



STATE OF TEXAS 0
 COUNTY OF HAYS 0

ON THIS THE 12TH DAY OF NOVEMBER 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	DEPUTY COUNTY CLERK

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.

PRESENTATION BY CARTER-BURGESS ON THEIR FINAL REPORT OF A NEW HAYS COUNTY GOVERNMENT CENTER

Stephen Coulston, Project Manager, spoke of Executive Summary, determining requirements process (space requirements), and development of solution (preliminary concept design). Bob Sims, Planner, spoke of making sure that all affected departments were consulted and they toured the existing facilities. They also surveyed the possible site (IH35 & Thorpe Lane – old hospital property) – trends were looked at and interviews were held with various county departments. Currently the county is in 87-90,000 square feet spread out across San Marcos in various locations and the needs for today (2002) were determined to be 114,000+ square feet. In 2012 you will need 140,000+. Bob Sims spoke of meetings that were held to determine design and various floor plans were created. They arrived at a site master plan – 4 buildings surrounded by parking – the initial 2 buildings would incorporate 150-160,00 square feet (95,000 sf in #1 and 80,000 sf in #2). [T1-200] He spoke of the current courts facility (Justice Center) and security problems – the new floor plan solves those problems. Estimated cost for the initial 2 buildings = \$27,110,919.00. He spoke of minimum start (currently leased space), medium start (include courts along with leased space), and maximum (include all departments with additional needed space). Issues to be addressed: disposing of existing property, impact on existing downtown, financing options, and other funding sources (insurance, prisoner holding costs, and participation by others). Commissioner Burnett spoke of discussions regarding impact to downtown. Bob Sims stated that the possible impact to downtown San Marcos was considered, however, there is not sufficient infrastructure downtown to accommodate even the current facilities. Commissioner Ingalsbe spoke of Pg. 5.4 & 5.5 listing alternatives using the downtown area, however, there is not sufficient parking downtown. Commissioner Molenaar spoke of need to promote the historical aspects of downtown if the county facilities move out. Commissioner Carter spoke of benefiting downtown by addition of other businesses (where people shop and spend money) rather than government offices. Commissioner Ingalsbe spoke of her conversations with other departments and a consolidation of all departments would be beneficial.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Assistant District Attorney Mark Kennedy presented a 10 year service pin to Carolyn Brown (District Attorney Office Manager). Other county employees earning service pins but not present today were: Sandra Jackson, Court Reporter for the County Court at Law office has earned a 15 year service pin and Shelly Williams, Assistant Chief Juvenile Probation Officer, has earned a 20 year service pin.

PUBLIC COMMENTS

[T1-663] Charlie Johnson (Wimberley resident) spoke of meeting that he attended in Dripping Springs on Saturday hosted by the Dripping Springs VFW and the Austin Chapter of the Purple Heart Association – they had a speaker from the Texas Veterans Affairs office that explained how to get qualified for veterans services at the hospital/clinic. At this meeting they were told that they should go to Travis County to receive veterans benefits and fast service and do not go to Hays County because the Hays County Veterans Service Officer is tied up as a chauffer driving a van to San Antonio and does not have the time to do this. Commissioner Molenaar spoke of money that was allocated by the Court for a bus driver so that the Veterans Service Officer can spend more time throughout the county (he is in Dripping Springs every Wednesdays from 8AM – Noon and later if needed) providing his services to Hays County veterans.



20663 APPROVE THE COMMISSIONERS' COURT MINUTES OF OCTOBER 29, 2002

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of October 29, 2002 as presented by the County Clerk. All voting "Aye".

20664 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 \$115,516.84, \$221,007.53, and \$484,181.14 as presented by the County Auditor. All voting "Aye".

