



MARCH 19, 2002

VOL S PG 367

STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 19th DAY OF MARCH A.D., 2002, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order and gave the invocation. County Clerk Lee Carlisle led the Court in the Pledge of Allegiance to the Flags.

HAYS COUNTY SERVICE AWARDS - Sheriff Don Montague presented 10 year service pins to Donna Richardson & Kevin Webber.

20152 APPROVE THE COMMISSIONERS' COURT MINUTES OF MARCH 5, 2002

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

20153 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 \$37,554.09 for March 6, 2002 disbursements, \$396,527.26 for March 12, 2002 disbursements and \$527,799.82 as presented by the County Auditor. All voting "Aye".

3/6/02 = \$37,554.09

Election Admin	\$ 50.00	Comm & Soc Svcs	\$ 2,083.34	Bldg Mtc. Dept.	\$ 60.00
Environmental Health	\$ 35.00	Countywide Oper	\$ 22,271.50	Tax A/C	\$ 60.92
Jail Operations	\$ 4,240.00	Justice of the Peace 5	\$ 195.00	Family Health Services	\$ 8,558.33

3/12/02 = \$396,527.26

Forfeited Road Bond	\$ 18,189.35	Licenses & Permits	\$ 1,299.40	Public Safety Services	\$ 114,203.07
Fines	\$ 175.00	Lease Payments	\$ 2,257.40	Auditors Office	\$ 262.49
Treasurers Office	\$ 395.15	Extension Office	\$ 4,507.49	Grants Administration	\$ 151.95
Juvenile Probation	\$ 844.10	Election Admin Ofc	\$ 203.97	Indigent Care	\$ 40.00
Transfer Station	\$ 195.34	Building Mtc. Dept.	\$ 1,816.04	Environmental Health	\$ 1,771.40
Countywide Operating	\$ 14,302.31	Tax A/C Office	\$ 185.51	District Clerk's Office	\$ 889.15
Sheriff's Office	\$ 9,479.58	Jail Operations	\$ 12,719.04	County Judge's Office	\$ 42.08
Human Resources	\$ 282.68	County Court at Law 1	\$ 147.79	District Attorneys Office	\$ 310.34
Justice of the Peace 1-1	\$ 108.13	Justice of the Peace 1-2	\$ 161.58	Justice of the Peace 2	\$ 636.56
Justice of the Peace 3	\$ 208.37	Justice of the Peace 5	\$ 757.07	Constable 1	\$ 442.76
Constable 2	\$ 177.95	Constable 3	\$ 468.00	Constable 4	\$ 107.74
Constable 5	\$ 361.82	District Court Oper	\$ 6,238.72	Co & JP Court Oper	\$ 2,238.55
Precinct 1	\$ 141.45	Precinct 2	\$ 984.85	Precinct 3	\$ 54.66
Precinct 4	\$ 156.26	Veterans Adm Office	\$ 768.21	Computer Services	\$ 17,512.47
Fire Marshal/EMC Ofc	\$ 131.57	TABC Office	\$ 189.57	District Court Reporters	\$ 152.92
TJPC CCAP Grant	\$ 125.00	Assoc Judge/FamLaw	\$ 95.41	Spec Counsel Office	\$ 167.50
CJD/VOCA Grant	\$ 421.37	CJD/Truancy Officer	\$ 15.72	THC/Preservation Plan	\$ 1,500.00
THC/Natl Reg Nomin	\$ 2,068.41	Waste Task Force Grant	\$ 71.10	911 Address Mtc. Grant	\$ 64.50
Heritage Visitor Center	\$ 420.00	General Fund Credit	<\$85.44>	Road & Bridge Operations	\$ 33,973.74
Hays Co Praks Fund	\$ 8,666.98	Rec Mng/County Clerk	\$ 1,191.75	Health Svcs Grants	\$ 1,255.20
Law Library Fund	\$ 17.71	Burnett Road Dist I&S	\$ 15.18	Sheriffs Bail Bond Fund	\$ 276.00
Sheriffs Spec Proj Fudn	\$ 16.22	Courthouse Security	\$ 66.38	Sheriffs Drug Forf Fund	\$ 348.50
Family Health Svcs	\$ 854.25	Cedar Oaks Mesa Water	\$ 6,750.00	Tobacco Settlement Fund	\$ 125,561.94

