



STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 14th DAY OF MAY 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
RUSS G. MOLENAAR	COMMISSIONER, PCT. 4
LEE CARLISLE	COUNTY CLERK

AND THE FOLLOWING MEMBER WAS ABSENT: WILLIAM "BILL" BURNETT, COMMISSIONER PCT. 3; WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order and gave the invocation. Commissioner Molenaar led the Court in the Pledge of Allegiance to the Flags.

20267 PROCLAMATION DECLARING THE WEEK OF MAY 13-17 2002 AS "PEACE OFFICER MEMORIAL WEEK"

County Clerk Lee Carlisle read the Proclamation. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to adopt Proclamation declaring the week of May 13-17, 2002 as "Peace Officer Memorial Week". All present voting "Aye". Deputy Sheriff Dennis Gutierrez spoke of event to be held on Thursday, May 16th. He encouraged everyone to attend and he gave their appreciation to the court for support of the law enforcement community.

**PROCLAMATION OF THE HAYS COUNTY COMMISSIONERS' COURT
 DECLARING THE WEEK OF MAY 13-17, 2002 AS
 PEACE OFFICERS' MEMORIAL WEEK**

WHEREAS, each year peace officers tragically lose their lives in the line of duty; and

WHEREAS, a National Memorial Service is held annually in Washington, D.C., to honor these officers and families, and in 1963, President John F. Kennedy proclaimed May 15th as National Peace Officer's Memorial Day; and

WHEREAS, States' Auxiliaries have been marking the occasion with memorial services of their own jurisdiction, and through the efforts of the Grand Lodge Ladies Auxiliary, the First National Peace Officer's Memorial Service was performed on May 15, 1982 on Capitol Hill in Washington D.C.; and

WHEREAS, the Hill Country Fraternal Order of Police Lodge No. 23 has made a commitment to share, support, and serve the law enforcement community, and actively contributes to and supports this worthwhile endeavor;

NOW, THEREFORE, be it proclaimed by the COMMISSIONERS' COURT of HAYS COUNTY, TEXAS that the week of May 13-17, 2002 be recognized as

"PEACE OFFICERS' MEMORIAL WEEK"

and do hereby call upon the citizens and officials to participate in observance of this special occasion.

PROCLAMATION ADOPTED on the 14th day of May 2002. To certify which witness our signatures below.

20268 APPROVE THE COMMISSIONERS' COURT MINUTES OF MAY 7, 2002

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve the Commissioners' Court Minutes of May 7, 2002 as presented by the County Clerk. All present voting "Aye".



20269 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$ 412,276.26 as presented by the County Auditor. All present voting "Aye".

Public Safety Svcs	\$ 100.00	Fines	\$ 982.99	TDHCA Funds	\$ 184.77
Auditor's Office	\$ 919.28	Treasurer's Office	\$ 403.66	Extension Office	\$ 754.02
Courts Admin Office	\$ 143.29	Juvenile Prob Office	\$ 1,696.37	Election Admin Ofc	\$ 273.16
Indigent Care	\$ 667.81	Transfer Station	\$ 6,457.45	Bldg Mtc. Dept.	\$ 4,762.67
Environ Health	\$ 2,095.60	Civic Center	\$ 971.85	Countywide Oper	\$ 202,222.56
Tax A/C Office	\$ 905.33	District Clerk's Ofc	\$ 550.50	Sheriff's Office	\$ 23,059.45
Jail Operations	\$ 9,249.31	Human Resources	\$ 1,319.34	Co Court at Law 1	\$ 169.02
District Attorneys Ofc	\$ 3,875.01	J.P. 1-1	\$ 109.40	J.P. 1-2	\$ 161.47
J.P. 2	\$ 70.08	J.P. 3	\$ 267.32	J.P. 5	\$ 184.65
Dept of Public Safety	\$ 112.25	Constable 1	\$ 510.62	Constable 2	\$ 498.36
Constable 3	\$ 154.40	Constable 4	\$ 19,331.03	Constable 5	\$ 709.21
District Court Oper	\$ 3,376.91	Co & JP Court Oper	\$ 2,174.03	Precinct 1	\$ 109.72
Precinct 2	\$ 68.00	Precinct 3	\$ 638.61	Precinct 4	\$ 37.07
Veterans Adm Ofc	\$ 1,167.18	Computer Svcs	\$ 4,509.28	Fire Marshal/EMC Ofc	\$ 131.72
District Crt Reprtrs	\$ 80.53	Assoc Judge/Fam Law	\$ 48.41	Spec Counsel Office	\$ 200.48
CJD/VOCA Grant	\$ 788.72	CJD/VAWA Grant	\$ 364.57	Auto Theft Task Force	\$ 123.20
CAPCO/911 Addrs Mtc.	\$ 297.50	CAPCO/Chipper Grant	\$ 2,226.63	Juvenile Acct. Grant	\$ 34.58
Juvenile Justice Alt Ed	\$ 119.80	General Fund Credit	<\$194.97>	R&B Operations	\$ 53,816.68
Sheriff Abandon Veh	\$ 55.20	Hays Co Parks Fund	\$ 8,570.39	Rec Mng/Co Clerk	\$ 25,292.77
Law Library Fund	\$ 1,494.51	Hays Co Juv Center	\$ 6,446.22	Sheriff Spec Proj Fund	\$ 20.76
Courthouse Security	\$ 66.48	Family Health Svcs	\$ 1,771.33	Justice Court Tech	\$ 4,535.72
DOJ/Eqpt & Tech Fund	\$ 1,995.00	Road Bond S. 2001	\$ 8,037.00		

