUNTY EMERGENCY SERVICE DISTRICT #3** [T1-337]

Commissioner Burnett advised that he a Commissioner Ingalsbe have visited with Rene Gonzales (he lives close to the Wimberley Junction). South Hays County ESD will be opening up a substation in that part of the county . A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve appointment of Rene Gonzales to the South Hays County Emergency Service District #3. (to fill a vacancy) All present voting "Aye".

**20089** **AUTHORIZE THE SHERIFF AND COUNTY JUDGE TO EXECUTE A MUTUAL AID LAW ENFORCEMENT TASK FORCE AGREEMENT BETWEEN THE HAYS COUNTY SHERIFF'S DEPARTMENT, SAN MARCOS POLICE DEPARTMENT, SOUTHWEST TEXAS STATE UNIVERSITY POLICE DEPARTMENT AND THE KYLE POLICE DEPARTMENT** [T1-356]

Sheriff Don Montague spoke in support of this mutual aid law enforcement task force agreement. A motion was made by Commissioner Molenaar, seconded by Judge Powers to authorize the Sheriff and County Judge to execute a Mutual and Law Enforcement Task Force Agreement between the Hays County Sheriff's Department, San Marcos Police Department, Southwest Texas State University Police Department and the Kyle Police Department. All present voting "Aye".

**MUTUAL AID LAW ENFORCEMENT TASK FORCE AGREEMENT**

This is a Mutual Aid Law Enforcement Task Force Agreement between the Hays County Sheriff's Dept., San Marcos Police Dept., Southwest Texas State University Police Dept., and the Kyle Police Dept.

**1. Purpose**

- 1.01 All of the above listed entities are authorized to commission peace officers with all the powers, privileges, and immunities authorized by law.
- 1.02 The purpose of this Mutual Aid Law Enforcement Task Force Agreement is to form an Alcohol Enforcement Unit among the agencies listed to enforce the Alcoholic Beverage Code laws that pertain to minors, including the laws that prohibit sale or furnishing alcohol to minors.



## 2. Term

- 2.01 This Agreement will be effective from the date upon which this agreement is finally executed by all of the duly authorized officials of each participant in the Alcohol Enforcement Unit. The Agreement will renew each year on the anniversary of the effective date, and continue in effect until rescinded by an official act of one of the parties to this Agreement and until ten days written notice of such action is given to the other parties.

## 3. Authority and Areas of Operation

- 3.01 The parties will have authority to investigate and enforce violations of the provisions of the Alcoholic Beverage Code that pertain to minors, including the laws that prohibit sale or furnishing alcohol to minors, throughout Hays County and the City of San Marcos (including the portion located in Caldwell County).
- 3.02 Law enforcement officers participating in this agreement may make arrests outside the county or municipality in which the officer is employed but within the area covered by the agreement. The law enforcement agencies of the area where the arrest is made shall be notified of the arrest without delay, and the notified agency shall make available the notice of arrest in the same manner as if the arrest was made by a member of that agency.
- 3.03 While a law enforcement officer is in the service of another county or municipality under this Agreement, the officer is a peace officer of that county or municipality and is under the command of the law enforcement officer who is in charge in that county or municipality. The officer has all the powers of a regular law enforcement officer of that county or municipality as fully as if the officer were in the county or municipality where regularly employed.
- 3.04 A law enforcement officer is in the service of another county or municipality when the officer is outside the county or municipality in which the officer is employed but within the area covered by the agreement and is participating in the Alcohol Enforcement Unit.

## 4. Compensation

- 4.01 Participating law enforcement officers who perform duties outside of the county or municipality where they are regularly employed are entitled to the same wage, salary, pension, and other compensation and rights, including injury and death benefits, as if the service were rendered in the county or municipality of the officer's regular employment.
- 4.02 Each party will make payments to its own employees for services performed under this agreement from current revenues available to that party.

### 20090 APPROVE PAYMENT OF STATE MANDATED SEPARATE LONGEVITY FOR PROSECUTORS THAT QUALIFY UNDER THE NEW LAW [T1-389]

New State Legislation (Government Code Section 41.255) – effective January 1, 2002 – mandates separate Longevity pay for qualifying prosecutors in District Attorney offices. The total cost of pay and matching FICA/Retirement to Hays County will be \$3,076 for FY2002 for those qualifying through 9/30/02. County Auditor Bill Herzog advised that County Treasurer Michele Tuttle worked with District Attorney Mike Wenk to determine who is eligible for this pay – it is in addition to the county's longevity. The budget could be amended at a later date if necessary – an amendment may not be necessary. A motion was made by Commissioner Carter, seconded by Judge Powers to amend the budget for payment of State Mandated separate longevity for Prosecutors that qualify under the new law. All present voting "Aye".

**Court was adjourned.**

**MINUTES APPROVED IN OPEN COURT ON THE 19<sup>th</sup> DAY OF FEBRUARY, 2002.**

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

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