3/19/02 = \$527,799.82

State Shared Rev	\$ 30.90	Public Safety Svcs	\$ 210.00	Judicial Services	\$ 29.10
Interest Earnings	\$ 11,807.06	Auditors Office	\$ 808.82	Treasurers Office	\$ 573.00
Extension Office	\$ 784.25	Juvenile Probation	\$ 2,537.96	Election Admin Office	\$ 20.20
Transfer Station	\$ 4,719.78	B;dg Mtc. Dept.	\$ 8,833.07	Environmental Health	\$ 958.34
Civic Center	\$ 1,056.84	Countywide Oper	\$ 173,146.83	Tax A/C Office	\$ 841.05
District Clerk's Office	\$ 580.52	Sheriff's Office	\$ 157,812.50	Jail Operations	\$ 27,533.21
Human Resources	\$ 675.61	Co Court at Law 1	\$ 359.39	District Attorneys Office	\$ 2,198.78
Justice of the Peace 1-1	\$ 189.86	Justice of Peace 1-2	\$ 138.00	Justice of the Peace 2	\$ 321.49
Justice of the Peace 4	\$ 145.00	Justice of the Peace 5	\$ 210.01	DPS	\$ 591.10
Constable 1	\$ 116.67	Constable 2	\$ 74.95	Constable 4	\$ 35.43
Constable 5	\$ 5.55	District Court Oper	\$ 1,585.96	Co & JP Court Oper	\$ 1,836.43
Precinct 1	\$ 170.59	Precinct 3	\$ 142.48	Precinct 4	\$ 349.74
Computer Services	\$ 10,827.28	DPS/Lic & Weights	\$ 233.07	Fire Marshal/EMC	\$ 572.64
Special Counsel Ofc	\$ 229.55	Comm Court Exp	\$ 340.50	CJD/VOCA Grant	\$ 672.53
CJD/VAWA Grant	\$ 835.07	911 Addrs Mtc. Grant	\$ 87.18	General Fund Credit	<\$30.67>
Road & Bridge Oper	\$ 57,319.01	Sheriff Abandon Veh	\$ 138.62	Hays Co Parks Fund	\$ 555.58
Rec Mng/County Clerk	\$ 1,103.35	Law Library Fund	\$ 1,448.75	Courthouse Security	\$ 29.95
Medical & Dental Insur	\$ 50,032.21	Sheriffs Drug Forf	\$ 892.03	Family Health Svcs	\$ 1,082.70



20154 APPROVE REFUND OF DOUBLE PAYMENTS AND OVERPAYMENTS ON TAXES

The following applications for refund of double payments and overpayments in taxes were submitted:

<i>Westridge Estates Lot 31</i>	\$ 1,022.18	<i>double payment</i>
<i>Hilltop Place Sec 2 Lot 22</i>	\$ 2,547.10	<i>double payment</i>
<i>Cimarron Park II Lot 21 Blk F</i>	\$ 1,977.95	<i>double payment</i>
<i>Summer Mountain Ranch Sec 2 Lot 94</i>	\$ 1,811.85	<i>double payment</i>
<i>The Woodlands Lot 20A</i>	\$ 585.21	<i>overpayment</i>
<i>Victory Gardens #2 Blk Pt of 43</i>	\$ 4,224.06	<i>double payment</i>
<i>Hopson Ranch Estates Lot 52</i>	\$ 1,180.56	<i>double payment</i>
<i>Friendship Ranch Phase II Lot 48</i>	\$ 6,305.04	<i>double payment</i>
<i>Sinclair Gervais Survey .4317 acres</i>	\$ 5,949.42	<i>overpayment</i>
<i>Willow Creek 4 Lot 183</i>	\$ 3,229.41	<i>double payment</i>
<i>La Ventana Lot 49</i>	\$ 1,125.31	<i>double payment</i>

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

20155 APPROVE BUDGET AMENDMENT 02-17

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Budget Amendment #02-17 as proposed by the County Auditor. All voting "Aye".