20270 APPROVE BUDGET AMENDMENT 02-23

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve Budget Amendment No. 02-23 as proposed by the County Auditor. All present voting "Aye".

AMENDMENT NO. 2002-23 FY 2002 BUDGET 05-14-02				
FUND NO. 01 FUND TITLE <u>GENERAL FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION	AMENDMENT		APPROPRIATION
	<u>BEFORE</u> <u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AS</u> <u>AMENDED</u>
<u>TRANSFER STATION (409):</u>				
01-409-5719 Miscellaneous Equipment	-0-	8,100		8,100
01-409-5452 Trash Hauling	67,500		(8,100)	59,400
<i>Transfer for (2) replacement containers</i>				
<u>CIVIC CENTER (413):</u>				
01-413-5299 Arena/Supplies	8,500	2,000		10,500
01-413-5459 Contract Maintenance	9,000		(2,000)	7,000
<i>Transfer for needed expense</i>				
<u>DISTRICT CLERK (416):</u>				
01-416-5211 Office Supply	4,400	629		5,029
01-416-5219 Case Binders	2,200		(629)	1,571
<i>Transfer for office supplies and chairs</i>				
<u>CONSTABLE 1 (431), CONSTABLE 2 (432), CONSTABLE 3 (433), CONSTABLE 4 (434):</u>				
01-431-5391 Other	600	564		1,164
01-432-5391 Other	640	562		1,202
01-433-5717 Law Enf Equipment	3,205	562		3,767
01-434-5489 Telephone	2,000	<u>562</u>		2,562
		<u>2,250</u>		
<u>REVENUE:</u>				
01-367-3430 Law Enf Donations	3,850		<u>2,250</u>	6,100
<i>Budget Constables' portion of Sac-n-Pac/Law Enf Day donations received</i>				



20271 APPROVE CONTRACT RENEWAL FOR FISCAL YEAR 2003 WITH TEXAS DEPARTMENT OF HEALTH

This request is for approval to renew the annual contract with Texas Department of Health for the following grants for FY03: *TB Elimination = \$24,988. Title V Maternal/Child Health = \$80,323. Triple 000-Bureau of Local Public Health = \$69,612 (1% reduction). Immunization = \$96,983.* A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve contract renewal for Fiscal Year 2003 with the Texas Department of Health. All present voting "Aye".

20272 STARR SUBDIVISION [PCT. 3 #02-3-018] * APPROVE PRELIMINARY PLAT [T1-89]

This is a two lot subdivision located on Thompson Ranch Road owned by Paul Layne Starr (Lot 1 = 11 ac.) and Todd A. Mackenzie (Lot 2 = 2 ac.). Environmental Health Director Allen Walther gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve preliminary plat of "Starr Subdivision". All present voting "Aye".

20273 LEDGEROCK ACRES [PCT. 3 #02-3-034] * APPROVE PRELIMINARY PLAT [T1-100]

Charles A. & Catherine L. Moore propose to subdivide 5.03 acres out of a 68.136 acre tract located on Ledgerock Road. Environmental Health Director Allen Walther gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve preliminary plat of "Ledgerock Acres". All present voting "Aye".

20274 BREED HILL [PCT. 4 #02-4-024] * APPROVE FINAL PLAT [T1-107]

This is a 3 lot subdivision being created by Irene I. Breed, Anthony W. Mathis & Lana B. Mathis. Access to Lots is through a 60 foot Shared Access Driveway. Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve final plat of "Breed Hill". All present voting "Aye".

20275 ROACH SUBDIVISION [PCT. 4 #02-4-033] * APPROVE PRELIMINARY PLAT [T1-116]

This is a 2 lot subdivision being developed by Patricia Jane Roach (out of a 5 acre tract). Access is on Fitzhugh Road (CR101). Environmental Health Director Allen Walther gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Molenaar, seconded by Judge Powers to approve preliminary plat of "Roach Subdivision". All present voting "Aye".

