



STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 22nd DAY OF OCTOBER 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
LINDA C. FRITSCH	CHIEF DEPUTY COUNTY CLERK

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.

20633 APPROVE THE COMMISSIONERS' COURT MINUTES OF OCTOBER 15, 2002

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the Commissioners' Court Minutes of October 15, 2002 as presented by the County Clerk. All voting "Aye".

20634 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 \$221,085.23 as presented by the County Auditor. All voting "Aye".

Ad Valorem Tax	\$ 25,716.26	Licenses & Permits	\$ 616.00	State Shared Rev	\$ 5,504.16
Fines	\$ 19,802.50	TDHCA Funds	\$ 2,072.63	Auditors Office	\$ 1,341.18
Treasurers Office	\$ 1,392.26	Extension Office	\$ 460.99	Grants Admin	\$ 90.37
Juvenile Probation	\$ 1,343.67	Comm & Soc Svcs	\$ 7,875.00	Transfer Station	\$ 1,146.07
Building Mtc Dept.	\$ 4,060.56	Environ Health	\$ 479.88	Civic Center	\$ 1,153.42
Countywide Oper	\$ 16,325.38	Tax A/C Office	\$ 269.96	District Clerks Ofc	\$ 260.00
Sheriffs Office	\$ 8,161.39	Jail Operations	\$ 14,687.37	Human Resources	\$ 1,012.20
Co Court at Law 1	\$ 275.99	District Atty's Office	\$ 990.21	J.P. 1-1	\$ 238.48
J.P. 1-2	\$ 253.75	J.P. 2	\$ 428.00	J.P. 3	\$ 53.05
J.P. 4	\$ 165.00	J.P. 5	\$ 72.20	DPS	\$ 14.99
Constable 1	\$ 112.54	Constable 3	\$ 23.81	Constable 4	\$ 17.65
District Court Oper	\$ 9,338.78	Co & JP Court Oper	\$ 2,551.32	Precinct 2	\$ 1.85
Precinct 4	\$ 77.00	DPS/L&W	\$ 196.60	Fire Marshal/EMC	\$ 145.00
TJPC CCAP Grant	\$ 695.66	Assoc Judge/Family	\$ 33.44	Comm Court Exp	\$ 340.50
CJD/VOCA Grant	\$ 520.48	Juvenile Prob Grant	\$ 5,473.20	Juv Justice Alt Ed	\$ 147.34
General Fund Credit	<\$ 220.71>	Road & Bridge Oper	\$ 75,814.80	Right of Way	\$ 1,106.00
R&B Gen Fund Credit	<\$172.02>	Sheriffs Abandon Veh	\$ 59.94	Hays Co Parks Fund	\$ 997.57
Rec Mng/County Clerk	\$ 979.11	Health Svcs Grants	\$ 264.00	Hays Co Juv Center	\$ 5,500.76
Sheriffs Spec Projects	\$ 36.83	Sheriffs Drug Forf	\$ 181.78	Family Health Svcs	\$ 361.95
Rd Bond S.2001 Constr	\$ 237.13				

20635 APPROVE BUDGET AMENDMENT 02-44

A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve Budget Amendment No. 02-44 as presented by the County Auditor. All voting "Aye". [FY2002 end-of-year adjustments]

20636 APPROVE PURCHASE OF A STATIONARY CRANE FOR THE NEW ROAD DEPARTMENT SHOP

Bids were submitted by Kellerin Equipment Sales Inc.(\$20,800), Abell-Howe Company (\$21,074.80), and Advanced Crane & Hoist Services Inc. (\$22,521.41). Road Supt/Engineer Jerry Borcharding advised that they will go with Abell-Howe bid (\$274.80 more) rather than the low bidder who will not conform with county purchasing procedures. County Auditor Bill Herzog advised that the low bidder required payment up front. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve the purchase of a stationary crane for the Road Department Shop from Abell-Howe in the amount of \$21,074.80. All voting "Aye".