				AMENDMENT NO. 2002-17 FY 2002 BUDGET 03-19-02
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>
<u>COUNTYWIDE OPERATIONS (414):</u>				
01-414-5441 Legal Expense	50,000	25,000		75,000
01-414-5399 Contingencies	51,186		(25,000)	26,186
<i>Transfer for legal services</i>				
<u>DISTRICT ATTORNEY (423):</u>				
01-423-5213 Books	1,000	200		1,200
01-423-5311 Travel	300	800		1,100
01-423-5160 Insurance	70,632		(2,000)	68,632
01-423-5461 Printing	1,400	<u>1,000</u>		2,400
		<u>2,000</u>	<u>(2,000)</u>	
<i>Transfer for cases printing and JP/Prosecutor travel</i>				
<u>DISTRICT COURT OPERATIONS (436):</u>				
01-436-5404 3 rd Court Appeals Admin	6,145	570		6,715
01-436-5160 Insurance	15,696		(570)	15,126
<i>Transfer for increased share to Hays County</i>				
<u>COMMISSIONER, PCT. 3 (441):</u>				
01-441-5331 Cont Ed	1,500	1,500		3,000
01-441-5353 Special Projects	1,500		(1,500)	-
<i>Transfer for conferences and training</i>				
<u>COUNTY ENGINEER (468):</u>				
03-468-5711 Equipment	-0-	645		645
03-468-5211 Office Supply	2,500		(645)	1,855
<i>Transfer for laptop upgrade/card</i>				
<u>ROAD & BRIDGE OPERATIONS (438):</u>				
03-438-5219 Misc Supply & Tools	9,000	3,500		12,500
03-438-5413 Equipment Maintenance	180,000	14,972		194,972
03-438-5480 Utilities	20,000	2,000		22,000
03-438-5741 Misc Improvements	-0-	5,000		5,000
03-438-5475 Equipment Rental	17,000		(7,000)	10,000
		<u>DECREASE</u>	<u>INCREASE</u>	
03-363-3633 Auction/Sales	-0-	18,472	18,472	
<i>Budget equipment auction proceeds to supplies/maintenance; sewer line hookup & tap</i>				



				AMENDMENT NO. <u>2002-17</u> FY 2002 BUDGET 03-19-02
FUND NO. <u>07</u> FUND TITLE <u>PARKS FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<u>PARKS ADMINISTRATION (487):</u>				
07-487-5331 Cont Ed	350	200		550
07-487-5311 Travel	400		(100)	300
07-487-5448 Contract Services	4,000		(100)	3,900
<i>Transfer for training</i>				
FUND NO. <u>08</u> FUND TITLE <u>RECORDS MANAGEMENT FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<u>RECORDS MANAGEMENT (445):</u>				
08-445-5391 Other	-0-	136		136
08-445-5741 Improvements	400	47		447
08-445-5215 Permanent Records	21,400		(1,183)	20,217
08-445-5321 Dues & Bonds	-0-	<u>1,000</u>		1,000
		<u>1,183</u>	<u>(1,183)</u>	
<i>Transfer for multi-year bond; balance of water heater; increase office change fund</i>				
FUND NO. <u>10</u> FUND TITLE <u>HEALTH SERVICES GRANTS FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<u>TDH/BUREAU OF CHILD HEALTH/FEE (469):</u>				
10-469-5219 Misc Supply	12,000	3,500		15,500
10-469-5448 Contract Services	20,977		(3,500)	17,477
<i>Transfer for needed expense</i>				
FUND NO. <u>39</u> FUND TITLE <u>JUSTICE COURT TECHNOLOGY FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
<u>JUSTICE COURT TECHNOLOGY (629):</u>				
39-629-5215 Supplies/Services	-0-	500		500
39-629-5712 Data Proc Equipment	-0-	14,000		14,000
<u>REVENUE</u>				
39-341-3412 JP Court Tech Fee	-0-	<u>DECREASE</u> 14,500	<u>INCREASE</u> 14,500	
<i>Budget funds received for JP Court Technology</i>				

20156 APPROVE UTILITY PERMIT #01547 ON CR220/MT. SHARP ROAD

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Utility Permit #01547 on CR220/Mt. Sharp Road issued to Verizon. All voting "Aye".

20157 ACCEPT AUDIT OF HAYS COUNTY TRANSFER STATION

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept audit of Hays County Transfer Station. All voting "Aye".

20158 ACCEPT AUDITS OF CONSTABLES PCT 2 AND PCT 5

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept audits of Constables Pct. 2 and Pct. 5. All voting "Aye".