11/05/02 run = \$115,516.84

Comm & Soc Svc	\$ 375.00	Countywide Oper	\$ 109,053.20	Dist Court Oper	\$ 460.00
R&B General	\$ 5,628.64				

11/05/02 run = \$221,007.53

Public Safety Svcs	\$ 35.00	Fines	\$ 310.06	Auditors Office	\$ 645.46
Extension Office	\$ 247.55	Grants Admin	\$ 120.45	Juvenile Prob Ofc	\$ 1,230.76
Comm & Soc Svcs	\$ 4,350.00	Bldg Mtc Dept.	\$ 4,404.81	Environ Health	\$ 613.44
Countywide Oper	\$ 42,404.58	Tax A/C Office	\$ 1,229.49	District Clerk's Office	\$ 587.00
Sheriff's Office	\$ 6,732.10	Jail Operations	\$ 9,020.23	County Judge's Office	\$ 36.17
Human Resources	\$ 469.11	District Attorneys Ofc	\$ 354.11	J.P. 2	\$ 158.78
J.P. 3	\$ 148.00	Constable 2	\$ 700.36	Constable 3	\$ 165.33
Constable 5	\$ 67.43	District Court Oper	\$ 25,790.57	Co & JP Court Oper	\$ 1,466.01
Precinct 1	\$ 70.76	Precinct 2	\$ 225.44	Computer Services	\$ 5,566.68
Fire Marshal/EMC	\$ 144.72	COPSMORE '02 Grant	\$ 876.97	911 Addrs Mtc. Grant	\$ 8,600.00
Gen Fund Credit	<\$72.86>	R&B Operating	\$ 36,484.80	Sheriffs Abandon Veh	\$ 176.80
Records Mng/Co Clk	\$ 12,290.00	Health Svcs Grants	\$ 2,096.16	Juvenile Center	\$ 5,634.55
Sheriff Spec Projects	\$ 32.96	Sheriffs Drug Forf	\$ 65.00	Family Health Svcs	\$ 29,013.47
DOJ/Eqpt & Tech	\$ 2.00	Tobacco Settlement	\$ 1,006.50	Road Bond S.2001	\$ 16,289.81

11/12/02 run = \$484,181.14

Fines	\$ 11.00	TDHCA Funds	\$ 2,257.40	Auditors Office	\$ 699.85
Treasurers Office	\$ 262.33	Extension office	\$ 768.86	Grants Admin	\$ 350.36
Juvenile Probation	\$ 2,873.08	Election Admin	\$ 3,374.75	Comm & Soc Svcs	\$ 2,661.75
Transfer station	\$ 222.48	Building Mtc. Dept.	\$ 7,815.90	Environ Health	\$ 2,322.77
Civic Center	\$ 210.00	Countywide Oper	\$ 39,514.20	Tax A/C Office	\$ 118.62
District Clerks Ofc	\$ 1,194.77	Sheriffs Office	\$ 24,523.69	Jail Operations	\$ 7,915.36
Human Resources	\$ 776.80	Co Court at Law 1	\$ 308.31	District Atty's Office	\$ 2,142.74
J.P. 1-1	\$ 417.94	J.P.1-2	\$ 169.28	J.P. 2	\$ 347.78
J.P. 3	\$ 108.58	J.P. 5	\$ 55.07	DPS	\$ 123.68
Constable 1	\$ 508.51	Constable 2	\$ 712.21	Constable 3	\$ 199.17
Constable 4	\$ 312.49	Constable 5	\$ 422.26	District Court Oper	\$ 11,488.56
Co & JP Court Oper	\$ 1,283.85	Precinct 1	\$ 196.35	Precinct 3	\$ 76.17
Veterans Admin	\$ 748.92	Computer Services	\$ 4,196.43	Co Court at Law 2	\$ 30.00
TJPC Salaries Grant	\$ 4,000.00	DPS/Lic & Weights	\$ 144.05	Fire Marshal/EMC	\$ 1,241.35
TABC Office	\$ 100.64	District Crt Reporters	\$ 84.52	TJPC CCAP Grant	\$ 55,350.00
Assoc Judge/Family	\$ 96.80	Spec Counsel Office	\$ 196.26	CJD/VOCA Grant	\$ 224.18
CJD/VAWA Grant	\$ 35.87	Auto Theft Task Force	\$ 67.80	911 Addrs Mtc Grant	\$ 331.67
Juv Justice Alt Ed	\$ 156.85	General Fund Credit	<\$17.98>	R&B General Fund	\$ 102,189.42
Sheriff Abandon Veh	\$ 100.04	Hays Co Parks Fund	\$ 623.69	Rec Mng/Co Clerk	\$ 1,311.18
Law Library Fund	\$ 2,221.28	Hays Co Juvenile Ctr	\$ 8,903.29	Sheriffs Spec Proj	\$ 450.00
Court Security Fund	\$ 66.42	Med/Dental Insur	\$ 643.50	Sheriffs Drug Forf	\$ 159.00
Family Health Svcs	\$ 1,530.58	Road Bond S. 2001	\$ 182,240.46		