20276 CONTINUATION OF THE SELECTION OF MEMBERS FOR THE HAYS COUNTY SALARY GRIEVANCE COMMITTEE PURSUANT TO 152.104 LGC [T1-126]

Out of 27 people selected since the beginning of 2002, only 4 have accepted service on the Salary Grievance Committee. Nine members are needed to make up this committee, therefore, it is necessary to continue the process of selecting members. Judge Powers made a random selection of the following persons to serve on the Hays County Salary Grievance committee pursuant to Section 152.104 of the Local Government Code: Susan Brooks-Wallinge, Frances Sharleen Forrest, James Donald Reeder, Marilyn Theresa Gibbons, Ben F. Wright, Kenneth Robert Erickson, Terri S. Rogers, Rozella Strohmeyer & Linda Ruth Anderson

20277 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE COPSHIRE PROGRAM FOR UP TO \$450,000 AND TO EXECUTE CONTRACT [T1-150]

Grants Administrator Richard Salmon advised the grant funds from the Dept. of Justice, Community Oriented Policing Program (COPSHIRE) will be used to pay the salaries and benefits of 6 new law enforcement officers for the Hays County Sheriff's Office. Maximum grant amount for the 3-year period is \$75,000 per officer. The first year the program will pay 100% of salary & benefits, the 2nd year they will pay 50% and in the 3rd year they will pay about 17% for a total of \$450,000. County match for the same period is \$395,178.

COPSHIRE GRANT for 6 Officers						
Per Officer Cost	Year 1	Year 2	Year 3	Sub-total	# of Positions	Total
Federal Share	\$ 42,557	\$23,407	\$ 9,036	\$ 75,000	6	\$ 450,000
Local Share	\$ 0	\$23,406	\$42,457	\$ 65,86	6	\$ 395,178
Ttl Salary & Benefits	\$ 42,557	\$46,813	\$51,493	\$140,863	6	\$ 845,178
	1st year 2002-03	2nd year 2003-04	3rd year 2004-05			
	budget no officers	budget cost of 3 officers	budget cost of 5 officers			
	Cost/County \$ 0	Cost/County \$ 140,442	Cost/County \$ 254,742			



[T1-176] Commissioner Carter spoke of attending a county management seminar in Austin – she spoke of “accountability” being the main element needed in county government and she stated that some grants are toxic (they cause county’s to do things that wouldn’t otherwise do). Commissioner Carter stated that her office has done a study that shows the following: Hays County has approximately 146 people in the Sheriff’s Dept. with a population of 97,000 – Comal County has 102 people in the Sheriff’s Dept. with a population of 78,000 – Guadalupe County has 55 people in the Sheriff’s Dept. with a population of 89,000. She asked for accounting from our Sheriff’s Department as to the number of officers per one hundred people in the population – she wants something to show what the need is for what we are trying to apply. Richard Salmon advised that the calls for service are different in each county – he stated that he has advised Caldwell County and Guadalupe County on how to obtain grants. Mr. Salmon advised that he works with the auditor’s office to determine figures being presented to the court. County Auditor Bill Herzog advised that the first year budget is paid 100% by the grant but future budgets will be affected. Deputy Sheriff Sam Williams advised that part of the numbers for Hays County are correction officers. Commissioner Carter spoke of need for documentation regarding the need. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant application to the U.S. Department of Justice COPSHIRE Program for up to \$450,000 and execute a contract. Commissioner Ingalsbe, Commissioner Molenaar, and Judge Powers voting “Aye”. Commissioner Carter voting “No”.

20278 APPROVE A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS JUDICIAL COUNCIL -TASK FORCE ON INDIGENT DEFENSE FOR UP TO \$33,190 AND TO EXECUTE CONTRACT [T1-269]

Grants Administrator Richard Salmon advised that under provisions of the Fair Defense Act, 77th Regular Session, some counties are eligible to receive financial assistance from the Task Force on Indigent Defense. Based on calculations completed in conjunction with the auditor’s office, it appears Hays County is eligible for \$33,190. If some of the other counties do not apply or are not eligible, then we could get more. No county match is required. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to approve a resolution authorizing the County Judge to submit a grant application to the Texas Judicial Council – Task Force on Indigent Defense for up to \$33,190 and to execute a contract. All present voting “Aye”.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONSIDER PENDING INSURANCE CLAIMS AND RELATED TESTING INFORMATION REGARDING THE HAYS COUNTY JUSTICE CENTER

The court convened into closed executive session (9:30 a.m.) pursuant to Section 551.071 Texas Government Code, to consider pending insurance claims and related testing information regarding the Hays County Justice Center. Upon completion of the closed session (11:30 a.m.), the court reconvened into open meeting. No action was taken.

Clerk’s Note: Agenda Item #14: EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO RECEIVE A LEGAL BRIEFING AND DELIBERATE THE FOLLOWING MATTER: (1) CAUSE NO. 2000-0688, HAYS COUNTY WATER PLANNING PARTNERSHIP V. HAYS COUNTY was pulled. No discussion and no action taken.

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 21ST DAY OF MAY, 2002.

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

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