**20159 ACCEPT BIDS ON PROPERTY HELD IN TRUST**

Tax Assessor-Collector Luanne Caraway submitted the following bids for acceptance (delinquent tax property):

<i>Eagle Rock Heights Section 1 Lot 17</i>	<i>\$ 2,500.00 bid [48% recovery]</i>
<i>Woodcreek Section 8 Lot 225</i>	<i>\$ 2,500.00 bid [89% recovery]</i>
<i>Woodcreek Section 8 Lot 81</i>	<i>\$ 1,300.00 bid [88% recovery]</i>
<i>Woodcreek Section 9A Lot SC-107</i>	<i>\$ 2,100.00 bid [84% recovery]</i>

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept bids for property held in trust as submitted by the County Tax Assessor-Collector. All voting "Aye".

20160 APPROVE THE SEPTEMBER 2001-DECEMBER 2001 TREASURER'S REPORT

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the September 2001 – December 2001 Treasurer's Report as submitted. All voting "Aye".

CLERK'S NOTE: Agenda Item #11 **SIERRA WEST SECTION 4A** FINAL PLAT was PULLED from the agenda. No discussion and no action taken.

20161 CALL FOR A PUBLIC HEARING TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS (STOP SIGN) AT THE INTERSECTION OF COUNTRY OAKS DRIVE AND SCENIC OAK TRAIL [T1-56]

A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing on April 2, 2002 to establish traffic regulation (STOP sign) at the intersection of Country Oaks Drive and Scenic Oak Trail. All voting "Aye".

20162 CALL FOR A PUBLIC HEARING TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS IN WILDWOOD HILLS SUBDIVISION [T1-69]

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to call for a public hearing on March 26, 2002 to consider establishing traffic regulations in Wildwood Hills Subdivision. All voting "Aye".

20163 CALL FOR A PUBLIC HEARING TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS ON COTTONWOOD ROAD [T1-75]

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to call for a public hearing on March 26, 2002 to consider establishing traffic regulations on Cottonwood Road. All voting "Aye".

20164 ACCEPT CONSTRUCTION OF ROADS AND DRAINAGE IMPROVEMENTS; RELEASE OF CONSTRUCTION SECURITY AND ACCEPTANCE OF MAINTENANCE SECURITY FOR HUBER ESTATES, SECTION 3 (01-2-080) [T1-83]

Road Supt/Engineer Jerry Borcharding advised that inspections have been made and corrections have been completed – he gave staff recommendation for approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to accept construction of roads and drainage improvements; release of construction security and acceptance of maintenance security for Huber Estates Section 3. All voting "Aye".

20165 APPROVE APPOINTMENT OF LEWIS BULLARD TO THE HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT BOARD TO REPLACE MARSHAL JENNINGS DUE TO RESIGNATION [T1-100]

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to approve appointment of Lewis Bullard to the Hays Trinity Groundwater Conservation District Board to replace Marshal Jennings due to resignation. All voting "Aye".

20166 APPROVE PURCHASE OF A NEXTEL PHONE AND SERVICE FOR THE HAYS COUNTY PARKS ADMINISTRATOR [T1-113]

Parks Manager Jerry Pinnix requested a Nextel phone so that he can have radio contact with the Road Department and make contact with vendors, etc. He is presently using his personal phone, however, it does not have radio capabilities. County Auditor Bill Herzog advised that a budget amendment is not necessary. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve purchase of a Nextel Phone and service for the Hays County Parks Administrator. All voting "Aye".



20167 AUTHORIZE THE COUNTY JUDGE TO APPROVE A LEASE AGREEMENT BETWEEN THE HAYS COUNTY SHERIFF AND COLLIE INVESTMENTS, INC. [T1-187]

This building is located at the junction on Ranch Road 12 and is being offered at a \$1.00 per year lease. This location will be helpful in the near future when the highway department starts improvements on RR12. Commissioner Burnett spoke of traffic problems in this area and he thanked Bruce Collie for his offer. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the County Judge to approve a lease agreement executed by the Hays County Sheriff and Collie Investments, Inc. All voting "Aye".