20665 APPROVE BUDGET AMENDMENT 03-02

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Budget Amendment No. 03-02 as proposed by the County Auditor. All voting "Aye".

AMENDMENT NO. 2003-02 FY 2003 BUDGET 11-12-02				
FUND NO. 01 FUND TITLE GENERAL FUND				
	APPROPRIATION BEFORE	AMENDMENT		APPROPRIATION AS
<u>LINE ITEM - EXPENDITURES</u>	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AMENDED</u>
CAPCO 911 ADDRESSING MAINTENANCE (727):				
01-727-5719 Equipment	-0-	4,500		4,500
01-727-5448 Contract Services	11,000		(4,500)	6,500
Transfer for GIS Receivers per agency				



AMENDMENT NO. <u>2003-02</u> FY 2003 BUDGET 11-12-02				
FUND NO. <u>01</u> FUND TITLE <u>GENERAL FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION	<u>AMENDMENT</u>		APPROPRIATION
	<u>BEFORE</u>	<u>INCREASES</u>	<u>DECREASES</u>	<u>AS AMENDED</u>
COUNTYWIDE (414):				
01-414-5944 Perm Transfer to Equip/Tech	3,000	150		3,150
SHERIFF (418):				
01-418-5717 Law Enf Equipment	57,640		(150)	57,490
<i>Adjust for Grant match</i>				
COMMISSIONER, PCT. 1 (439):				
01-439-5353 Special Projects	1,500		(837)	663
BUILDING MAINTENANCE (410):				
01-410-5241 Maintenance Supplies	20,000	837		20,837
<i>Transfer for Election Office repair</i>				
FUND NO. <u>03</u> FUND TITLE <u>ROAD & BRIDGE GENERAL FUND</u>				
ROAD & BRIDGE OPERATIONS (438):				
03-438-5351 Materials	2,000,000	55,033		2,055,033
REVENUE:				
03-381-3438 FEMA Grant	-0-		<u>INCREASE:</u> 55,033	55,033
<i>Budget Flood Grant Award</i>				
FUND NO. <u>50</u> FUND TITLE <u>DOJ/EQUIPMENT & TECHNOLOGY FUND</u>				
DOJ/TECHNOLOGY & EQUIPMENT 2002 (728):				
50-728-5717 Law Enf Equipment	27,000	<u>4,466</u>		31,466
REVENUE:				
50-381-2728 Equipment & Technology Grant	24,000		<u>DECREASE:</u> 4,319	28,319
50-392-0001 Transfer from General Fund	3,000		<u>INCREASE:</u> 147	3,147
<i>Adjust Grant funding to actual</i>				

20666 APPROVE UTILITY PERMITS

PERMIT #	CO RD NAME/#	UTILITY COMPANY
01615	CR170/Elder Hill Road	Time Warner Cable
01616	CR269/Clovis Barker Road	City of San Marcos
01617	CR163/Nutty Brown Road	Pedernales Electric Coop
01618	CR204/Lehman Road	Pedernales Electric Coop

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Utility Permits #01615-01618 as submitted by the Hays County Road Department. All voting "Aye".