20637 HAYS COUNTRY OAKS ESTATES [PCT 2. #02-2-074] * APPROVE FINAL PLAT [T1-23]

Environmental Health Director 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 "Hays Country Oaks Estates". All voting "Aye".

20638 SUMMER MOUNTAIN RANCH SECTION 1 * APPROVE CORRECTION OF STREET NAME AS ORIGINALLY PLATTED [T1-32]

A letter was received from the Summer Mountain Ranch Property Owners Association regarding a street name in their subdivision – the Section 1 plat records one of the streets as "Cascades Trail" and the Section 2 plat records the same street name as "Cascade Trail". They are requesting that the court approve correction of the street name on the plat of Section 1 (Vol 5 Pg 353) from Cascades Trail to Cascade Trail [no "s" on the end of Cascade]. Environmental Health Director Allen Walther gave staff recommendation for approval. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to approve correction of street name on Summer Mountain Ranch Section 1 plat from "Cascades Trail" to Cascade Trail". All voting "Aye".

20639 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT OF 30 MPH) FOR APPALOOSA WAY AND BRIDLE PATH [T1-74]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcherding advised that speed limits have never been established for these roads and he recommends a speed limit of 30MPH. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to establish traffic regulation of 30MPH speed limit for Appaloosa Way and Bridle Path. All voting "Aye".

20640 APPROVE EXEMPTION OF NON-EXEMPT ELECTION OFFICE EMPLOYEES FROM SECTION 6.18 OVERTIME OF THE COUNTY EMPLOYEE PERSONNEL POLICY

[T1-86] *Summary: The Hays County Employee Personnel Policy Section 6.18 OVERTIME states that non-exempt employees, except for the Hays County Sheriff's Department, may be compensated for overtime by: (1) equal time off within the same official work week; (2) comp time off at one and one-half times the number of hours worked up to a maximum of 60 hours that may be accrued. No more additional hours of comp time will be allowed to accumulate without the expressed written consent of the Commissioners' Court; and (3) payment at the rate of one-half times the employee's regular hourly rate if specifically authorized by order of the Commissioners' Court and approved by the department head, normally only in emergency situations.* Commissioner Ingalsbe spoke of Election Administrator Joyce Cowan's request that employees in her office be allowed to exceed the 60 hours comp time limit during the election process (work weekends in preparation of the election and extended hours during training, early voting, and election days). It will not involve overtime pay – they will receive comp time off during the year. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve exemption of non-exempt Election Office employees from Section 6.18 overtime of the Hays County Employee Personnel Policy. Commissioner Ingalsbe, Commissioner Carter, Commissioner Burnett, and Judge Powers voting "Aye". Commissioner Molenaar voting "No".

20641 ACTION REGARDING LEGAL REPRESENTATION FOR HAYS COUNTY IN THE MATTER STYLED MARCIE CALDWELL, ET AL., VS. CAROLE KEETON RYLANDER, ET AL

[T1-179] Commissioner Molenaar spoke of class action suit involving 64 counties RE: judicial fee assessed on criminal convictions – Hays County has collected over \$555,000 (supplemental salary for county court at law judges). Special Counsel Jacqueline Cullom Murphy spoke of TAC having agreed to pay Jim Allison's firm up to \$25,000 to provide representation to whoever joins up – cost to the counties would be based on population – there are other firms that could be considered. She recommends letting Mike Wenk and herself file an answer to prevent default – the plaintiffs are seeking restitution (refund of all the fees collected since 1993). [T1-245] A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to direct the District Attorney and Special Counsel to file an answer by October 28, 2002 in the matter styled "Marcie Caldwell, et al vs. Carole Keeton Rylander, et al", research this matter and come back to the court with cost of the law suit and evaluate need for outside legal counsel. All voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 29th DAY OF OCTOBER, 2002

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

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