20168 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HAYS COUNTY JUVENILE BOARD RELATING TO THE REPAYMENT OF \$300,000 IN START-UP COSTS FOR THE HAYS COUNTY JUVENILE CENTER

[T1-254] County Auditor Bill Herzog advised that this is a follow-up to previous action of the court. Special Counsel Jacqueline Cullom Murphy advised that this agreement has been reviewed by Jerry Converse of Fulbright & Jaworski. Discussion was had regarding need to keep this entity separate from the county. Judge Powers suggested charging interest on costs or receiving free beds as a way to show separation. County Auditor Bill Herzog spoke of getting a \$5 discount per bed would be better than the county charging a 2% interest rate – they would not be able to offer a discount until they start making a profit. Chief Juvenile Probation Officer Ed Cooper spoke of their efforts to let other counties know that we will have beds available. \$14,000 is currently in the account that could be used for payroll. Ed Cooper spoke of employees that will be put on April 1st and advertisement that is needed – a majority of the staff will be put on April 15th for training. He advised that the Board is not interested in paying interest on this money. Judge Powers voiced his concern about keeping this entity separate from the County and he would like to see an interest charged or free beds in this agreement and address legal fees. Commissioner Molenaar spoke of District Attorney Mike Wenk having funds that could pay legal fees. He stated that he wants this operation to be successful and the county is helping them to get started. He felt like they are already separate and the taxpayers are going to benefit from this. [T1-595] Commissioner Burnett suggested adding a provision that the board can negotiate with the court in six months for free and/or discounted beds for Hays County based on occupancy rate. Ed Cooper advised that this is an unwritten agreement anyway. Time is needed to get outside contracts and begin making a profit before payment begins. [T1-650] A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to authorize the County Judge to execute an interlocal agreement with the Hays County Juvenile Board relating to the repayment of \$300,000.00 in start-up costs for the Hays County Juvenile Center with addition of Section 2A "the Hays County Juvenile Board shall negotiate with the Hays County Commissioners' Court within six months for free and/or discounted beds based on occupancy rates". All voting "Aye".

INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE HAYS COUNTY JUVENILE BOARD

STATE OF TEXAS §
 COUNTY OF HAYS §

The Hays County Juvenile Board ("Board"), represented by Chairman Howard Warner, and the Hays County Commissioners Court ("County"), represented by Hays County Judge Jim Powers, enter into this Interlocal Agreement under the authority of the Interlocal Cooperation Act, Chapter 791, Texas Government Code, as approved by the Hays County Commissioners Court on March 19, 2002, providing as follows:

WHEREAS, the Board is statutorily authorized to operate and manage a Juvenile Detention Facility; and,
WHEREAS, the Board has determined that it is in the best interest of the community to operate and manage the facility, hereinafter called the Hays County Juvenile Center; and,
WHEREAS, the County authorized the disbursement of \$300,000 at its regular meeting of February 19, 2002 to be used as start-up funds for the operation of the Hays County Juvenile Center by the Board; and,
WHEREAS, the County and Board believe it will be in the best interest of both entities to memorialize the terms upon which the \$300,000 is to be refunded to the County.
NOW, THEREFORE, THE COUNTY AND BOARD AGREE AS FOLLOWS:

1. The Board shall repay the \$300,000 to the County based on the following occupancy rate:
 - 75 beds - \$100 per day
 - 85 beds - \$300 per day
 - 95 beds - \$600 per day
 - 105 beds - \$1,000 per day
 - 115 beds - \$1,500 per day
2. The Board shall have the right to repay the outstanding balance at any time and in addition to the schedule outlined in Section 1 upon the discretion of the Board. Upon repayment in full of the \$300,000, the Board shall have no further obligation pursuant to this Agreement.
 - a) The Board shall negotiate with the Hays County Commissioners Court within six months from the time this Agreement is executed regarding the issue of free or discounted beds for the placement of Hays County juveniles.
3. Payments shall be made monthly to the Hays County Treasurer's Office.
4. It is acknowledged by both the County and Board that this Agreement in no way obligates the County to expend any additional funds for the operation of the Center. This Agreement does not modify, reduce or alter the obligations of the Board under the Assignment, of Lease-Purchase Agreement from the County to the Board dated February 12, 2002

This Agreement shall take effect immediately upon execution by both parties hereof and shall inure to the benefit and be binding upon the administrators, successors and assigns of the parties hereto.



20169 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HAYS COUNTY JUVENILE BOARD RELATING TO ADMINISTRATIVE SERVICES TO BE PROVIDED BY THE COUNTY AUDITOR AND COUNTY TREASURER [T1-666]

County Auditor Bill Herzog spoke of providing auditing services for \$500 per month. His office will be able to handle this with current staff at no additional cost. Judge Powers suggested it be a one year agreement. Bill Herzog suggested adding a clause that it can be terminated with 60 days notice. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to execute an interlocal agreement with the Hays County Juvenile Board relating to administrative services to be provided by the County Auditor and County Treasurer with addition of 60 day termination clause. All voting "Aye".

INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE HAYS COUNTY JUVENILE BOARD

**STATE OF TEXAS §
COUNTY OF HAYS §**

The Hays County Juvenile Board ("Board"), represented by Chairman Howard Warner, and the Hays County Commissioners Court ("County"), represented by the Hays County Judge Jim Powers, enter into this Interlocal Agreement under the authority of the Interlocal Cooperation Act, Chapter 791, Texas Government Code, as authorized by the Hays County Commissioners Court on March 19, 2002, providing as follows:

WHEREAS, the Board is statutorily authorized to operate and manage a Juvenile Detention Facility; and,

WHEREAS, the Board has determined that it is in the best interest of the community to operate and manage the facility, hereinafter called the Hays County Juvenile Center; and,

WHEREAS, the County and Board believe it will be in the best interest of both entities to specify terms to allow the Auditor & Treasurer to provide accounting services to the Board for the Juvenile Center.

NOW, THEREFORE, THE COUNTY AND BOARD AGREE AS FOLLOWS:

- 1. The Auditor and Treasurer shall provide accounting services to the Hays County Juvenile Center, and the Board shall pay the **\$500.00** monthly.
- 2. Payments shall be made to the Hays County Treasurer's Office to begin on the 1st day of August 2002.
- 3. The County Auditor and County Treasurer agree to perform the following services:

Treasurer

- Prepare payroll for approximately 35-40 employees, as well as, all required payroll reporting
- Process all revenue through the Revenue Software Module
- Invest excess funds according to County policy
- Mail out disbursements prepared by the County Auditor
- The employees of the Juvenile Center will be able to participate in the County's benefit program

Auditor

- Establish a separate fund for the Juvenile Center
- Process all accounts payable transactions
- Prepare billings to entities whose juveniles are housed at the Juvenile Center
- Maintain inventory records
- Maintain accounting records and prepare accounting reports
- Conduct internal audits when requested by the Board
- Assist the Board in budget preparation for the Juvenile Center
- Provide assistance with purchasing requirements as requested by the Board

- 4. This Agreement may be terminated by either the Board or the County with or without cause by providing a sixty-day written notice to the other party. Notice to the Board shall be addressed to the Chairman and notice to the County shall be provided to the County Judge.

This Agreement shall take effect immediately upon execution by both parties hereof and shall inure to the benefit and be binding upon the administrators, successors and assigns of the parties hereto.



MARCH 19, 2002

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20170 APPROVE HIRING OF COUNSELOR AT THE JAIL AT GRADE 25 STEP 5 [T1-704]

Personnel Director Luis Gonzales spoke of hiring of Kerry M. Settle in January – this position was posted in June 2001 at Grade 25 Step 5. In auditing the records he found that they can only post positions at Step 1, therefore, we need to rectify this situation. Mr. Gonzales spoke of Advent Policy that is being prepared to advise everyone that positions are started at Step 1 and higher steps must be approved by Commissioners' Court. Commissioner Ingalsbe spoke of need for backup information prior to the meeting. Commissioner Carter spoke of policy that we not vote on items that have no backup. County Treasurer Michele Tuttle spoke of policy that says new employees start at Step 1 and people are being hired at higher steps and court guidance is needed to clear this up. Commissioner Molenaar spoke of need to review positions that are being posted and need to start all new employees at Step 1. Environmental Health Director and Supervisor over Human Resources Allen Walther spoke of misunderstanding with dept. heads thinking that if they have money budgeted, they can hire new personnel at that amount. Commissioner Ingalsbe advised that we cannot continue to let these things happen. County Auditor Bill Herzog advised that people hiring need to know the county policy. Chief Deputy Sheriff Sherman Brodbeck advised that this position has always been at this Grade and Step – it is a part-time position and has been vacant since June of 2001 – there is not a money issue. Allen Walther advised that we need to clarify with those doing the hiring that all employees start at Step 1 until court approves a higher step. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve hiring of Counselor at the Jail at Grade 25 Step 5 effective from the date of employment (1/16/02). All voting "Aye".

Court was adjourned.**MINUTES APPROVED IN OPEN COURT ON THE 26TH DAY OF MARCH, 2002**

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

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