20667 AUTHORIZE THE COUNTY JUDGE TO FORWARD A LETTER TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) REGARDING A COOPERATIVE EFFORT TO IMPROVE STATE ROADS IN HAYS COUNTY [T1-736]

Al Luedecke (of Turner, Collie & Braden) spoke of letter received from TxDot agreeing that all projects are needed – there are questions as to who will do what work – they are appreciative of money being offered. We would like to firm up the obligations of the State and create a timeline. TxDot has not promised any construction funds at this time for the proposed projects. Commissioner Molenaar spoke of there being no commitment from the State – we need a firm commitment from them – we want to be proactive and not reactive. He is not willing to wait for this to happen two or more years from now – we could use these funds for other projects if the State cannot make a commitment. Commissioner Carter asked about extension of State Highway 21 north. Commissioner Burnett spoke of SH21 improvements (phased project). Commissioner Burnett spoke of recent fatalities on RR12 and SH290. Al Luedecke advised that additional wording is needed on the letter regarding the SH21 project: "We concur that *the development of* this project is well underway". [T1-1003] A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to adopt the proposed letter and authorize the County Judge to send it to Bill Garbade of the Austin District of the Texas Department of Transportation (TxDot) and to furthermore, authorize the County Judge to negotiate the contracts with the assistance of Turner, Collie & Braden. All voting "Aye".



20668 AUTHORIZATION OF THE PURCHASE OF "AUTO PACKAGE TEXAS" FOR CONSTABLE PCT. 2 IN-CAR VIDEO CAMERA [T1-1043]

Constable Pct. 2 James Kohler requested authorization to upgrade cameras he received from the State – the cameras are currently installed in his department vehicles (cost = \$670). County Auditor Bill Herzog suggested using excess funds budgeted for vehicles for this purchase. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the purchase of "Auto Package Texas" for Constable Pct. 2's in-car video cameras to be paid out of vehicles line item. Commissioner Ingalsbe, Commissioner Carter, Judge Powers, and Commissioner Molenaar voting "Aye". Commissioner Burnett was not present for vote.

20669 CANVASS THE NOVEMBER 5TH, 2002 GENERAL ELECTION RETURNS [T1-1083]

Elections Administrator Joyce Cowan presented totals for the November 5, 2002 General Election returns and requested approval. A motion was made by Commissioner Molenaar, seconded by Judge Powers to canvass the November 5, 2002 General Election Returns. All voting "Aye". Commissioner Burnett commended her for the work she does.

PRESENTATION BY SUNDAY AND ASSOCIATES, INC. ON END OF THE YEAR HEALTH PLAN [T1-1125]

Burke Sunday (Sunday & Associates Inc.) presented members of the court with a 2001-2002 Plan Year Review of the Hays County Medical and Dental Plan. He advised that there are no major issues to address administratively – financially we did not end the year well at all (\$142,500 in reimbursement is due). He spoke of need to make employees more aware of what is going on, give them greater resources and promote the CIGNA website so that employees can research their claims and become educated on healthier lifestyles. Mr. Sunday spoke of possibly setting aside funds that employees can use for routine care (flu, minor accident, etc.) and by not using these funds they will have more money available to reduce dependent health care, etc. He spoke of various plans that could be considered by employees to reduce dependent costs.

20670 HEATHER HILLS [PCT 4 #01-4-038] * ACCEPT COMPLETION OF CONSTRUCTION, RELEASE OF CONSTRUCTION FISCAL SECURITY, AND ACCEPTANCE OF MAINTENANCE FISCAL SECURITY [T1-1570]

Environmental Health Director Allen Walther advised that road department has completed inspections and staff recommends acceptance. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to accept completion of construction of road and drainage improvements, release of construction fiscal security and acceptance of a 10% maintenance fiscal security for a period of 2 years. All voting "Aye".

20671 BELTERRA PHASE 2 (589 LOTS) [PCT 4 #02-4-084] * APPROVE PRELIMINARY PLAT AND GRANT A VARIANCE FROM MINIMUM ROW REQUIREMENTS [T1-1586]

Environmental Health Director Allen Walther advised that variance request has to do with smaller streets (from 60' to 50' right-of-way) – they are urban designed roads (with curb & gutter) – staff recommends approval. Commissioner Molenaar spoke of this subdivision being designed for pedestrians (sidewalks, etc.). Road Supt/Engineer Jerry Borcharding advised that road maintenance will require more attention to detail. Commissioner Molenaar spoke of working on addressing this type of roadways in the county subdivision rules. Steve Sherrill (MAK Foster Ranch) spoke of conceptual plan that was presented to the court and he spoke of pedestrian trails and parkland. They have 160 acres of open space and greenbelts. They have also set aside land for a school site which will be donated with restrictions. Mr. Sherrill spoke of creation of two Water Districts/Municipal Utility Districts (#1 & #2) which will operate and maintain the parks – District #1 has created a park fee that will be used to maintain the parks. Jerry Borcharding stated that the Road Dept. has worked closely with the Developer regarding installation of utilities – the road department does have the expertise to make general repairs to the streets. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Belterra Phase 2" and grant a variance from the minimum right-of-way requirements. Commissioner Carter was not present to vote. Commissioner Ingalsbe, Commissioner Burnett, Commissioner Molenaar, and Judge Powers voting "Aye".

Commissioner Carter left the meeting at this time.

20672 GATEWAY ESTATES III (2 LOTS) [PCT 4 #02-4-087] * APPROVE PRELIMINARY PLAT

[T1-1864] Mark C. McManus, Trustee, proposes to divide a 10 acre tract into 2 lots with access on US290. Environmental Health Director Allen Walther gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve preliminary plat of "Gateway Estates III". All present voting "Aye".



**20673 KIRBY SPRINGS PHASE 2 REPLAT OF LOT 26 (2 LOTS) [PCT 4 #02-4-087] *
APPROVE PRELIMINARY PLAT [T1-1881]**

Property owners James & Mary Hamilton propose to create two 6+ acre lots out of an original 12.910 acre lot with access on East Creek Drive. Environmental Health Director Allen Walther gave staff recommendation for preliminary plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve preliminary plat of "Kirby Springs Phase 2 Replat of Lot 26". All present voting "Aye".

20674 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (30 MPH) FOR SATTERWHITE ROAD [T1-1907]

Judge Powers declared the public hearing open. Mr. Henry Leal asked why the county is putting traffic regulations on this road when there are no commuters on it and why was tax dollars spent on road improvements. He felt like there are other roads in Pct. 2 that need improvement more than Satterwhite Road (i.e. Old Spanish Road Trail & Palomino Road). Commissioner Burnett advised Mr. Leal that you must have establish speed limits on roads before any traffic tickets can be issued. Commissioner Molenaar advised that all county roads need to have traffic regulations established. Road Supt/Engineer Jerry Borcharding advised that he will meet with Mr. Leal after the meeting to try and answer his questions. Commissioner Carter was not present to respond because she had left the meeting earlier. The public hearing was closed. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to establish traffic regulations of 30 MPH speed limit on Satterwhite Road. All present voting "Aye".

20675 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (30 MPH) FOR JERRY'S LANE [T1-2050]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding advised that speed limits need to be established on this roadway. A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to establish traffic regulations of 30 MPH speed limit on Jerry's Lane. All present voting "Aye".

20676 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMITS) IN THE SAWYER RANCH SUBDIVISION AND SAWYER RANCH ROAD IN THE DRIPPING SPRINGS AREA [T1-2066]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. Commissioner Molenaar spoke of need for speed limit to be established on interior roads in the Sawyer Ranch Subdivision (25MPH) and on Sawyer Ranch Road (40MPH). A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to establish traffic regulations of 25 MPH speed limit on all interior roads in the Sawyer Ranch Subdivision and on Sawyer Ranch Road in the Dripping Springs area. All present voting "Aye". A motion was made by Commissioner Molenaar, seconded by Judge Powers To establish traffic regulations of 40MPH speed limit on Sawyer Ranch Road. All present voting "Aye".

20677 AUTHORIZE HIRING REBECCA HALL, AS A NEW DEPUTY COUNTY CLERK AT GRADE 20, STEP 4, EFFECTIVE NOVEMBER 5, 2002, BASED ON LENGTHY WORK EXPERIENCE [T1-2128]

Human Resources Director Luis Gonzales gave his recommendation for approval of request from the County Clerk to hire new employee Rebecca Hall at a Grade 20 Step 4 based on her work experience. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to authorize hiring Rebecca Hall as a Deputy County Clerk at Grade 20 Step 4 effective November 5, 2002 based on lengthy work experience. All present voting "Aye".

20678 APPROVE THE 2003 HAYS COUNTY HOLIDAYS [T1-2147]

Commissioner Molenaar suggested adding a personal holiday for employees. It was suggested that the personnel policy be amended to allow a personal day for each employee. Commissioner Burnett spoke of considering September 11th as a holiday. A motion was made by Judge Powers, seconded by Commissioner Burnett to approve the 2003 Hays County Holidays as presented. All present voting "Aye".

HAYS COUNTY HOLIDAYS FOR 2003			
NEW YEARS DAY.....	JAN	1	WED
MARTIN LUTHER KING'S BIRTHDAY.....	JAN	20	MON
PRESIDENT'S DAY.....	FEB	17	MON
GOOD FRIDAY.....	APR	18	FRI
MEMORIAL DAY.....	MAY	26	MON
INDEPENDENCE DAY.....	JUL	4	FRI
LABOR DAY.....	SEP	1	MON
COLUMBUS DAY.....	OCT	13	MON
VETERAN'S DAY.....	NOV	11	TUE
THANKSGIVING.....	NOV	27	THU
	NOV	28	FRI
CHRISTMAS.....	DEC	25	THU
	DEC	26	FRI



20679 APPROVE A 2% COST OF LIVING ALLOWANCE INCREASE FOR COUNTY RETIREES [T1-2267]

A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve a 2% cost-of-living allowance increase for County Retirees. All present voting "Aye".

20680 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE OFFICE OF THE GOVERNOR FOR CRIMINAL JUSTICE DIVISION IN THE AMOUNT OF \$102,087. AND TO EXECUTE A CONTRACT [T1-2287]

Summary: Federal law mandates the Victims Assistance Program. Hays County has been using grant funds, county cash match and volunteers to operate each year. Grant funds are provided through CAPCO by way of the Office of the Governor – Criminal Justice Division. Hays County has received grant funds to operate our program for 7 years. Due to the anticipated reduction in state funds, this grant request will be 14% less than the FY2002-2003. In the future Hays County will have to fund all of the VOCA Program. This proposal covers the grant period 7/1/03 to 6/30/04. The grant request is solely for salaries and benefits. In addition, the county will provide in-kind match of \$18,870 in the form of volunteer hours. Matching funds will come from FY2003-2004 and will be budgeted under the District Attorney's office. A Performance 2000 Review conducted by the State indicated the Hays County's Victims Advocacy Program was operating at optimum efficiency due to adequate staffing, office space and funding. Hays County Victims Advocacy Program continues to be one of the best in Central Texas. A motion was made by Commissioner Molenaar, seconded by Commissioner to authorize the County Judge to submit a grant request to the office of the Governor for Criminal Justice Division in the amount of \$102,087.00 and to execute a contract. All present voting "Aye".

RESOLUTION

A resolution of the Commissioners' Court of the County of Hays, Texas hereby authorizes the submittal of a grant application to the Office of the Governor – Criminal Justice Division/Victims of Crime Act Program.

WHEREAS, Hays County is the eligible applicant under the rules of the Office of the Governor – Criminal Justice Division/Victims of Crime Program. The grant request is for \$101,087 for the Victims Assistance Program in the District Attorney's Office.

NOW, THEREFORE, BE IT RESOLVED BY THE Commissioners' Court of Hays County, Texas.

1. To submit a grant for \$102,087 to the Office of Governor – Criminal Justice Division/Victims of Crime Program
2. To comply with the provisions of the fiscal reimbursement and reporting requirements of the Office of the Governor – Criminal Justice Division/Victims of Crime Program.
3. To use the funds solely for the purposes for which they are provided and in the event of loss or misuse, grant funds will be returned to CJD in full.
4. To provide \$40,902 in cash match and \$18,879 in in-kind match toward this grant request.
5. To authorize the County Judge to execute all necessary documents as may be required and to execute contract if approved.

PASSED AND APPROVE at a meeting of the Commissioners' Court of Hays County, Texas on the 12th day of November, 2002.

20681 ACTION TO HIRE ALLISON, BASS & ASSOCIATES, L.L.P. AS OUTSIDE LEGAL COUNSEL TO REPRESENT HAYS COUNTY IN CALDWELL, ET AL. V. RYLANDER ET AL [T1-2300]

Special Counsel Jacqueline Cullom Murphy spoke of the class action lawsuit attempting to enjoin the collection of the \$15 supplemental court cost in criminal cases for the statutory judge's (County Court at Law Judges) supplemental salary fund. The law firm of Allison, Bass & Associates out of Austin have been retained by 45 counties to provide a common defense to this litigation. The Texas Association of Counties has agreed to pay 50% of the legal fees and expenses, not to exceed \$25,000. The remaining 50% would be shared by the participating counties on the basis of population. Based on the number of participating counties who have joined in the joint defense, the approximate cost to Hays County would be \$440.29 for the first \$50,000 of fees and expenses in this matter. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to hire Allison, Bass & Associates, LLP, as outside legal counsel to represent Hays County in the lawsuit styled "*Marcie Caldwell v. Carole Keeton Rylander, et al*". All present voting "Aye".

AUTHORIZATION FORM

The law firm of Allison, Bass and Associates ("firm") is hereby authorized to represent the undersigned county in Cause No. 99-13088 Caldwell v. Rylander, et al in the 261st Judicial District Court. The firm shall provide all necessary legal services to defend this matter and shall be compensated for partner services at a rate of \$190 per hour, associate services at a rate of \$150 per hour, and paralegal services at a rate of \$60 per hour, plus actual expenses.

All fees and expenses shall be apportioned as follows: 50% to the Texas Association of Counties, not to exceed \$25,000.00 total; and the remainder allocated to all participating defendant counties on the basis of population.

**20682 APPROVE PURCHASE OF A TRANSIT LEVEL WITH TRIPOD AND MEASURING ROD FOR ROAD DEPARTMENT INSPECTORS [T1-2324]**

Road Supt/Engineer Jerry Borcharding advised that his Inspectors need new equipment for shooting grades for drainage within the county right-of-way areas. The cost is \$800 and will be paid out of line item 03-438-5719. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to approve purchase of a transit level with tripod and measuring rod for the Road Department Inspectors. All present voting "Aye".

20683 APPOINT RICHARD GACHOT TO THE HAYS COUNTY HISTORICAL COMMISSION

[T1-2334] A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to appoint Richard Gachot to the Hays County Historical Commission. All present voting "Aye".

20684 ALLOW THE CALABOOSE AFRICAN AMERICAN MUSEUM TO RECEIVE THEIR FUNDING ALLOCATION IN TWO (2) PAYMENTS [T1-2342]

Summary: Last year the court voted to approve a similar funding disbursement. According to the Auditor's office, the museum has made all their reports on schedule, and is okay with this payment method. The requested payment would be for two payments of \$750 rather than four payments of \$325. A motion was made by Judge Powers, seconded by Commissioner Ingalsbe to allow the Calaboose African American Museum to receive their funding allocation in two (2) payments. All present voting "Aye".

Court was adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 19TH DAY OF NOVEMBER, 2002

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

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

